

Marysville City Council Meeting

September 24, 2007

7:00 p.m.

City Hall

Call to Order

Invocation

Pledge of Allegiance

Roll Call

Committee Reports

Presentations

- A. Oath of Office.
- B. Service Awards.
- C. RTID (Regional Transportation Investment District).

Audience Participation

Approval of Minutes (*Written Comment Only Accepted from Audience.*)

- 3. Approval of September 10, 2007 City Council Meeting Minutes. *
- 4. Approval of September 17, 2007 City Council Work Session Minutes. *

Consent

- 5. Approval of September 12, 2007 claims in the amount of \$1,234,727.94; Paid by check no.'s 41861 through 42008 with no check no.'s voided. *
- 6. Approval of September 19, 2007 claims in the amount of \$1,477,803.64; Paid by check no.'s 42010 through 42168 with no check no.'s voided. *
- 7. Approval of September 20, 2007 payroll in the amount of \$739,413.99; Paid by check no.'s 18542 through 18612 with no check no.'s voided. *
- 8. Approval of Elite Taxi Cab Corporation, a New For-Hire Business to operate in Marysville. *
- 13. SR 528, 47th Avenue NE to 67th Avenue NE, Road Improvements Snohomish County PUD No. 1 Distribution Easement.

Review Bids

Public Hearings

****These items have been added or revised from the materials previously distributed in the packets for the September 17, 2007 Work Session.***

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Current Business

11. Acceptance of the Jail Door Controls to start the 45-day lien filing period. *

New Business

9. 66th Avenue NE Underdrain and Storm Replacement Project to be awarded to Trico Contracting, Inc. *
10. Parkside Water Main Replacement Project to be awarded to Trico Contracting Inc. *
12. A **Resolution** declaring items of personal property to be surplus and authorizing the sale or disposal thereof.
14. Professional Service Agreement with Otak, Inc. to provide consulting services to update the City's Surface Water Comprehensive Plan.
15. Northwest Management System Contract to perform and update the City's Pavement Management System Study. *
16. 2007 Comprehensive Plan Amendments.
17. A Recreation and Conservation Office **Resolution** for Youth Athletic Fund Grant Application. *
18. A **Resolution** supporting Sound Transit (a regional transit authority) and RTID (a regional transportation investment district) Proposition #1 for regional roads and transit systems and urging voter approval of said proposition on the ballot November 6, 2007.
The ballot title reads substantially as follows;
To reduce transportation congestion, increase road and transit capacity, promote safety, facilitate mobility, provide for an integrated regional transportation system, and improve the health, welfare and safety of the citizens of Washington, shall Sound Transit (a regional transit authority) implement a regional rail and transit system linking Lynnwood, Shoreline, Northgate, Seattle, Bellevue, Redmond, SeaTac airport, Kent Federal Way and Tacoma as described in the Sound Transit 2 plan, financed by the existing taxes approved by the voters in 1996 and an additional sales and use tax of up to five-tenths of one percent imposed by Sound Transit, all as provided in Resolution No._____; and shall a regional transportation investment district (RTID) be formed and authorized to implement and invest in improving the regional transportation system by replacing vulnerable bridges, improving safety, and increasing capacity on state and local roads to further link major education, employment, and retail centers as described in Moving Forward Together: A Blueprint for Progress-King, Pierce, and Snohomish Counties, financed by a sales and use tax of up to one-tenth of

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one percent and a local motor vehicle excise tax of up to eight-tenths of one percent imposed by RTID, all as provided that the Sound Transit taxes shall be imposed only within the boundaries of Sound Transit, and the RTID taxes shall be imposed only within the boundaries of RTID?

Yes

No

Legal

Mayor's Business

Staff Business

Call on Councilmembers

Information Items

Adjourn

Executive Session

A. Litigation

B. Personnel

C. Real Estate

Adjourn

Special Accommodations: The City of Marysville strives to provide accessible meetings for people with disabilities. Please contact Kristie Guy, Human Resources Manager, at (360) 363-8000 or 17-800-833-6384 (Voice Relay), 17-800-833-6388 (TDD Relay) two days prior to the meeting date if any special accommodations are needed for this meeting.

****These items have been added or revised from the materials previously distributed in the packets for the September 17, 2007 Work Session.***

Call to Order/Invocation/Pledge of Allegiance/Roll Call	7:03 p.m.
Approval of Minutes	
Approve July 23, 2007 City Council Meeting Minutes.	Approved
Approve September 4, 2007 City Council Work Session Minutes	Approved
Consent Agenda	
Approval of July 27, 2007 Claims in the Amount of \$477,382.63; Paid by Check No.'s 40802 through 40925 with check No.'s 30697 and 40661 voided.	Approved
Approval of August 1, 2007 Claims in the Amount of \$907,319.73; Paid by Check No.'s 40926 through 41077 with Check No.'s 40852 and 40890 voided.	Approved
Approval of August 8, 2007 Claims in the Amount of \$959,063.14; Paid by Check No.'s 41078 through 41278 with Check No.'s 28362, 38067, and 41025 voided.	Approved
Approval of August 15, 2007 Claims in the Amount of \$600,616.40; Paid by Check No.'s 41279 through 41430 with Check No.'s 38772 and 40926 voided.	Approved
Approval of the August 3, 2007 Payroll in the Amount of \$1,080,372.12; Paid by Check No.'s 18286 through 18376 with Check No. 18366 voided.	Approved
Approval of the August 20, 2007 Payroll in the Amount of \$680,587.27; Paid by Check No.'s 18377 through 18459.	Approved
Approval of August 22, 2007 Claims in the Amount of \$476,214.94; Paid by Check No.'s 41431 through 41584 with Check No.'s 31455 and 41274 voided.	Approved
Approval of August 29, 2007 Claims in the Amount of \$474,713.24; Paid by Check No.'s 41585 through 41722 with no Check No.'s voided.	Approved
Professional Services Supplemental Agreement # 3 for Pertee Engineering for the SR 528, 47 th Avenue NE to 67 th Avenue NE Road Improvement Project.	Approved
Annual Support Agreement and License Agreement for Munis Software.	Approved
Award Janitorial Contract to Advantage Building Services under Contract No. 18989.	Approved
Professional Services Agreement with Blue Marble Environmental, LLC to aid in the design and implementation of the Commercial Food Waste Composting Program.	Approved
Acceptance of the Jennings Park Plaza/Sidewalk Installation Project 45-day Lien Filing Period.	Approved
Contract for Marysville Municipal Court Commissioner.	Approved
Approval of the September 5, 2007 Payroll in the Amount of \$1,069,555.89; Paid by Check No.'s 18460 through 18541.	Approved
Approval of September 5, 2007 Claims in the Amount of \$498,202.71; Paid by Check No.'s 41288 through 41526 voided.	Approved
Approve the Recommendation to Award Funding of the Hotel/Motel Tax Grant Project.	Approved
Review Bids	

Public Hearings	
Current Business	
Acceptance of the Stillaguamish Water Treatment Plant Project 45-day Lien Filing Period.	Continued
The Ridge at Rock Creek Phase 1-Final Plat Mylar.	Continued
New Business	
Legal	
Ordinances and Resolutions	
A Resolution of the City of Marysville to Accept Property Donation from WCD Development, Inc.	Approved Res. No. 2220
Recovery Contract (Sewer) for Powell-Smokey Point, LLC.	Approved Recovery Contract No. 278
An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Lakewood South Annexation Area into the City of Marysville and Rezoning Said Properties Consistent with the City's Comprehensive Land Use Plan Designations.	Approved Ord. No. 2707
Mayor's Business	
Affirm Reappointment of Stephen Leifer to the Planning Commission	Approved
Affirm Appointment of Kamille Norton to the Salary Commission.	Approved
Staff Business	
Authorize Mayor to sign letter in support the CTED grant.	Approved
authorize the Mayor to enter into a agreement with a consultant for promotion of the college sites with a budget up to \$100,000.	Approved
Call on Councilmembers	
Adjournment	8:47 p.m.

MARYSVILLE CITY COUNCIL MEETING

September 10, 2007

7:00 p.m.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the June 11, 2007 meeting of the Marysville City Council to order at 7:03 p.m. The invocation was given by Pastor Greg Kanehan of Marysville Free Methodist Church. Mayor Kendall led those present in the Pledge of Allegiance.

ROLL CALL

Chief Administrative Officer Mary Swenson gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

Present: Councilmember Jon Nehring, Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Also Present: Parks and Recreation Director Jim Ballew, Senior Planner Cheryl Dungan, Community Development Director Gloria Hirashima, Recording Secretary Laurie Hugdahl, City Clerk Tracy Jeffries, Finance Director Sandy Langdon, Public Works Director Paul Roberts, Chief of Police Rick Smith and Chief Administrative Officer Mary Swenson

Committee Reports – None

Mayor Kendall noted that item 15 under Current Business, *45-day Lien Filing Period for the Stillaguamish Water Treatment Plant*, would be pulled and held over until the next meeting.

Presentations - None

Audience Participation

Kelly Boren, 8507 66th Place NE, Marysville, Mr. Boren discussed six concerns he had regarding the Wal-Mart on 528 and Highway 9 and the impacts it would have on the Rock Creek neighborhood:

1. The connecting road may direct traffic directly from a parking lot into adjoining neighborhoods.
2. The current buffer of tall trees will be reduced by the civil plan that's currently in work. This will open a line of sight from the proposed intersection directly into the neighborhood.
3. Concerns about the tall lights.
4. Concerns about the noise from the tire center, which is located on the edge closest to the neighborhood.
5. Walking paths look like they would be public walkways that open directly from the Wal-Mart parking lot into the homeowners' association walkways.
6. Current site is not well-secured by Wal-Mart. 4x4's and motorcycles are entering down the homeowners' association's walking paths, mixing with children and foot traffic.

Councilmember Nehring disclosed that he lives in this neighborhood. Mr. Boren is a member of the board of the homeowners association. Councilmember Nehring said that he believes Mr. Boren speaks for the majority of the neighborhood on this issue. He thanked Mr. Boren for coming to the meeting.

Councilmember Rasmussen asked Gloria Hirashima if Community Development was already considering the lighting and the noise from the tire center. Community Development Director Hirashima indicated that it had been considered.

Approval of Minutes

1. Approval of July 23, 2007 City Council Meeting Minutes.

Councilmember Vaughan indicated he would be abstaining since he did not attend the July 23 meeting.

Motion made by Councilmember Wright, seconded by Councilmember Nehring to approve as presented. **Motion** passed unanimously (6-0) with Councilmember Vaughan abstaining.

2. Approval of September 4, 2007 City Council Work Session Minutes.

Councilmembers Phillips and Soriano indicated they would be abstaining since they did not attend the September 4 work session.

Motion made by Councilmember Nehring, seconded by Councilmember Rasmussen to approve as presented. **Motion** passed unanimously (5-0) with Councilmembers Phillips and Soriano abstaining.

Consent

Councilmember Nehring asked to remove item 24 for discussion.

Motion made by Councilmember Vaughan, seconded by Councilmember Wright, to approve Consent Agenda items 3-8, 17, 26, 13, 25, 11, 14, 16, 18, 27, and 28 as follows:

3. Approval of July 27, 2007 Claims in the Amount of \$477,382.63; Paid by Check No.'s 40802 through 40925 with check No.'s 30697 and 40661 voided.
4. Approval of August 1, 2007 Claims in the Amount of \$907,319.73; Paid by Check No.'s 40926 through 41077 with Check No.'s 40852 and 40890 voided.
5. Approval of August 8, 2007 Claims in the Amount of \$959,063.14; Paid by Check No.'s 41078 through 41278 with Check No.'s 28362, 38067, and 41025 voided.
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17. Approval of August 22, 2007 Claims in the Amount of \$476,214.94; Paid by Check No.'s 41431 through 41584 with Check No.'s 31455 and 41274 voided.
26. Approval of August 29, 2007 Claims in the Amount of \$474,713.24; Paid by Check No.'s 41585 through 41722 with no Check No.'s voided.
13. Professional Services Supplemental Agreement # 3 for Pertteet Engineering for the SR 528, 47th Avenue NE to 67th Avenue NE Road Improvement Project.
25. Annual Support Agreement and License Agreement for Munis Software.
11. Award Janitorial Contract to Advantage Building Services under Contract No. 18989.

14. Professional Services Agreement with Blue Marble Environmental, LLC to aid in the design and implementation of the Commercial Food Waste Composting Program.
16. Acceptance of the Jennings Park Plaza/Sidewalk Installation Project 45-day Lien Filing Period.
18. Contract for Marysville Municipal Court Commissioner.
27. Approval of the September 5, 2007 Payroll in the Amount of \$1,069,555.89; Paid by Check No.'s 18460 through 18541.
28. Approval of September 5, 2007 Claims in the Amount of \$498,202.71; Paid by Check No.'s 41288 through 41526 voided.

Motion passed unanimously (7-0).

24. Approve the Recommendation to Award Funding of the Hotel/Motel Tax Grant Project.

Councilmember Nehring noted it looks like that the applications exactly matched the dollars available. Councilmember Phillips affirmed that they did. He explained the process of grading that they went through when considering the applications. Councilmember Nehring asked if a representative from the new Holiday Inn would be on the committee next year. Councilmember Phillips explained that he is already attending the meetings and is looking forward to next year. Councilmember Nehring commented that as the City begins to grow this could become a more viable source of income. He just wanted to make sure they give careful consideration to which applications are approved. Councilmember Phillips concurred.

Councilmember Rasmussen commented that as this fund grows it would be nice to get the word out about this source of funding for non-profit organizations to have a broader pool of applicants.

Motion made by Councilmember Nehring, seconded by Councilmember Phillips to approve item 24 as presented. **Motion** passed unanimously (7-0).

Review Bids - None

Public Hearings - None

Current Business

15. Acceptance of the Stillaguamish Water Treatment Plant Project 45-day Lien Filing Period.

This item was removed from the agenda, to be held until the next meeting.

23. The Ridge at Rock Creek Phase 1-Final Plat Mylar.

Public Comment:

Dean Fink, 7131 83rd Avenue NE, Marysville, introduced himself as the sole resident in the middle of the Ridge at Rock Creek. He has been involved with this issue for about three years and has been concerned about impacts it will have on his life and his property. He noted that there is now grading activity within inches of his drain field. He discussed a situation last year with a catch basin which caused an inch of water to flow over his land during the rainy season. He said his drain field was resurveyed showing that it is between three and four feet over the property line. Originally when he moved in it was six feet away from the property line. He is very concerned about the drainage onto the drain field. The interceptor ditch was removed by his drain field to comply with a state requirement. Now, what used to have collateral flow through it is blocked with soil. He was very frustrated with the lack of response regarding his concerns.

Brent Carson, 2025 1st Avenue, Suite 500, Seattle, WA, spoke as a representative of Gordon Derr, the law firm representing the developer of this project. He claimed that the issues raised by Mr. Fink were completely resolved awhile ago. He addressed the issue of the property line and said that there is no property line dispute in this case. There has been an agreement and Mr. Fink moved his fence to the agreed property line in September of 2006. That agreed line is the plat property line. Mr. Fink claims that the line has somehow moved since September 2006. The pins referred to by Mr. Fink are offset pins and are not related to the property line.

City Attorney Grant Weed asked Mr. Carson about Mr. Fink's claim to a prescriptive easement right to certain property. Mr. Carson stated that Mr. Fink's drain field is entirely on his own property. To the extent that there is an easement claim, it can be resolved in litigation and does not affect the City.

Bill Rogers, Registered Land Surveyor in the State of Washington, Vice President, D.R. Strong, Survey Department, said he made a site visit today. The wood fence and the drain field pipes do not encroach across the property line. On his visit he confirmed that there is no encroachment problem on site.

Mr. Weed referred to Mr. Fink's September 5, 2007 letter which says he discussed this issue extensively with Cascade Engineering. Mr. Fink contends says that Cascade's survey conflicts with the other surveys that the developer has provided. Mr. Rogers explained that there is a certain degree of interpretation involved in determining boundaries. He pointed out that even the three surveys done by Cascade Engineering did not agree with each other as far as the sectional

breakdown. The information used for DR Strong's sectional breakdown was based upon numerous other surveys in this section and fit with all the adjoining plats and the proposed Wal-Mart development.

Community Development Director Hirashima explained that this relates to a preliminary plat that was approved by Snohomish County. This has been annexed by the City since the approval. She discussed the division of duties in this matter. The County staff approved the civil construction plans and did the construction inspection. Marysville staff became aware of Mr. Fink's concerns about a year ago and has been working with Snohomish County staff on their inspections. Staff feels that the issues have been resolved as to the plat condition requirements. Staff obtained a letter from Snohomish County Construction Inspection stating that they believed the plat met all of the county conditions of the subdivision. They have provided a letter stating that they feel it is ready to proceed to final plat. There were some verbal contact from Mr. Fink a week ago and a letter was received last Friday, September 5. A response from Harbor Homes was received today.

Councilmember Seibert discussed Mr. Fink's reference to a wooden fence. He asked where this was located. Mr. Fink explained that it is located along the southwest corner and extends 150 – 180 feet along the south property line where it cuts north. He clarified that there is no point of contention where the wood fence is. Where the property line extends east through the woods it does cross the ends of his drain field. The Cascade Engineering survey shows a detail of each leg of the drain field over the property line. That is the issue that he claims has not been resolved. He has been using this drain field for 15 years. He emphasized that he wants to resolve this issue and live at peace with his neighbors.

Councilmember Seibert asked about other attachments, such as other surveys, that Council did not receive. Cheryl Dungan provided copies of those survey maps to Council.

Mr. Weed commented that the September 5 letter indicates that a letter discussing Cascade Engineering's survey methodology would be coming to the City. Mr. Fink explained that this letter has not yet been provided. Cascade Engineering said they would call City staff to explain their methodology. Ms. Hirashima said they did not receive a call today.

Councilmember Seibert asked if there were any other attachments they did not receive. Cheryl Dungan replied that they had included everything that was emailed to them. Some items might have been too large to email.

Councilmember Seibert asked Grant Weed if there was anything else that could be done by the City between the property owners. Grant Weed said that was mainly between the parties. He stated that the task before the Council was to determine if the final plat should be approved. There are two questions to be considered by the

City. One is, can the City certify that all state laws and county ordinances and standards have been met? He noted that the County has indicated that all standards and requirements have been met. Also, under state law, and city and county ordinance and case law, all owners or parties with an interest in the land that's being platted have to be able to sign off on the final plat. Can the City conclude that there is no legitimate property interest here? If Cascade surveyors have some way to show to the City with any kind of legitimacy that there is a bona fide property ownership dispute, he would be advising the City to not grant final plat approval until that issue is resolved. Choices to the Council would be to grant final plat approval tonight or postpone it a very short period of time to see what Cascade Engineering will provide.

Councilmember Seibert referred to the discrepancies between the surveys. He was not comfortable with the plat going forward with there being a question of the property line. Grant Weed stated that the issue was if the City could conclude that there is no property ownership claim that Mr. Fink has within any of the areas of the boundary of this plat. Without the benefit of the information from Cascade Engineering, they are left with Mr. Fink's statement that he agreed to the property line and did so by moving his fence.

Councilmember Phillips suggested postponing this until next cycle to allow time for Cascade Engineering to get their information in. Grant Weed stated that this would be a reasonable amount of time.

Councilmember Rasmussen asked if Mr. Fink's drain field was inadvertently placed in a manner that it overran his property line, and it actually does sit partially on the other side of the property line, what kind of position would that put him in. Grant Weed explained that this was a complex area of the law and would be either a prescriptive easement or a claim of adverse possession. Either way, this would not impact Council's decision about the final plat approval. It would be a private property matter that needs to be resolved between the property owners. Councilmember Rasmussen asked if they would be able to take action at next week's work session. Grant Weed replied that they could make an exception and take action on this at the work session.

Councilmember Nehring commented that it seemed that regardless of what comes back from Cascade Engineering, it's going to end up being between those two parties. He wondered what the City's responsibility would be at this point. Mr. Weed said if there is a legitimate property ownership claim he will either need to be willing to sign off on the plat or the city council would be in a position to decline the final plat.

Councilmember Wright stated that the issue of ownership does not appear to be in question here. She referred to the last paragraph of Mr. Fink's letter and asked if this was something that should be discussed in Executive Session. Grant Weed did not

think so at this point although the Council does have the right to discuss potential claims or litigation in Executive Session.

Councilmember Seibert summarized that Mr. Fink would have a claim if the boundary line was not correct and his property was actually inside the boundary as shown on the plat. Mr. Weed agreed with this. He added that Mr. Fink has agreed to the property line by observing the previous survey and moving his fence to that point. Councilmember Seibert commented that if the fence does not go the full distance of the property line then it might be an issue.

Mr. Carson respectfully requested approval tonight. He emphasized that ownership is not at issue since Mr. Fink has agreed that the fence is on the property line. The line has not moved since September of 2006 when Mr. Fink agreed to it. He stated that Mr. Fink believes that an angle was put in after the fence was moved to that line. Mr. Carson said that there is no angle. It is a straight line and has not moved since September of 2006. He then claimed that the dispute with Cascade Engineering was resolved when Mr. Fink moved the fence.

With regard to the drain field, D.R. Strong's surveyors dug up the ends of the drain field pipes and located those all on Mr. Fink's property. There is no encroachment and there is no drain field issue of prescriptive easement.

Regarding delay of approval of the final plat, they do have presales and buyers waiting. Mr. Fink's issues are more about the future drainage issues. The drainage plans have all been reviewed by the County and designed by professional engineers who stand behind their work.

Councilmember Rasmussen asked if Snohomish Health District has been on site, has approved the way the drainage runs to the drain field, and has no objections to the plat. Director Hirashima said that the City has not been involved in the drain field review, but they did receive a letter from the Snohomish Health District stating they have no concerns.

Senior Planner Cheryl Dungan explained that the Health District met Mr. Fink and Harbor Homes out on the site and some issues were identified. Harbor Homes had those items fixed and sent a letter to the Health District stating that those items were fixed. Based on that letter the Health District approved the plat.

Mr. Fink said he contacted Snohomish Health District on July 30 and asked them to go out and look because he was told that they had approved it without a site visit. The field investigation was done by Bill Heaton. Mr. Fink summarized the field investigation he received in the mail this weekend. Mr. Heaton said he did not see any evidence that there would be any down slope activity. Mr. Heaton said that there will be a lot of water, especially during heavy rain. Councilmember Rasmussen requested that he forward that field investigation to City staff. Mr. Fink said that after

discussing the situation with another sanitarian he also had concurred that there would be a lot of water on the site. He discussed reasons why the sanitarian had reached on that conclusion. Councilmember Rasmussen explained that they would need to defer to the opinion of the Health District.

James Barnum, Senior Design Engineer, DR Strong 10604 NE 38th Place, Suite 101 Kirkland, WA 98033 stated that Snohomish County Department of Health gave them a preliminary plat approval for all related drain field items on the site. Subsequent to that, Mr. Fink brought it to people's attention that his drain field was in a location that was previously unknown. It is questionable whether the situation Mr. Fink brings up as far as the drain field draining directly into the interceptor ditch actually exists. The drain field runs parallel down the hill and the interceptor ditch runs perpendicular to that so there really is no evidence of cross-contamination between the two. Regardless of that fact, Harbor Homes decided it was pertinent to remove a portion of that interceptor trench that was within the thirty feet up-gradient of the drain field. Once Mr. Fink brought it to the County's attention that the drain field appeared to be not in compliance with the interceptor ditch, Snohomish County Health issued a letter rescinding their approval. Subsequent to that the drain field conflict was resolved and the senior sanitarian from their office as well as a licensed professional engineer supervised and verified the work. Once that work was complete they sent a letter dated May 5 to the Snohomish Health District. Subsequent to that Brent Rossina issued an approval, rescinding his disapproval of the plat, recommending that it go forward. He asked Mr. Fink the date on his letter he was referring to. Mr. Fink stated that his field investigation report was dated July 26, 2007.

Motion made by Councilmember Seibert, seconded by Councilmember Phillips, to postpone this matter until the work session to allow Mr. Fink time to contact Cascade Engineering to provide more information and present this as an action item for the September 17 work shop.

Councilmember Rasmussen requested that staff follow up with the HD on that field report.

Councilmember Soriano asked Mr. Weed if both parties were aware of the drain field location and if Mr. Fink was utilizing the services of Cascade at the time of the Hearing Examiner. City Attorney Weed was not certain. Senior Planner Dungan explained that the preliminary plat hearing was held at the Snohomish County Hearing Examiner and from the minutes it appears that both parties were in attendance. Mr. Fink added that Cascade Surveying was commissioned by him in March of 2006. He did not consult with them at the time of the preliminary plat hearing.

Mr. Carson requested that Mr. Fink provide any documents to them on the same day that he provides them to the City.

Motion passed 5-2, with Vaughan and Wright voting against, to continue the Ridge at Rock Creek Phase 1 Final Plat Mylar Approval until the September 17 work session.

New Business

9. A **Resolution** of the City of Marysville to Accept Property Donation from WCD Development, Inc.

Motion made by Councilmember Rasmussen, seconded by Councilmember Soriano, to approve Resolution 2220. **Motion** passed unanimously (7-0).

21. Recovery Contract (Sewer) for Powell-Smokey Point, LLC.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Recovery Contract 278. **Motion** passed unanimously (7-0).

22. An **Ordinance** of the City of Marysville Annexing Certain Unincorporated Area Known as the Lakewood South Annexation Area into the City of Marysville and Rezoning Said Properties Consistent with the City's Comprehensive Land Use Plan Designations.

Motion made by Councilmember Vaughan, seconded by Councilmember Seibert to approve Ordinance 2707. **Motion** passed unanimously (7-0).

Legal – None.

Mayor's Business

19. Marysville Planning Commission Board Re-appointment; Stephen Leifer.

Motion made by Councilmember Wright, seconded by Councilmember Seibert, to affirm the reappointment of Stephen Leifer to the Marysville Planning Commission for a six-year term ending August 2, 2013. **Motion** passed unanimously (7-0).

20. Marysville Salary Commission Board Appoints; Kamille Norton.

Motion made by Councilmember Vaughan, seconded by Councilmember Nehring, to approve the appointment of Kamille Norton to the Marysville Salary Commission Board serving until July 23, 2010. **Motion** passed unanimously (7-0).

Councilmember Vaughan pointed out that Ms. Norton was in the audience tonight. Mayor Kendall welcomed her to the Salary Commission.

Other Mayor's Business items:

- He attended the Touch a Truck event on Saturday. There was tremendous participation from the community.
- He celebrated the first anniversary of the Harley Davidson store. It was a great year.
- Staff is busily working toward the college site selection process.
- Mayor Kendall commended Public Work's quick response to a sewer incident.

Staff Business

Jim Ballew thanked the Mayor for participating in Touch a Truck. It was a great event

Gloria Hirashima discussed the need for a letter to support a grant. The deadline is next week and staff is required to have a letter of support from City Council. The proposed grant is to the Community Trade and Economic Development Department and would add a planned action EIS to the downtown area proposal. This would cover the environmental review for the entire area that is studied. Councilmember Seibert asked if this would provide all the environmental SEPA information for the downtown area in one chunk. Ms. Hirashima affirmed that it would.

Motion made by Councilmember Seibert, seconded by Councilmember Nehring, to support the CTED grant for the EIS and authorize the Mayor to sign the letter for the grant. **Motion** passed unanimously (7-0).

Mary Swenson said it was good to see everyone again. Staff is very busy working on the college proposal in addition to budget preparation. She felt that in order to do this right, the City needs to have consultant help. This money would come from the Economic Development fund and other funds. She suggested a budget of \$100,000, but felt that it would be closer to \$60,000.

- Councilmember Seibert concurred with the need for professional help.
- Councilmember Phillips was not especially pleased with the amount of money, but was very much in favor of having a college in Marysville.
- Ms. Swenson felt that this was a very important exercise for the City even if Marysville was not selected for the college site.
- Councilmember Vaughan concurred.

Motion made by Councilmember Nehring, seconded by Seibert, to authorize the Mayor to enter into an agreement with a consultant for promotion of the college sites with a budget up to \$100,000. **Motion** passed unanimously (7-0).

Chief Smith applauded the decision.

He followed up on his trip to Idaho and met with a number of Sgt. Rasmussen's peers. His peers commented that he was meticulous, a great team player and highly valued, and he earned the nickname "The Professor".

The first phase of the sergeant testing is done. He commended Kristi and Marcia in the HR department and Sgt. Rasmussen and Commander Krusey for their work on this process. The second part of the testing will occur within the next week or so. The test appears to be very reflective of the job function. He said that his prediction came true with the apprehension of the espresso stand thieves.

Mayor Kendall announced that Thursday is Mary Swenson's 30th anniversary with the City of Marysville. He commended her work and experience with the City. She has been extremely important to the City and to him in his work. He congratulated her.

Call on Councilmembers

Carmen Rasmussen said she was looking forward to event at the Navy regarding working opportunities for families of navy personnel. She spoke with Mike Robinson about the camera at the skate park. She was very impressed with the results they have had out there. All vandalism has stopped. He was very impressed with the dramatic change. She suggested that adding these surveillance cameras could result in a savings of staff time and may be revenue-neutral. She congratulated Mary Swenson.

Lee Phillips thanked April O'Brien for emailing the calendars. Touch a Truck was awesome. Great to finally have the Lakewood access to the freeway. This has been a major improvement. Two people commented to him that they were impressed that the people who did the Summer Jubilee cleaned up the streets very quickly. A few citizens showed up for meetings in August and were upset that there were no meetings and there was no notice on the door. He suggested providing more notice in the future. He congratulated Mary for her time with the City.

John Soriano congratulated Mary Swenson. He will be attending the Snohomish County Military Family Friendly event. He wondered when the first work session on the budget would be. Ms. Swenson said they would have that date by the end of the week.

Jeff Vaughan suggested another coordinated effort with WSP for shopping areas in the north end at Christmas time. Ms. Swenson said she would check on this. He is very excited that he will be able to do all of his Christmas shopping in Marysville this year. Congratulations to Mary.

Donna Wright congratulated Mary. She met with State Board of Health Director who passed her congratulations on regarding Healthy Communities. Nationally the CDC is sending out another person to be in Snohomish County to help with Healthy Communities. They are looking to Marysville as an example. Touch a Truck was a great event.

Jeff Seibert congratulated Mary He complimented the police department and to Chief Smith on their arrest. It is nice to see that the word is getting out that we are catching people. He suggested having warning signs along the exits when there are peak traffic periods He noted that his wife has gotten involved in an exercise program as a result of Healthy Communities.

Jon Nehring commended the police arrest. He congratulated Mary and expressed appreciation for her level of expertise, cooperation and trust. He commended Sandy Langdon and her department for another clean audit. He asked for information about sexual offenders and limitations on the City. Mayor Kendall presented information provided by City Attorney Grant Weed. Grant Weed offered to summarize this next week. He asked about bridge painting. Ms. Swenson said they will be discussing this more this week.

Information Items

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 8:47 p.m.

Approved this _____ day of _____, 2007.

Mayor
Dennis Kendall

Asst. Admin. Svcs. Director
Tracy Jeffries

Recording Secretary
Laurie Hugdahl

Marysville City Council Work Session

September 17, 2007

7:00 p.m.

City Hall

CALL TO ORDER / PLEDGE OF ALLEGIANCE

Mayor Dennis Kendall called the September 17, 2007 work session of the Marysville City Council to order at 7:00 p.m. He led those present in the Pledge of Allegiance.

ROLL CALL

Finance Director Sandy Langdon gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

Council: Mayor Pro Tem Jon Nehring, Lee Phillips, Carmen Rasmussen, Jeff Seibert, John Soriano, Jeff Vaughan, and Donna Wright

Staff: Finance Director Sandy Langdon, City Attorney Grant Weed, Community Development Director Gloria Hirashima, Public Works Director Paul Roberts, Chief of Police Rick Smith, Parks and Recreation Director Jim Ballew, Senior Planner Cheryl Dungan, and Recording Secretary Laurie Hugdahl.

Committee Reports - None

Presentations

1. Snohomish Conservation District

Lois Ruskell, Information and Education Coordinator for the Snohomish Conservation District (SCD), explained that they are currently soliciting input from SCDs constituents, partner groups and the public on a proposed assessment, which would fund the District starting in 2009. She gave a PowerPoint presentation regarding the Snohomish Conservation District. Topics covered included:

- SCD Assessment Proposal 2008
- District History – founded in 1941, Works with all land owners who have natural resource management issues and/or concerns on their property, 47 districts in Washington state, 13 districts in Washington state with assessments. Snohomish County is the largest district without an assessment,
- Function – provide citizens with information

- Supported by the Washington State Conservation Commission and the Washington Association of Conservation Districts
- Discussed enabling legislation
- Current organization – district staff, board of supervisors
- Co-housed with the Natural Resources Conservation Service and the Farm Services Agency in an office in Lake Stevens.
- Partnerships with many other agencies
- Current funding, current budget distribution, increased efficiency, budget relationships
- Existing SCD Programs – On-Site Assistance: Resource plans and site visits, liaison between landowners and regulatory agencies, NRCS Technical Oversight, Construction Assistance and Inspection, Best Management Design and Practices
- Cost-Share Program – BMP Implementation, Technical Assistance, Easy application and approval process, SCD often coordinates additional funding sources, work with local contracts to assure success
- Natural Resource Improvement – bioengineering, riparian restoration, wetland enhancement, resource management planning
- Conservation Plant Sale
- Outreach and Education programs
- Benefits of District Partnership – technical resource, ease of use – no interlocal required, fill the gaps where cities feel they lack resources

Councilmember Seibert asked a question about the amount of the funding. Ms. Ruskell explained that it would be \$5 per parcel with a total amount of about \$1.2 million.

Councilmember Rasmussen asked if all the parcels in the county would be affected. Duane Weston, Chair of the Board for SCD, replied that any parcel within the district would be covered with the exception of the downtown area of Everett. He added that the commercial forest land in zoned forested land in the county would also be exempted.

Mayor Kendall asked if this would include city parks and other city facilities. Mr. Weston replied that it would.

There was discussion about how much the county is currently funding them. Ms. Ruskell replied that it was about \$350,000. Council asked if they had considered a lesser dollar amount per parcel. Mr. Monte Marti, Vice Chair of the SCD Board, explained that they had not. They looked at what they currently provide and what they could be providing, especially services to cities and urban areas.

Councilmember Vaughan asked if the district is basically the county. Ms. Ruskell replied that it is the county plus Camano Island. Mr. Marti explained that most of the

districts on the west side of Cascades are the boundaries of a county. In the east, there are some counties that have more than one district. Originally they were developed based on geography.

Councilmember Wright thanked them for the work they have done. She noted that the Snohomish Health District is also funded from the county, plus grants. She expressed concern that other programs funded out of the County Council don't turn to the citizens for funding.

SCD District Manager Kim Levesque stated that they would appreciate a support letter from the City. Mayor Kendall noted that they had a copy of this letter in their packets.

Public Works Director Paul Roberts commented that they need to understand how the work they are doing relates to what the City is already doing under MPDES II.

Rasmussen asked to get information on how this would relate to low impact development and any other efforts that the City is doing.

Action Item

2. The Ridge at Rock Creek Phase 1-Final Plat Mylar

City Attorney Grant Weed gave some background on this matter. He explained the concerns that had been expressed last week by Mr. Fink.

Applicant:

Brent Carson, Gordan Durr, 2025 1st Avenue, Seattle, referred to copies of boundary maps by DR Strong that had been distributed. He explained that the boundary survey is south of the line that Cascade Engineering's surveyors surveyed. This shows that there is no encroachment issue. There are a multitude of surveys that agree with DR Strong's survey. Staff also received an email from the Health Department stating that there were no issues at hand with them.

William Rogers, VP Surveying, DR Strong, 28509 NE 149th Place, Duvall, WA 98019, discussed the overall section breakdown for the Ridge at Rock Creek. He pointed out the DR Strong survey line in relation to the Cascade survey line and the location of the drain field and the end caps of that drain field. He explained that how this difference happens is the result of a complete section breakdown of section 25 in Snohomish County. He explained that every county approved plat in the section has been built on this same section breakdown that DR Strong used since 1944. He stated that DR Strong disagrees with the Cascade survey, but whether or not they agree with it, the DR Strong Survey and the Cascade survey do not create an

overlay with one another. There is actually a gap. Again, he stated that there is no encroachment issue and there is no boundary dispute.

Councilmember Rasmussen asked if the wood fence shown on page 2 is the current location of the wood fence. Mr. Rogers affirmed that it was the current location. He added that the fence was moved earlier based on what they consider to be a faulty survey. It is not on what they consider to be the property line and Mr. Fink could move the fence to the line that DR Strong says is the boundary line.

City Attorney Grant Weed asked if the legal description written on the mylar of the plat would be consistent with the line that DR Strong has surveyed. Mr. Rogers replied that it would be.

Public Comment:

Dean Fink, 7131 83rd Avenue NE, Marysville, thanked Mr. Carson and Mr. Rogers for the explanations and the time they have taken on this matter. He stated that his biggest concern for the last two weeks has been the position of the property line because the north version would cross his drain field. The south version would not. He expressed concern because the legs of his drain field were previously open and the drain rocks on them would allow water to flow in directly, but he has looked for the ends of his drain field and cannot find them now. He stated that if they were going to agree to use the south line, that's fine with him, but he would like to have the drain field situation corrected.

Councilmember Seibert asked Mr. Fink if he agreed with the property line as stated by Mr. Rogers. Mr. Fink replied that he did. Councilmember Seibert commented that if he agreed with the line, then it would be up to Mr. Fink to work with Harbor Homes to establish where the end of the drain field is and get that corrected. Mr. Fink stated that he doesn't know if the ends of his two east drain field legs are under the drain rock or not since he cannot find them. Councilmember Seibert asked Mr. Rogers if somebody could meet with Mr. Fink to help him understand this. Mr. Rogers replied that last week their engineers staked what they believe to be the property line.

Staff Comments:

Senior Planner Cheryl Dungan stated that Mr. Fink's September 5, 2007 letter had been forwarded to the Snohomish Health District and Snohomish County. Both had reiterated their statements that all the issues have been resolved.

City Attorney Grant Weed stated that as a result of staff's meeting with the applicant last week, walking through this with them and discussing how the difference between the two survey lines came about, he was satisfied that Mr. Fink's property would not be encroached. He stated that staff is recommending that Council approve the final plat.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to authorize the Mayor to sign the Final Plat Mylar for the Ridge at Rock Creek – Phase I. **Motion** passed unanimously (7-0).

Discussion Items – None.

Approval of Minutes

3. Approval of September 10, 2007 City Council Meeting Minutes.
4. Approval of September 17, 2007 City Council Work Session Minutes.

Consent

5. Approval of September 12, 2007 claims.
6. Approval of September 19, 2007 claims.
7. Approval of September 20, 2007 payroll.
8. Approval of Elite Taxi Cab Corporation a New For-Hire Business to operate in Marysville.

Review Bids

9. 66th Avenue NE Underdrain and Storm Replacement Project to be awarded.

Mayor Kendall stated that staff's recommendation is to award the bid to Trico Contracting, Inc., in the amount of \$189,907.55 including Washington state sales tax, authorize the Mayor to sign the contract documents, and approve a 5% management reserve of \$9,495.38 for a total project allocation of \$199,402.93. Mr. Roberts distributed a graphic of the project location.

Councilmember Seibert asked if they had done a soil sample to make sure that the underbed is going to work. He commented that there is a considerable amount of clay in this area. Public Works Director Paul Roberts indicated that he would check on this.

10. Parkside Water Main Replacement Project to be awarded.

Mayor Kendall stated that staff is recommending awarding the bid to Parkside Water Main Replacement Project to the apparent low bidder, Trico Construction, Inc., in the amount of \$142,653.09 including Washington state sales tax, authorize the Mayor to

sign the contract documents and approve a 5% management reserve of \$7,100 for a total project allocation of \$149,753.09.

Public Hearings - None

Current Business

11. Acceptance of the Jail Door Controls Project to start the 45-day lien filing period.

Public Works Director Roberts stated that the work was done awhile ago and they are satisfied with it.

New Business

12. A **Resolution** declaring items of personal property to be surplus and authorizing the sale or disposal thereof.

Mayor Kendall explained that this was concerning two wrecked Crown Victoria police cars.

13. SR 528, 47th Avenue NE to 67th Avenue NE, Road Improvements Snohomish County PUD No. 1 Distribution Easement.

Public Works Director Roberts stated that this is a standard PUD easement. They are obligated to move the lines. He explained that the power lines exist as a function of an easement we provide the PUD and they are changing the lines at their expense. The City's action in this is related to its status as a property owner.

14. Professional Service Agreement with Otak, Inc. to provide consulting services to update the City's Surface Water Comprehensive Plan.

Mayor Kendall stated that this is for preparation and information gathering of surface water information in order to update the City's Comprehensive Plan. Public Works Director Paul Roberts explained that they are required to comply with the NPDES Phase II. One of those areas of compliance is the update of the Comprehensive Plan. He added that they are also asking Otak to help the City get credit for work that has already been done.

Councilmember Soriano asked what potential capital improvement projects might arise from this. Director Roberts replied that it could be various things such as drainage systems, catch basins, and surface water management systems.

15. Northwest Management System Contract to perform and update the City's Pavement Management System Study.

Director Paul Roberts explained that this would provide an assessment of the pavement system. This would also include the anticipated annexation area to the north. The assessment would be completed by the second quarter of next year.

16. 2007 Comprehensive Plan Amendments.

Mayor Kendall reviewed the options open to the Council for action at the next meeting.

Gloria Hirashima noted that they had prepared the full record for the Council. There are ten separate amendment proposals. She gave some background on the requests. Director Hirashima explained that the Planning Commission had recommended remanding City-initiated proposals 5 and 6 back to staff for additional neighborhood meetings.

Councilmember Seibert asked how all of this would all this affect the City's ability to collect traffic mitigation fees in that area for plats that are being developed. City Attorney Weed responded that until Council adopts an ordinance amending traffic fee amounts, any permitted plats are vested under the old fee.

Councilmember Seibert asked if these amendments could be considered separately. City Attorney Weed affirmed that each amendment should be considered separately.

17. A Recreation and Conservation Office **Resolution** for Youth Athletic Fund Grant Application.

This is for installation of a comprehensive drainage system and two ball deflection net systems at Strawberry Fields Park. The resolution will be in the packet for next week.

Legal – None.

Mayor's Business

At the next meeting there will be an RTID and Sound Transit transportation package.

Mayor Kendall submitted a proposal that Cities and Towns look at "One City, One Vote" for all of the business that they conduct. Councilmember Seibert explained that there would have to be a by-laws change in order to allow this. He expressed some concerns about the One City, One Vote concept. Mayor Kendall expressed a concern that the group is not organized to be an action-oriented group. Councilmember Seibert concurred.

October 29th is a 5th Monday and the school district has requested a joint meeting. Prior to that Dr. Nyland has requested some time on one of the agendas to discuss where they are on the school process.

The new Sunnyside reservoir paint job is gorgeous!

Staff Business

Jim Ballew commended Chief Smith and Commander Lamoureux for a job well done. They have made four arrests in the last five days in Comeford Park.

Sandy Langdon discussed options for the budget workshops. There was consensus to hold them on October 23 and 25 from 5 to 9. Tuesday will be held at the courthouse, but Thursday will be at City Hall.

Finance Committee meeting moved to September 26th.

Chief Smith postponed the Public Safety meeting until next month.

Director Meetings for the budget will be held on October 8 from 9 to 4.

Grant Weed responded to Council's request for more information about the city's authority to enact standards for sex offender residency. He gave a quick overview of state law that creates a community protection zone. He summarized that the strictest law the cities can go with is the state law. The city code cannot be more restrictive than the state code.

Call on Councilmembers

John Soriano noted that Kayla Flynn's last day with the City was last week. He commented that he enjoyed working with her during her time with the city.

Jon Nehring thanked the Mayor for his letter to Kelley Boren. He asked how they verified the sound part of this. Director Hirashima explained that they were required to do a sound study as part of their civil plan. Councilmember Nehring asked how long it would be until the trees are grown. Director Hirashima indicated that she could get dimensions on those.

Councilmember Nehring got a call from the owner of Boondockers about putting a sign up on 4th street. Mayor Kendall said he had contacted him as well and the mayor had discussed this with him. They are recommending that the Chamber get in touch with him for assistance with his issues.

Carmen Rasmussen said she and Councilmember Vaughan attended a Graffiti Task Force meeting. There had been discussion about the need for legislation that would impose a civil penalty similar to shoplifting. She suggested that it might be valuable for the City to contact a legislator who would be favorable to introducing this as well as contacting WASPC. Mayor Kendall encouraged her to proceed

with this. Councilmember Seibert suggested also addressing that at Cities and Towns.

Jeff Seibert referred to an email attachment that they had received. He requested information about who sent the information in order to better understand the slant of the writer. Donna Wright explained that it was an attachment to an email that she had received. She thought it was from Master Builders Association.

Councilmember Seibert noted that on 80th street there was a development that cut the road and Council had discussed checking on how the road was repaired. He stated that the houses are now for sale and the road is still not corrected.

Director Hirashima indicated that she would check on that.

Councilmember Seibert referred to construction on 88th on the overpass. He suggested checking with DOT to see the status of lights because they seemed to be malfunctioning today.

Lee Phillips asked if the lights on Beach Street had been replaced. Mayor Kendall thought that they were because they were called in on that day.

Councilmember Phillips thanked Officers Riches, Buell, and Gouldspie who were very swift in catching kids vandalizing Fred Meyer and K-Mart.

Information Items - None

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 8:52 p.m.

Approved this _____ day of _____, 2007.

Mayor
Dennis Kendall

Asst. Admin. Svcs. Director
Tracy Jeffries

Recording Secretary
Laurie Hugdahl

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: Claims	AGENDA SECTION:
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:
ATTACHMENTS: Claims Listings	APPROVED BY: 
	MAYOR CAO
BUDGET CODE:	AMOUNT:

Please see attached.

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the September 12, 2007 claims in the amount of \$1,234,727.94 paid by Check No.'s 41861 through 42008 with no Check No.'s voided.

COUNCIL ACTION:

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/6/2007 TO 9/12/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
41861	SONJA ABELS	REFUND-INSTRUCTOR UNAVAILABLE	00110347.376009.	90.00
41862	ACCURINT	BACKGROUND CHECKS	00103010.541000.	30.00
41863	ACE ACME SEPTIC SERVICE INC	PORTABLE TOILET RENTAL	40140280.541000.	75.95
41864	ADVANTAGE BUILDING SERVICES	JANITORIAL SERVICES	00100010.541010.	908.40
	ADVANTAGE BUILDING SERVICES		00101250.541010.	1,006.27
	ADVANTAGE BUILDING SERVICES	CARPET CLEANING IN AREAS	00103530.541010.	125.00
	ADVANTAGE BUILDING SERVICES	JANITORIAL SERVICES	00103530.541010.	1,081.72
	ADVANTAGE BUILDING SERVICES		00105250.541000.	540.43
	ADVANTAGE BUILDING SERVICES		00105380.541000.	111.96
	ADVANTAGE BUILDING SERVICES		00105380.541000.	238.97
	ADVANTAGE BUILDING SERVICES		00105380.541000.	318.00
	ADVANTAGE BUILDING SERVICES		00105380.541000.	318.00
	ADVANTAGE BUILDING SERVICES		40141580.541000.	70.06
	ADVANTAGE BUILDING SERVICES		40142480.541000.	252.47
	ADVANTAGE BUILDING SERVICES		40142480.541000.	252.84
	ADVANTAGE BUILDING SERVICES		40143410.541000.	483.69
	ADVANTAGE BUILDING SERVICES		40143410.541000.	950.37
	ADVANTAGE BUILDING SERVICES		40143780.541000.	203.28
	ADVANTAGE BUILDING SERVICES		40143780.541000.	250.97
41865	AGRI TURF	REFUND RETURN OF PALLET	00105380.531000.	-86.80
	AGRI TURF	4000 X GREEN CARPET TURF	00105380.531000.	1,345.40
41866	ALBERTSONS FOOD CENTER #471	WTR.POP,TEA-INGRAHAM BLVD MTG	30500030.563000.R0502	75.84
41867	ALLIED EMPLOYERS LABOR RELATIONS	9/07 MEMBERSHIP DUES	00100110.541000.	2,104.97
41868	ALPINE PRODUCTS INC	PALLET DRY THERMO MATERIAL	10110564.531000.	2,174.57
41869	AMERICAN CLEANERS	UNIFORM CLEANING	00103010.526000.	37.16
	AMERICAN CLEANERS		00103121.526000.	17.36
	AMERICAN CLEANERS		00103222.526000.	123.16
	AMERICAN CLEANERS		00103960.526000.	28.21
	AMERICAN CLEANERS		00104190.526000.	130.52
	AMERICAN CLEANERS		00104230.526000.	8.68
41870	ANIMAL EMERGENCY CLINIC OF EVERETT	FELINE MEDICAL EXAM	00104230.541000.	125.17
41871	ASSOCIATION OF WASHINGTON CITIES	REG FOR "GETTING IN STEP"	40145040.553100.	30.00
41872	BAG BOY	AMF PRO H3 FORGED HYBRID(2)	420.141100.	79.71
41873	BARRON HEATING AIR CONDITIONING	REPLACED BRKN WIRE AND RECHRG	00101250.531000.	767.82
	BARRON HEATING AIR CONDITIONING	RESET AND RESTARTED UNIT	00112572.531000.	537.07
41874	BICKFORD FORD-MERCURY	PARKING BRAKE ACTUATOR	50100065.534000.	142.57
	BICKFORD FORD-MERCURY	EGR VLV,GSKT, IAC VLV,IAC GSKT	50100065.534000.	293.24
41875	BLUMENTHAL UNIFORMS & EQUIPMENT	TACT FBI PANTS,SHOES-LAMOUREUX	00103010.526000.	244.94
	BLUMENTHAL UNIFORMS & EQUIPMENT	NYLON HOLSTER-RUSCH	00103222.526000.	32.62
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM PANTS AND SHIRT-SHOVE	00103222.526000.	130.66
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM PANTS AND SHIRT-HARDY	00103222.526000.	190.61
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM PANTS & SHIRT- ROBBINS	00103222.526000.	321.20
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM SHIRTS,PNTS,BELT-SHOVE	00103222.526000.	408.45
	BLUMENTHAL UNIFORMS & EQUIPMENT	BOOTS,PT CLOTHES,UNIFORM-HARDY	00103222.526000.	753.86
	BLUMENTHAL UNIFORMS & EQUIPMENT	VEST-HARDY	00103222.526000.	865.76
	BLUMENTHAL UNIFORMS & EQUIPMENT	DUTY HOLSTER-SHELTON	00103960.526000.	161.08
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM PNTS,TIE,JCKT-SHELTON	00103960.526000.	495.29
41876	DALLAS AND CHERI BOWER	PROPERTY SETTLEMENT AGREEMENT	30500030.563000.R0301	11,123.20
41877	BRIM TRACTOR COMPANY, INC.	128 OF CUTTING BLADES FOR 253	10110770.531000.	279.41
41878	CONNIE BURROUGHS	REFUND-INSTRUCTOR UNAVAILABLE	00110347.376009.	45.00
41879	CHRIS CANONICA	REFUND ON RENTAL	001.239100.	13.00

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/6/2007 TO 9/12/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
41880	CARR'S ACE HARDWARE	6 WASHERS	10110240.531000.	3.58
	CARR'S ACE HARDWARE	BATTERY CHRGR,BOLTS,ANCHORS	10110564.531000.	160.92
	CARR'S ACE HARDWARE	9 CANS OF SPRAY PAINT	41046060.531000.	32.12
	CARR'S ACE HARDWARE	24 OF 0536, PADLOCK SHORTSHUNK	501.141100.	221.08
41881	CASCADE COLUMBIA	250 LB OF CITRIC ACID	40142480.531320.	283.14
41882	CASCADE MAILING	UB MAILING	00143523.542000.	291.96
41883	DAVID CASTLEBERRY	REIMB AWARDS FOR CLUB CHAMPION	42047267.531000.	409.21
41884	COBRA CONSTRUCTION CO	150 TONS 3/4"MINUS&60TONS 1/4"	10110130.531000.	2,990.54
41885	COMMERCIAL FIRE PROTECTION	FIRE EXT SERVICE	501.141100.	169.26
41886	CONTRACT SOLUTIONS GROUP	WEB CONFERENCE, 9/19/07	00100020.531000.	99.00
41887	COOK PAGING (WA)	2X PAGERS THRU SEPT 30-2007	00105380.542000.	9.21
	COOK PAGING (WA)	AIR TIME TO 8/31/07	10110890.542000.	3.83
	COOK PAGING (WA)		40143410.542000.	3.83
41888	CO-OP SUPPLY	WEED POPPER FOR PRKS USE	00105380.531000.	9.75
41889	WA DEPT OF CORRECTIONS	CREDIT FOR INMATE MEALS	00103960.531250.	-379.80
	WA DEPT OF CORRECTIONS	INMATE MEALS	00103960.531250.	2,069.85
	WA DEPT OF CORRECTIONS		00103960.531250.	2,100.00
41890	CREIGHTON ENGINEERING INC	PLAN CHECK SERVICE	00102020.541000.	150.00
	CREIGHTON ENGINEERING INC	PLAN CHECK FEES	00102020.541000.	255.00
	CREIGHTON ENGINEERING INC	PLAN CHECK SERVICE	00102020.541000.	300.00
	CREIGHTON ENGINEERING INC		00102020.541000.	337.50
41891	CUZ CONCRETE PRODUCTS	50 BAGS 50# JET SET CONCRETE	10110240.531000.	830.03
41892	DAILY JOURNAL OF COMMERCE	LEGAL ADVERTISEMENT	40141380.548000.	357.00
	DAILY JOURNAL OF COMMERCE		40145040.548000.M0519	343.00
41893	DAY WIRELESS SYSTEMS	CALIBRATE NEW RADAR UNIT	00103222.548000.	81.46
41894	VALERI G. DEAN	MINUTE TAKING SERVICE	00102020.541000.	35.00
	VALERI G. DEAN		00102020.541000.	726.25
41895	DEAVER ELECTRIC	LABOR,RECT,BRKRS,CONDUIT,WIRE	00100025.562000.C0702	434.43
41896	RACHEL DEBELLIS	REFUND-INSTRUCTOR UNAVAILABLE	00110347.376020.	98.00
41897	DICKS TOWING INC	EVIDENCE IMPOUND	00103222.541000.	43.44
	DICKS TOWING INC		00103222.541000.	43.44
41898	ROBERT DOLHANYK	COMPUTER CASE & 12 IN 1 READER	00103010.531000.	99.80
41899	DONNOE & ASSOCIATES, INC.	SERGEANTS WRITTEN EXAMS	001.231700.	-150.03
	DONNOE & ASSOCIATES, INC.		00100310.549000.	1,915.03
41900	DUNLAP INDUSTRIAL	REDWING BOOT- JOEL PALM	40143410.526200.	168.80
41901	E&E LUMBER INC	FASTENERS, POWER BITS-COMEFORD	00105380.531000.	3.97
	E&E LUMBER INC	COUPLINGS,TEFLON TAPE,BUSHING	00105380.531000.	12.84
	E&E LUMBER INC	5" SANDING DISC AND PAPER	00105380.531000.	17.16
	E&E LUMBER INC	RAGS FOR MAINT SHOP	00105380.531000.	19.48
	E&E LUMBER INC	INDOOR FOGGER-STRAWBERRY ROOM	00105380.531000.	19.51
	E&E LUMBER INC	MORTAR MIX,TROWELS,PVC EL	00105380.531000.	22.51
	E&E LUMBER INC	PAINT BRUSH,PAIL CANVAS-PARK	00105380.531000.	47.90
	E&E LUMBER INC	CEDAR SIDING FOR BARN AWNING	00105380.531000.	50.57
	E&E LUMBER INC	TAPE,POLY ROPE,STAKES-JEN RENO	00105380.531000.	62.07
	E&E LUMBER INC	STAIN KILLER, PAINT,TAPE,TRAY	00105380.531000.	209.42
	E&E LUMBER INC	PVC GLUE AND 3 OF 1" PVC BELL	10110564.531000.	15.47
	E&E LUMBER INC	#6 ELECT WIRE:STICK ON LETTERS	30500030.563000.T0101	95.89
	E&E LUMBER INC	PLYWOOD FOR SUNNYSIDE WINDOW	40140180.531000.	105.83
41902	EDGE ANALYTICAL INC	LAB SAMPLES	40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00

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41902	EDGE ANALYTICAL INC	LAB SAMPLES	40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	36.00
	EDGE ANALYTICAL INC		40140780.541000.	36.00
	EDGE ANALYTICAL INC		40140780.541000.	36.00
	EDGE ANALYTICAL INC	LAB SAMPLES-MISC SAMPLES	40140780.541000.	36.00
	EDGE ANALYTICAL INC	LAB SAMPLES	40140780.541000.	48.00
	EDGE ANALYTICAL INC		40140780.541000.	180.00
	EDGE ANALYTICAL INC		40140780.541000.	180.00
	EDGE ANALYTICAL INC		40140780.541000.	192.00
41903	EDGE CONCRETE	CONCRETE LABOR PRK RENOVATION	310.223400.	-3,722.90
	EDGE CONCRETE		31000076.563000.P0404	2,000.00
	EDGE CONCRETE		31000076.563000.P0702	72,458.13
41904	ELECTRICAL ENERGY CONTRACTORS INC	TROUBLESHOOT TRANSFER SWITCH	40142280.548000.	885.65
41905	ENERGY TRANSFER TECHNOLOGY INC	FORD FUEL INJ CLASS FOR CARDEN	50100065.549100.	275.00
41906	ENGINEERED CONTROL CONTROL SYSTEMS	PAY ESTIMATE # 1.	001.223400.	-7,824.93
	ENGINEERED CONTROL CONTROL SYSTEMS		00100025.562000.C0502	169,801.12
41907	WA ENVIRONMENTAL TRAINING CENTER	LATE TRANSFER FEE	40143410.549030.	35.00
	WA ENVIRONMENTAL TRAINING CENTER	REGISTRATION FEE-SCHOOLCRAFT	40143410.549030.	325.00
41908	THE DAILY HERALD COMPANY	DAILY PAPER THRU 9/26/07	00105380.531000.	135.00
41909	THE EVERETT STEEL COMPANIES	12" I-BEAM @ 10FT-6"STEEL @8FT	40145040.548000.M0711	242.61
41910	FEDERAL LICENSING INC	FCC RULES AND REGULATIONS PUBL	40220594.563000.W0621	119.00
41911	FEDEX	PACKAGES SENT TO MCCAIN/LABCOR	00100020.541000.	23.48
	FEDEX	MISC PACKAGES SENT	00100025.562000.C0502	46.31
	FEDEX		40140780.531000.	27.01
	FEDEX	PACKAGES SENT TO MCCAIN/LABCOR	40140780.531000.	33.65
	FEDEX	MISC PACKAGES SENT	40220594.563000.W0607	151.36
41912	FOOTJOY	WEATHERSOF&SOFJOY GLOVES	420.141100.	740.01
41913	STACY FRANKLIN	REFUND-INSTRUCTOR UNAVAILABLE	00110347.376009.	45.00
41914	JEFF FRANZEN	CRIME SCENE FOOD REIMBURSEMENT	00103010.549000.	20.85
41915	CRAIG A. FULLERTON	CONSULTING FOR PARKS AND REC	00105380.541000.	715.00
41916	GARY'S GUTTER SERVICE	INSTALL NEW CONTINUOUS GUTTER	00105380.531000.	325.50
41917	GENERAL CHEMICAL CORP	11.788 DRY TON ALUMINUMSULFATE	401.231700.	-273.54
	GENERAL CHEMICAL CORP	ALUMINUM SULFATE-11.791 TONS	40142480.531320.	3,218.94
	GENERAL CHEMICAL CORP	11.788 DRY TON ALUMINUMSULFATE	40142480.531320.	3,491.66

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41918	GRAY AND OSBORNE	PAY ESTIMATE # 8.	40143410.541000.	4,996.93
41919	GREENSHIELDS INDUSTRIAL SUPPLY	6 X ALLEN WRENCH LONG ARM	10110240.531000.	72.72
	GREENSHIELDS INDUSTRIAL SUPPLY	WATER NOZZLES X 4	10110667.531000.	83.58
	GREENSHIELDS INDUSTRIAL SUPPLY	PRESSURE WASHER HOSE AND STOP	50100065.534000.	98.82
41920	HACH COMPANY	LAMP ASSY FOR TURBIDIMETER	40142480.531400.	77.30
41921	GARY HALL	FOOD HANDLER CARDS	00103960.549100.	20.00
41922	HASLER, INC	POSTAGE METER LEASE	00103010.545000.	219.60
41923	HD FOWLER COMPANY	BUSHINGS, PVC CAP, EII	00105380.531000.	34.51
	HD FOWLER COMPANY	PVC SEWER PIPE, COUPLINGS	00105380.531000.	58.18
	HD FOWLER COMPANY	50' HOSE WITH CONNECTIONS	00105380.531000.	168.49
	HD FOWLER COMPANY	PIPE,METER BOX BASE,BOX,PVCTEE	00105380.531000.	512.38
	HD FOWLER COMPANY	8 X 8" VALVE BOXES	401.141400.	112.84
	HD FOWLER COMPANY	1 METER BOX- LID CONCRETE	401.141400.	161.99
	HD FOWLER COMPANY	RESTTR X 3/4" X 18 HIGH	401.141400.	386.13
	HD FOWLER COMPANY	VALVE BOXES, BOX RISERS	401.141400.	472.41
	HD FOWLER COMPANY	COPPER TUBING	401.141400.	833.65
	HD FOWLER COMPANY	RETRO THRUST METERS, SWIVEL	40140880.531000.	1,769.03
41924	HDR ENGINEERING, INC.	PAY ESTIMATE #3.	40143410.541000.W0704	10,860.02
41925	DEPARTMENT OF HEALTH	REVIEW PROJECT SWTR REPORT	40143410.541000.	1,441.00
41926	IOS CAPITAL	COPIER RENTAL 8/30-9-30/2005	00100020.545000.	567.97
	IOS CAPITAL	COPIER RENTAL FEES	00100110.548000.	484.71
	IOS CAPITAL		00100310.549000.	424.12
	IOS CAPITAL		00100720.549000.	302.95
	IOS CAPITAL	COPIER RENTAL	00102020.545000.	166.10
	IOS CAPITAL	COPIER RENTAL 8/30-9-30/2005	00102020.545000.	189.33
	IOS CAPITAL	COPIER RENTAL 7/7/07-8/6/07	40142480.545000.	42.87
	IOS CAPITAL	COPIER RENTAL	40143410.545000.	166.11
	IOS CAPITAL	COPIER RENTAL 8/30-9-30/2005	40143410.545000.	189.33
	IOS CAPITAL	COPIER LEASE	42047165.545000.	21.70
41927	DEPT OF INFORMATION SERVICES	TELECOM SERVICES	00104190.551000.	638.65
41928	INSTITUTE OF BUSINESS PUBLICATIONS	RENEWAL FOR SAFETY ALERT	40143410.549000.	117.00
41929	KEMP WEST INC	ALDER AND CEDAR TREE REMOVAL	40140080.548000.	3,743.25
41930	KNOLL, INC	INSTALLATION (GSA)	40143410.549000.	343.04
41931	LAB SAFETY SUPPLY INC	TRAINING RED GUNS	001.231700.	-14.07
	LAB SAFETY SUPPLY INC		001.231700.	-11.20
	LAB SAFETY SUPPLY INC		00103222.548000.	142.90
	LAB SAFETY SUPPLY INC		00103222.548000.	179.52
41932	LAB SAFETY SUPPLY INC	CYL, BEAKER,FLASK, ETC.	40145040.553100.	272.55
41933	LANE & ASSOCIATES	PAY ESTIMATE #9.	30500030.563000.R0301	6,306.92
41934	LARRY LARSON	TOUCH A TRUCK/CLEANUP BBQ	40143410.549000.	175.13
41935	LASTING IMPRESSIONS INC	EMBR.NAMES ON UNIFORM-SHOVE	00103222.526000.	8.14
	LASTING IMPRESSIONS INC	EMBR.LOGOS ON JUMPSUIT-INGRAM	00103222.526000.	9.77
	LASTING IMPRESSIONS INC	EMBR.LOGOS ON JUMPSUIT-KIELAND	00103222.526000.	9.96
	LASTING IMPRESSIONS INC	80XPRINTED SOFTBALL CHAMP SHRT	00105120.531010.	558.88
	LASTING IMPRESSIONS INC	80XPRINTED SOFTBALL SHIRTS	00105120.531010.	558.88
41936	DOUG LEE	REIMB. FOR LUNCH	00103222.543000.	14.60
41937	LOWES HIW INC	MISC SMALL PARTS	00100010.531000.	7.56
	LOWES HIW INC		00101250.531000.	7.55
	LOWES HIW INC		00103530.531000.	7.55
	LOWES HIW INC		00112572.531000.	7.55
41938	MALL AT THE CROSSROADS, INC.	PROPERTY SETTLEMENT AGREEMENT	30500030.563000.R0301	194,925.00

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41939	ROXANA MARTINEZ	REFUND DEPOSIT ON RENTAL	001.239100.	58.00
41940	MARYSVILLE AWARDS	NAMEPLATES AND ENGRAVING	00103010.531000.	54.90
	MARYSVILLE AWARDS	COMMUNITY SRVC AWARDS	00105090.531050.	243.67
41941	MARYSVILLE FIRE DIST #12	FIRE AND EMERGENCY AID SERVICE	00109522.551000.	311,803.09
	MARYSVILLE FIRE DIST #12		00109526.551000.	111,733.96
41942	MARYSVILLE GLOBE	LEGAL AD- PA07-048	00102020.544000.	43.40
	MARYSVILLE GLOBE	LEGAL AD- PA 07051	00102020.544000.	52.08
	MARYSVILLE GLOBE	LEGAL AD- SP 07-002	00102020.544000.	69.44
	MARYSVILLE GLOBE	LEGAL AD-PA 07031,PA07021	00102020.544000.	101.99
41943	MARYSVILLE PRINTING	BUSINESS CARDS-LAYCOCK, JEFF	00100020.531000.	113.82
	MARYSVILLE PRINTING	5 PURCHASE ORDER BOOKS FOR ENG	00100020.531000.	151.44
	MARYSVILLE PRINTING	FORMS-DOWNSTAIRS HOLDING CELL	00103960.531000.	103.93
	MARYSVILLE PRINTING	ENVELOPES FOR ADMIN PARKS	00105380.531000.	59.72
	MARYSVILLE PRINTING	500 X BUSINESS CARDS/BALLEW	00105380.531000.	113.82
41944	JOSIE MEMBRADO	REFUND DEPOSIT ON RENTAL	001.239100.	58.00
41945	NATIONAL IMPRINT CORPORATION	ROLL LABELS, HUGS NOT DRUGS	00103630.531010.	162.45
41946	NELSON PETROLEUM	FUEL CONSUMED- GOLF	42047165.532000.	1,308.71
41947	NEWMAN TRAFFIC SIGNS	MISC TRAFFIC SIGNS	10110564.531000.	727.55
	NEWMAN TRAFFIC SIGNS		501.231700.	-57.00
41948	NORTHSTAR CHEMICAL	1300 GALLONS-SOD.HYPOCHLORITE	40142480.531320.	2,516.91
41949	NORTHWEST CASCADE INC	HONEYBUCKETS FOR SOFTBALL LEAC	00105120.531010.	206.65
	NORTHWEST CASCADE INC	HONEYBUCKET FOR SK8PRK	00105380.545000.	103.33
41950	OFFICE DEPOT	OFFICE SUPPLIES	00100310.531000.	6.14
	OFFICE DEPOT		00100310.531000.	71.97
	OFFICE DEPOT	REFUND ON LAMINATING FILM	00102020.531000.	-138.54
	OFFICE DEPOT	LABELS	00102020.531000.	4.87
	OFFICE DEPOT	ENVELOPES, BINDER CVRS, POSTIT	00102020.531000.	84.05
	OFFICE DEPOT	MAKERS, LAM FILM, CARTRIDGE	00102020.531000.	174.92
	OFFICE DEPOT	CHAIR FOR ARTIE	00102020.531000.	298.88
	OFFICE DEPOT	LETTER OPENER,SCISSORS,BOXES	00103010.531000.	9.21
	OFFICE DEPOT	LTR FILE FOLDERS	00103010.531000.	24.94
	OFFICE DEPOT	FILE. MAGAZINE,DUSTER	00103121.531000.	5.37
	OFFICE DEPOT	COPY PAPER,LABELS,VERT FILE	00103121.531000.	64.07
	OFFICE DEPOT	LETTER OPENER,SCISSORS,BOXES	00103222.531000.	83.00
	OFFICE DEPOT	BNDR CLIPS,BATTERIES,ENVELOPE	00103222.531000.	230.99
	OFFICE DEPOT	CREDIT MONTHLY PLANNER	00104190.531000.	-7.72
	OFFICE DEPOT	BNDR CLIPS,BATTERIES,ENVELOPE	00104190.531000.	14.01
	OFFICE DEPOT	FILE. MAGAZINE,DUSTER	00104190.531000.	16.30
	OFFICE DEPOT	PLANNER, SANITIZER, LOTION	00104190.531000.	45.75
	OFFICE DEPOT	CREDIT RETURN FOLDERS	00105380.531000.	-15.04
	OFFICE DEPOT	2008 DAILY JOURNAL CALENDAR	00105380.531000.	28.55
	OFFICE DEPOT	SPRAY ADHESIVE,COLOR PAPER	00105380.531000.	31.93
41951	ORKIN EXTERMINATING	SERVICE @ PSB&1635 GROVE-BLD17	00100010.548000.	43.43
	ORKIN EXTERMINATING	SERVICE @ CH&1049 STATE-BLDG59	00103530.548000.	79.68
	ORKIN EXTERMINATING	SERVICE @ CABOOSE & 316 CEDAR	00105380.548000.	55.04
	ORKIN EXTERMINATING	SERVICE @ LIBRARY&6120 GROVE	00112572.548000.	43.43
	ORKIN EXTERMINATING	SERVICE @ WWTP & 2 COLUMBIA	40142480.549000.	58.59
	ORKIN EXTERMINATING	SERVICE @ WWTP, 2 COLUMBIA BLD	40142480.549000.	58.59
	ORKIN EXTERMINATING	SERVICE@PW,80 COLUMBIA BLDG 15	40143410.548000.	47.77
41952	OTAK	PAY ESTIMATE # 16.	40250594.563000.D0501	471.00
41953	OVERALL LAUNDRY SERVICES INC	MAT CLEANING- WWTP	40142480.541000.	10.97

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41953	OVERALL LAUNDRY SERVICES INC	MAT CLEANING - PW ADMIN BLDG	40143410.549000.	99.75
	OVERALL LAUNDRY SERVICES INC	MAT CLEANING-MEZZANINE	40143780.549000.	15.63
	OVERALL LAUNDRY SERVICES INC		40143780.549000.	24.51
41954	PACIFIC POWER BATTERIES	BATTERY TESTER AND CARRIER	10110564.531000.	82.23
	PACIFIC POWER BATTERIES	12 V BATTERY SLA 1250	40142280.548000.	13.79
	PACIFIC POWER BATTERIES	12 V BATTERY SLA 1270	40142280.548000.	20.07
41955	PACIFIC POWER PRODUCTS	UNIVERSAL	42047165.548000.	444.80
41956	PAPE MACHINERY	OIL FILTERS AND FILTER ELEMENT	501.141100.	89.08
41957	THE PARTS STORE	HOSE END CLAMPS, PRKS MAINT	00105380.531000.	4.47
	THE PARTS STORE	SOCKET	00105380.531000.	6.50
	THE PARTS STORE	FUEL FILTERS, AMBER SIGNAL LEN	501.141100.	21.53
	THE PARTS STORE	AIR FITTING AND BUSHING	50100065.534000.	9.63
	THE PARTS STORE	FRONT BRK HARDWARE KITS	50100065.534000.	15.62
41958	PETERSON BROS DRYWALL	SHEETROCK WORK FOR CITY HALL	00103530.563000.C0701	5,750.50
41959	PETROCARD SYSTEMS INC	FUEL CONSUMED	00102020.532000.	639.69
41960	PHOINIX EQUIPMENT, LLC	ONE DAY TRACKHOE RENTAL	40145040.548000.M0711	624.45
	PHOINIX EQUIPMENT, LLC	DOZER RENTAL	40145040.548000.M0711	1,170.71
	PHOINIX EQUIPMENT, LLC	ONE MONTH DOZER RENTAL	40145040.548000.M0711	3,255.00
	PHOINIX EQUIPMENT, LLC	ONE MONTH TRACKHOE RENTAL	40145040.548000.M0711	4,774.00
41961	SNOHOMISH COUNTY PLANNING &	UTILITY INVOICE 45 RD NO OF 11	40143410.541000.	520.00
41962	POSITIVE PROMOTIONS INC	BOOKMARKS-TOO COOL TO DO	001.231700.	-10.11
	POSITIVE PROMOTIONS INC		00103630.531010.	129.06
41963	UNITED STATES POSTAL SERVICE	PERMIT 42 ACCOUNT	00143523.542000.	4,000.00
41964	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 258-014-292-1	00105380.547000.	22.40
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 258-010-895-5	00105380.547000.	23.62
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT# 600-001-260-6	10110463.547000.	1,152.09
	PUD NO 1 OF SNOHOMISH COUNTY	690-001-250-8	10110463.547000.	1,489.62
	PUD NO 1 OF SNOHOMISH COUNTY	660-001-330-1	10110463.547000.	1,880.74
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT# 670-001-300-3	10110463.547000.	9,850.41
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 345-002-250-8	10110564.547000.	53.89
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 295-001-624-2	40140180.547000.	135.47
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 543-001-786-2	40142280.547000.	269.23
41965	PUGET SOUND ENERGY	ACCT 753-901-800-7	00100010.547000.	226.07
	PUGET SOUND ENERGY	835-819-211-3	00101250.547000.	18.38
	PUGET SOUND ENERGY	ACCT 549-775-008-2 CITY HALL	00103530.547000.	30.27
	PUGET SOUND ENERGY	ACCT 616-190-400-5	00105250.547000.	39.38
	PUGET SOUND ENERGY	ACCT 922-456-500-3	40143780.547000.	19.69
	PUGET SOUND ENERGY	ACCT 435-851-700-3	40143780.547000.	80.55
	PUGET SOUND ENERGY	ACCT.# 433-744-264-6	42047267.547000.	21.00
41966	PUGET SOUND SECURITY	DUPLICATE KEYS	00104190.531000.	2.12
	PUGET SOUND SECURITY	DUPLICATE KEYES	00104230.531000.	6.35
41967	MARLA RINGEN	REIMB.TRAVEL FOR TRAINING	00103010.543000.	75.70
41968	ROSEMOUNT ANALYTICAL	CHLORINE ANALYZER REPAIR	40140280.548000.	364.82
41969	ROTH HILL ENGINEERING PARTNERS,LLC	PAY ESTIMATE # 4.	40230594.563000.S0703	20,759.43
41970	ROTO ROOTER PLUMBING & DRAIN SVC	CLEAN MAIN SEWER BLOCKAGE	00105250.548000.	352.95
41971	ROUNDHILL INVESTMENTS, LLC	PROPERTY SETTLE AGREEMENT	30500030.563000.R0301	11,224.00
41972	CARLTON DOUP	KUNG FU INSTRUCTOR	00105120.541020.	134.30
41973	SHUMWAY, KIM & SCOTT	REFUND-INSTRUCTOR UNAVAILABLE	00110347.376009.	45.00
41974	SIX ROBBLEES INC	TONGUE JACK FOOT & TRAILER TJ	50100065.534000.	38.93
41975	SNO CO AUDITOR	RECORDING FEES	00102020.549000.	176.00
	SNO CO AUDITOR		40143610.549000.	82.00

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41976	SNO CO PUBLIC WORKS	MRSVL JULY 07 OVERLAYS	10200030.541000.	3,210.83
	SNO CO PUBLIC WORKS	MRSVL JUNE 07 OVERLAYS	10200030.541000.	4,552.99
	SNO CO PUBLIC WORKS	WATERMAIN & REHAB WORK	40220594.563000.W0404	873.63
41977	SNOPAC	DISPATCH SERVICES AUGUST 2007	00104000.551000.	36,255.17
41978	SOLID WASTE SYSTEMS INC	AIR/HYD SHIFT VLV KIT	50100065.534000.	746.29
41979	SONITROL	MONITORING MISC BLDGS	00100010.541000.	177.00
	SONITROL		00103530.541000.	271.00
	SONITROL		00105250.541000.	116.00
	SONITROL		00105380.541000.	107.00
	SONITROL		40142480.541000.	76.00
	SONITROL		40142480.541000.	95.00
	SONITROL		40142480.541000.	105.00
	SONITROL		40142480.541000.	105.00
	SONITROL		40142480.541000.	108.00
	SONITROL		40142480.541000.	160.00
41980	SOUND HARLEY DAVIDSON	MOTORCYCLE SERVICE	00103222.548000.	173.66
	SOUND HARLEY DAVIDSON		00103222.548000.	257.59
41981	SOUND SAFETY PRODUCTS CO INC	LEE DUNGAREE	40145040.526000.	52.07
	SOUND SAFETY PRODUCTS CO INC	BLOODBORNE PATHOGEN KITS	501.141100.	69.29
41982	SPECIALTY CIGARS INT'L INC	CIGARS	420.141100.	222.50
41983	SPIKES GOLF SUPPLIES INC	PACKAGED TEES	420.141100.	259.74
41984	SPRINGBROOK NURSERY	2 YDS TOPSOIL	00105380.531000.	29.02
	SPRINGBROOK NURSERY		00105380.531000.	29.05
	SPRINGBROOK NURSERY	1 YARD TOPSOIL	10110130.531000.	14.52
	SPRINGBROOK NURSERY		10110130.531000.	14.53
41985	WASHINGTON STATE PATROL	FINGERPRINT ID ON SEMUAL-TAXI	00101130.549000.	30.00
41986	SUPERIOR COURT OF WASHINGTON	RICHARD JAMES GRIMES	001.229050.	593.11
41987	SYSTEMS INTERFACE INC	MRSVL TECH SUPPORT	40140080.541000.	2,111.90
	SYSTEMS INTERFACE INC		40140080.541000.	3,918.54
	SYSTEMS INTERFACE INC	WORK @ ASH AVE & 128TH ST LIFT	40142480.541000.	523.90
	SYSTEMS INTERFACE INC	WORK ON SCADA SYSTEM	40142480.541000.	1,198.84
41988	T BAILEY, INC.	PAY ESTIMATE # 12.	40220594.563000.W0101	6,382.97
41989	MARCUS TAGEANT	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
41990	TERRA RESOURCE GROUP	TEMP-BAGLEY WAGES	00105380.511000.	806.40
	TERRA RESOURCE GROUP		00105380.511000.	806.40
	TERRA RESOURCE GROUP	TEMP-CATWAY, JOSHUA	10110564.548000.	834.80
	TERRA RESOURCE GROUP		10110770.548000.	834.80
	TERRA RESOURCE GROUP		40140280.548000.	420.00
41991	TEXTRON FINANCIAL CORPORATION	12 E-Z GO TXT GAS CART LEASE	42047165.545000.	1,591.39
41992	TITLEIST	COBRA HATS	420.141100.	93.92
41993	UAP DISTRIBUTION, INC	FUNGICIDE	42047165.531930.	1,137.73
41994	UNITED PARCEL SERVICE	SHIPPING COSTS	00103121.542000.	2.17
	UNITED PARCEL SERVICE		00103121.542000.	23.71
	UNITED PARCEL SERVICE		00103222.542000.	11.38
	UNITED PARCEL SERVICE		00103222.542000.	42.98
	UNITED PARCEL SERVICE		00103222.542000.	48.22
41995	UNITED RENTALS	WEED EATER LINE	10110770.531000.	23.85
	UNITED RENTALS	CUTTER BLADES	10110770.531000.	68.36
41996	UNUM LIFE INSURANCE COMPANY OF	LONG TERM CARE INS.9/1-8/31-08	00103010.541100.	13,044.04
41997	US BANK NATIONAL ASSOCIATION	T.BAILEY PAY ESTIMATE # 12	40220594.563000.W0101	311.06
41998	VALLEY FREIGHTLINER INC	ENG OIL DIPSTICK AND TUBE	50100065.534000.	180.18

CITY OF MARYSVILLE
INVOICE LIST
 FOR INVOICES FROM 9/6/2007 TO 9/12/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
41999	VERIZON NORTHWEST	ACCT 107355912203	00100020.542000.	21.83
	VERIZON NORTHWEST		00100050.542000.	53.66
	VERIZON NORTHWEST		00100110.542000.	85.49
	VERIZON NORTHWEST		00100310.542000.	21.83
	VERIZON NORTHWEST		00102020.542000.	43.66
	VERIZON NORTHWEST		00103010.542000.	202.80
	VERIZON NORTHWEST		00103222.542000.	21.83
	VERIZON NORTHWEST	POLE BLDG	00103222.542000.	158.82
	VERIZON NORTHWEST	ACCT 107355912203	00103530.542000.	107.32
	VERIZON NORTHWEST		00103960.542000.	75.49
	VERIZON NORTHWEST		00104000.542000.	53.66
	VERIZON NORTHWEST	ACCT 100367827006	00104000.542000.	57.24
	VERIZON NORTHWEST	ACCT.# 03 0211 1004696094 01	00104000.542000.	70.00
	VERIZON NORTHWEST	ACCT 100664011800	00104000.542000.	85.50
	VERIZON NORTHWEST	ACCT 107355912203	00104190.542000.	75.49
	VERIZON NORTHWEST		00105250.542000.	75.49
	VERIZON NORTHWEST		00105380.542000.	234.63
	VERIZON NORTHWEST		00112572.542000.	53.66
	VERIZON NORTHWEST		00143523.542000.	21.83
	VERIZON NORTHWEST	ACCT 109367558610	10110564.547000.	48.96
	VERIZON NORTHWEST	ACCT 107567892708	10110564.547000.	51.58
	VERIZON NORTHWEST	ACCT 107355912203	10111230.542000.	21.83
	VERIZON NORTHWEST		40142480.542000.	177.95
	VERIZON NORTHWEST		40143410.542000.	356.43
	VERIZON NORTHWEST		42047061.542000.	266.46
	VERIZON NORTHWEST		42047061.549100.	21.32
42000	VERIZON NORTHWEST	CELL PHONE- CC	00102020.542000.	15.17
	VERIZON NORTHWEST	CELL PHONE- RH	00102020.542000.	15.18
42001	VINYL SIGNS & BANNERS	SIGNS X 3 FOR JEN PRK	00105380.549000.	729.12
42002	VWR INTERNATIONAL	VWR PAPER WEIGHING	00104190.531000.	44.91
42003	WASTE MANAGEMENT NORTHWEST	YARDWASTE SRVC AUGUST 2007	41046290.541000.	68,210.33
42004	WEED GRAAFSTRA AND BENSON INC PS	FORFEITURES	00103121.541000.	862.50
	WEED GRAAFSTRA AND BENSON INC PS	NUMEROUS MISC FEES	00105515.541000.	998.25
	WEED GRAAFSTRA AND BENSON INC PS		00105515.541000.	7,766.22
	WEED GRAAFSTRA AND BENSON INC PS		00105515.541000.	24,569.50
	WEED GRAAFSTRA AND BENSON INC PS		30500030.563000.R0301	130.00
	WEED GRAAFSTRA AND BENSON INC PS		30500030.563000.R9701	360.00
	WEED GRAAFSTRA AND BENSON INC PS		30500030.563000.R0301	3,852.50
	WEED GRAAFSTRA AND BENSON INC PS		31000076.563000.G0701	70.00
	WEED GRAAFSTRA AND BENSON INC PS		40143410.541000.	462.00
	WEED GRAAFSTRA AND BENSON INC PS		40143410.541000.	1,240.00
	WEED GRAAFSTRA AND BENSON INC PS		40143410.541000.	7,766.21
	WEED GRAAFSTRA AND BENSON INC PS		40145040.541000.	602.00
42005	WILBUR-ELLIS	ROUNDUP.SYLGARD,CROSSBOW	10110770.531000.	1,359.07
42006	WILDER CONSTRUCTION CO	2.01TONS OF WSDOT- ASPHALT	10110130.531000.	98.23
	WILDER CONSTRUCTION CO	2.06TONS OF COMM ASPHALT	10110130.531000.	103.36
42007	WSSUA	UMPIRES FOR SOFTBALL GAMES	00105120.531010.	2,402.00
42008	ZUMAR INDUSTRIES	25X10' STEEL POSTS,50X11' POST	40145040.531000.	2,665.60

WARRANT TOTAL:

1,234,727.94

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: Claims	AGENDA SECTION:
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:
ATTACHMENTS: Claims Listings	APPROVED BY:
	MAYOR <i>[Signature]</i> CAO
BUDGET CODE:	AMOUNT:

Please see attached.

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the September 19, 2007 claims in the amount of \$1,477,803.64 paid by Check No.'s 42010 through 42168 with no Check No.'s voided.

COUNCIL ACTION:

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 9/13/2007 TO 9/19/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
42009	WASHINGTON STATE DEPARTMENT OF	SALES AND USE TAXES AUG 07	001.231700.	281.21
	WASHINGTON STATE DEPARTMENT OF		00101130.549000.	10.78
	WASHINGTON STATE DEPARTMENT OF		00102020.549000.	21.61
	WASHINGTON STATE DEPARTMENT OF		00103010.549000.	32.39
	WASHINGTON STATE DEPARTMENT OF		101.231700.	320.49
	WASHINGTON STATE DEPARTMENT OF		104.231700.	580.11
	WASHINGTON STATE DEPARTMENT OF		401.231700.	842.53
	WASHINGTON STATE DEPARTMENT OF		40143410.553000.	63,309.29
	WASHINGTON STATE DEPARTMENT OF		40145040.553000.	3,471.71
	WASHINGTON STATE DEPARTMENT OF		41046060.553000.	20,671.71
	WASHINGTON STATE DEPARTMENT OF		420.231700.	7.22
	WASHINGTON STATE DEPARTMENT OF		420.231710.	13,693.26
	WASHINGTON STATE DEPARTMENT OF		42047267.553000.	861.14
	WASHINGTON STATE DEPARTMENT OF		501.231700.	43.10
42010	ADOLFSON ASSOCIATES INC	WETLAND PEER REVIEW	00102020.541000.	1,372.59
42011	ADVANTAGE COMMUNICATIONS INC	NEXTEL BELT CLIPS AND CASES	501.141100.	87.04
42012	AUTOMATIC FUNDS TRANSFER SERVICES	REMITTANCE PROCESSING CC'S	00143523.541000.	87.00
42013	ALL BATTERY SALES & SERVICE	RECHARGABLE MAGLITE	501.141100.	110.75
42014	ALL TRAFFIC DATA SERVICE, INC.	TRAFFIC ANALYSIS-TMC MIDDAY	10110070.541000.	120.00
42015	ALPHA COURIER SVC	PAPERS DELIVERED TO IMCO	40220594.563000.W0003	84.40
42016	ALPINE PRODUCTS INC	BEAD SPRAY GUN ASSEMBLY	50100065.534000.	893.02
42017	WASHINGTON ANIMAL CONTROL	TRAINING-WACA CONFERENCE	00104230.549100.	175.00
42018	APSCO, INC.	ONE IMPELLER #70287-7	40142280.548000.	2,503.94
42019	BAKER ENGINEERS, INC	STRUCTUAL DESIGN FOR GATEWAY	00102020.541000.	502.50
42020	BANK OF AMERICA	FINANCE CHARGE REIMB	00103010.549000.	12.90
42021	BANK OF AMERICA	FEE REIMBURSEMENT	00103010.549000.	19.10
42022	BANK OF AMERICA	MTG REIMB	00100060.549000.	40.00
	BANK OF AMERICA		00100720.549000.	20.00
42023	BANK OF AMERICA	HELIUM TANK RENTAL	00103630.531010.	81.36
42024	BANK OF AMERICA	MEAL REIMB & DRAWING COPY	40142280.531000.	128.72
	BANK OF AMERICA		40143410.549000.	59.98
42025	BARRON HEATING AIR CONDITIONING	NEW MOTOR INSTALLED & FUSES	00112572.531000.	1,357.37
	BARRON HEATING AIR CONDITIONING	REPLACED FILTER & DEICED UNIT	40143780.531000.	299.78
42026	BEARDSLEY SR, MICHAEL E	UB 491110000002 16419 51ST AVE	401.122110.	34.02
42027	JOHN BENEZE	REFUND INSTRUCTOR UNAVAILABLE	00110347.376009.	90.00
42028	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM PANTS- ISOM	00104190.526000.	69.69
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORM PANTS- DYE	00104190.526000.	192.18
42029	BOATLAND P & A	TOTLATSU FUEL FITTING	40142480.531400.	19.52
42030	RAE BOYD, APRN, BC	INMATE MEDICAL SERVICES	00103960.541000.	970.00
42031	BRANDON & KIMBERLY TANNER	UB 986011000001 6011 52ND ST N	410.122100.	22.82
42032	BRIDGESTONE GOLF	BRIDGESTONE E5 GOLF BALLS	420.141100.	123.60
42033	EDDIE BROWN	REIMB-ENDORSEMENT, PERMIT	40143410.553100.	115.00
42034	DOUG BUELL	REIMBURSEMENT	00100720.543000.	55.01
	DOUG BUELL		00100720.543000.	79.06
	DOUG BUELL	FALL QTR 07 TUITION-SEATTLE	00100720.543000.	1,620.00
42035	BUILDERS EXCHANGE	POST PROJECT ON-LINE	40142680.548000.M0643	22.25
	BUILDERS EXCHANGE		40145040.548000.M0519	29.75
42036	LLOYD AND PATRICIA CANNON	PROPERTY SETTLEMENT- CANNON'S	30500030.563000.R0301	52,508.00
42037	CAPITAL INDUSTRIES INC	12 OF 2 YD RL + 758.28 FREIGHT	41046170.548000.	9,278.28
42038	CASCADE MAILING	UB MAILING	00143523.542000.	178.99
42039	CDW GOVERNMENT INC	ADOBE PROFESSIONAL	00100020.531000.	209.81

CITY OF MARYSVILLE
INVOICE LIST
 FOR INVOICES FROM 9/13/2007 TO 9/19/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
42039	CDW GOVERNMENT INC	ADOBE PROFESSIONAL	00101130.549000.	209.81
	CDW GOVERNMENT INC	PRINTER/COPIER FOR C.D.	00102020.535000.	310.05
	CDW GOVERNMENT INC	WORKSTATION UPS	00103010.531000.	145.63
	CDW GOVERNMENT INC	ADOBE PROFESSIONAL	00103010.531000.	419.62
	CDW GOVERNMENT INC	NETWORK SUPPLIES	50300090.531000.	25.19
	CDW GOVERNMENT INC	MONITER EXTENSIONS	50300090.531000.	42.39
	CDW GOVERNMENT INC	NETWORK SUPPILES	50300090.531000.	65.70
	CDW GOVERNMENT INC	WORKSTATION UPS	50300090.531000.	145.63
	CDW GOVERNMENT INC		50300090.531000.	145.63
	CDW GOVERNMENT INC	ADOBE PROFESSIONAL	50300090.531000.	209.80
	CDW GOVERNMENT INC	SURGE PROTECTORS AND MICE	50300090.531000.	317.99
	CDW GOVERNMENT INC	PHONE EQUIPMENT	50300090.542000.	9.77
42040	CHAMPION BOLT & SUPPLY	SOC SET CUP	40142480.531300.	18.39
42041	CHUCKANUT GOLF CARS INC	GOLF CART RENTAL 30 CARTS	42047267.545000.	1,110.00
42042	COMCAST	MONTHLY BROADBAND CHARGE	50300090.531000.	169.95
42043	DEPT OF COMMUNITY, TRADE & ECONOMIC	DWKFL-EDWARD SPRINGS-PRINC&INT	45000072.572000.	23,288.54
	DEPT OF COMMUNITY, TRADE & ECONOMIC	DWKFL-STILLIGUAMISH PRINC&INT	45000072.572000.	222,397.78
	DEPT OF COMMUNITY, TRADE & ECONOMIC	DWKFL-EDWARD SPRINGS-PRINC&INT	45000083.583000.	13,831.41
	DEPT OF COMMUNITY, TRADE & ECONOMIC	DWKFL-STILLIGUAMISH PRINC&INT	45000083.583000.	56,711.45
42044	CONLEY, JESSICA & RYAN	UB 331475530000 15007 44TH AVE	401.122110.	111.84
42045	CO-OP SUPPLY	RUBBER BOOTS	40143410.526200.	65.09
42046	PAUL CORMIER	WATER*SEWER CONSERVATION REBT	40143410.549071.	50.00
42047	COVAD COMMUNICATIONS	INTERNET SERVICES	50300090.531000.	239.95
42048	CRAWFORD, BRUCE & JULIE	UB 651052300000 10523 66TH AVE	401.122110.	15.30
42049	DAN MEEKS	RAMP, SIDEWALK, CURB&GUTTER	10111561.548000.	1,475.00
42050	DATA QUEST	CREDIT CHECKS-PAXTON-LESSER	00103010.551000.	16.00
42051	DATABASE SECURE RECORDS DESTRUCTIO	MONTHLY SHREDDER SERVICES	00100020.531000.	2.55
	DATABASE SECURE RECORDS DESTRUCTIO	SHREDDING SERVICES	00100110.549000.	4.25
	DATABASE SECURE RECORDS DESTRUCTIO		00100310.549000.	4.25
	DATABASE SECURE RECORDS DESTRUCTIO	MONTHLY SHREDDER SERVICES	00102020.531000.	2.55
	DATABASE SECURE RECORDS DESTRUCTIO	AUGUST 07 RECORDS DESTRUCTION	00105380.531000.	8.50
	DATABASE SECURE RECORDS DESTRUCTIO	MONTHLY SHREDDER SERVICES	40143410.531000.	2.55
	DATABASE SECURE RECORDS DESTRUCTIO		50100065.531000.	0.42
	DATABASE SECURE RECORDS DESTRUCTIO		50200050.531000.	0.43
42052	DELL MARKETING LP	NEW ADV WORKSTATION- PD ADMIN	00103010.531000.	4,485.23
	DELL MARKETING LP	REPLACEMENT FOR PW SERVER	50300090.535000.	1,871.00
42053	DEX MEDIA INC	YELLOW PAGES AD	42047267.544000.	38.00
42054	DICKS TOWING INC	TOWING CHR- FORD RANGER	10110130.549200.M0702	43.44
	DICKS TOWING INC	TOWING CHR- GEO STORM	10110130.549200.M0702	43.44
42055	DMX MUSIC	9/07-2/08 DIGITAL SAT MUSIC	00100720.541000.	545.22
42056	SHARON DOTY	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
42057	DUNN, ROBERT & SUSAN	UB 741323400001 5716 52ND AVE	401.122110.	223.65
42058	E&E LUMBER INC	6 X 13 WATT CFL'S AND 4 SCREWS	00100010.531000.	12.30
	E&E LUMBER INC	EPOXY METAL	00101250.531000.	4.33
	E&E LUMBER INC	RETURN WOOD FROM PARK AWNING	00105380.531000.	-151.16
	E&E LUMBER INC	BUSHING-JENNINGS RENOVATION	00105380.531000.	0.97
	E&E LUMBER INC	PAINT TRAYS- GRAFITTI	00105380.531000.	2.38
	E&E LUMBER INC	PAINT ROLLER COVERS- GRAFITTI	00105380.531000.	6.03
	E&E LUMBER INC	SPRAY PAINT- GRAFITTI	00105380.531000.	6.82
	E&E LUMBER INC	PAINT ROLLER CVR AND TRAY-GRAF	00105380.531000.	10.78
	E&E LUMBER INC	FASTENERS & BRACES	00105380.531000.	13.83

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 9/13/2007 TO 9/19/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
42058	E&E LUMBER INC	GRAFITTI-PAINT TRAYS,COVERS	00105380.531000.	14.44
	E&E LUMBER INC	PVC CEMENT, PRIMER, PRK RENOV	00105380.531000.	17.13
	E&E LUMBER INC	PAINT BRUSHES, PAINT-GRAFITTI	00105380.531000.	19.48
	E&E LUMBER INC	LUMBER, CONCRETE	00105380.531000.	20.84
	E&E LUMBER INC	PAINT- GRAFITTI	00105380.531000.	24.94
	E&E LUMBER INC		00105380.531000.	43.39
	E&E LUMBER INC	TREX BOARDS & STAKES	00105380.531000.	52.94
	E&E LUMBER INC	BITS, FASTNERS, PARK BENCHES	00105380.531000.	54.76
	E&E LUMBER INC	TREATED POSTS-UNITED WAY SIGNS	00105380.531000.	173.38
	E&E LUMBER INC	RAGS,ROLLERS,BRUSHES,PAINT	501.141100.	187.44
42059	EAST JORDAN IRON WORKS	MONUMENT COVER, RING.	10110130.531000.M0701	329.84
42060	JONATHAN ELTON	REIMBURSEMENT, TRAINING	00103222.543000.	20.20
	JONATHAN ELTON		00103222.543000.	55.20
42061	ENVIRONMENTAL SYSTEMS RESEARCH INC	ARCVIEW 9.2 INSTALLATION PKG	00103010.531000.	5,648.70
42062	ESCHELON TELECOM INC.	CITYHALL 010495321	00100020.542000.	402.05
	ESCHELON TELECOM INC.		00100050.542000.	67.59
	ESCHELON TELECOM INC.		00100110.542000.	99.66
	ESCHELON TELECOM INC.		00100310.542000.	45.93
	ESCHELON TELECOM INC.		00100720.542000.	18.24
	ESCHELON TELECOM INC.		00101023.542000.	36.38
	ESCHELON TELECOM INC.		00101130.542000.	68.09
	ESCHELON TELECOM INC.		00102020.542000.	763.58
	ESCHELON TELECOM INC.		00103010.542000.	38.14
	ESCHELON TELECOM INC.		00103121.542000.	57.79
	ESCHELON TELECOM INC.		00103222.542000.	146.01
	ESCHELON TELECOM INC.		00103528.542000.	4.36
	ESCHELON TELECOM INC.		00103630.542000.	2.18
	ESCHELON TELECOM INC.		00103960.542000.	67.86
	ESCHELON TELECOM INC.		00104190.542000.	174.41
	ESCHELON TELECOM INC.		00104230.542000.	8.21
	ESCHELON TELECOM INC.		00105250.542000.	15.51
	ESCHELON TELECOM INC.		00105380.542000.	47.25
	ESCHELON TELECOM INC.		00143523.542000.	42.02
	ESCHELON TELECOM INC.		10111230.542000.	40.66
	ESCHELON TELECOM INC.		40142480.542000.	56.52
	ESCHELON TELECOM INC.		40143410.542000.	381.60
	ESCHELON TELECOM INC.		41046170.542000.	2.18
	ESCHELON TELECOM INC.		42047061.542000.	30.32
	ESCHELON TELECOM INC.		50100065.542000.	17.80
	ESCHELON TELECOM INC.		50148058.542000.	34.30
	ESCHELON TELECOM INC.		50200050.542000.	8.24
	ESCHELON TELECOM INC.		50300090.542000.	51.79
42063	EVERETT BARK & LANDSCAPING SUPPLY, I	2 YDS OF BLACK BARK	00105380.531000.	47.68
42064	CITY OF EVERETT	2006 SEPS OPERATION AGREEMENT	40142480.541000.	20,548.33
42065	FAMILY KARATE RONIN DOJO	TRAINING FACILITY RENTAL	00103222.545000.	900.00
42066	FAY, STEVEN & NEVA	UB 200630000001 4829 134TH PL	401.122110.	14.19
42067	FEDEX	RMA SHIPMENT	50300090.531000.	43.47
42068	GLORIA JEANE HAULING & HWY REHAB IN	GRINDING WORK PERFORMED 7/27	10110130.549200.	2,100.00
	GLORIA JEANE HAULING & HWY REHAB IN	GRINDING WORK PERFORMED	10110130.549200.	5,600.00
	GLORIA JEANE HAULING & HWY REHAB IN	WORK PERFORMED 7/31/07	10200030.541000.	1,800.00
42069	GRACE ACADEMY	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00

CITY OF MARYSVILLE
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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
42070	GRAINGER INC	WINCH REMOTE CONTROL CORD	50100065.534000.	54.73
	GRAINGER INC	STEP DRILL BIT L30-L31 X 4 EA	50100065.535000.	142.90
	GRAINGER INC	POCKET THERMOMETER	50200050.531000.	34.99
42071	GREENSHIELDS INDUSTRIAL SUPPLY	1"FOG NOZZLES, 50' EXT CORD	40145040.548000.	173.83
	GREENSHIELDS INDUSTRIAL SUPPLY	HOSE REPAIR BACKHOE	40220594.563000.W0604	30.78
	GREENSHIELDS INDUSTRIAL SUPPLY	BACKHOE HOSE REPAIR, RATCHET	40220594.563000.W0604	93.74
42072	JARL GUNDERSON	POWER CORD FOR FLASHLIGHT CHR	00103222.531000.	26.70
42073	KRISTIE GUY	REIMB.EMP.LAW UPDATE SEMINAR	00100310.549010.	165.00
42074	STEVE HACKFORD	CDL REIMB	50100065.549000.	50.00
42075	HD FOWLER COMPANY	40 X SCHEDULE 80 PVC 20' STICK	40142480.548000.	512.12
	HD FOWLER COMPANY	EXT CAP, PERF PIPE AND COUPLIN	40145040.548000.M0711	131.00
	HD FOWLER COMPANY	SNAP COUPLERS & 200' OF 6"PIPE	40145040.548000.	282.86
	HD FOWLER COMPANY	RETURN SHOVELS AND WRENCHES	501.141100.	-206.58
	HD FOWLER COMPANY	3" TRENCH WOOD HANDLE SHOVEL	501.141100.	20.35
	HD FOWLER COMPANY	3"TRENCH WOOD HANDLE SHOVEL	501.141100.	20.35
	HD FOWLER COMPANY	WATER METER WRENCHED	501.141100.	186.23
	HD FOWLER COMPANY	TAPE MEASURES,SHOVELS,WR REED	501.141100.	319.81
42076	HD SUPPLY WATERWORKS, LTD	PIPE AND FITTINGS	40140080.531000.	133.07
42077	HDR ENGINEERING, INC.	PAY ESTIMATE #2.	30500030.563000.R0603	2,045.07
42078	JAMIN HENDERSON	REFUND DEPOSIT ON RENTAL	001.239100.	58.00
42079	GLORIA HIRASHIMA	REIMB. MISC FILING FEES	00102020.543000.	210.65
	GLORIA HIRASHIMA		00102020.549000.	450.00
42080	HOUSE OF UPHOLSTERY	JEEP WRANGLER SEAT	501.141100.	406.88
42081	SNOHOMISH COUNTY HUMAN SERVICES	LIQ PROFITS&EXCISE TAX-2NDQTR	00199566.551000.	769.17
	SNOHOMISH COUNTY HUMAN SERVICES		00199566.551000.	1,738.33
42082	INTEGRATED BUSINESS SYSTEM	EXPENSE FEE FOR IBS TRAINING	42047076.564000.	2,468.35
42083	IRON MOUNTAIN QUARRY LLC	4 X 8" CLEAN ROCK	40145040.548000.M0711	93.91
	IRON MOUNTAIN QUARRY LLC	LOAD 2" CLEAN ROCK	40145040.548000.M0711	96.11
	IRON MOUNTAIN QUARRY LLC	2 " CLEAN ROCK	40145040.548000.M0711	99.85
	IRON MOUNTAIN QUARRY LLC	LOAD 2" CLEAN ROCK;4 X 8" ROCK	40145040.548000.M0711	306.79
	IRON MOUNTAIN QUARRY LLC	2" CLEAN ROCK; 4X8" ROCK	40145040.548000.M0711	329.17
42084	KRIS JOHNSON	REFUND DEPOSIT OF RENTAL	001.239100.	58.00
42085	KENT & ASSOC. APPRAISAL, PSC.	APPRAISAL FOR KRUMM PROPERTY	30500030.563000.R0301	350.00
42086	KOVALENKO, ALEKSANDR	UB 570703740902 17623 SPRING L	401.122110.	131.11
42087	KPFF CONSULTING ENGINEERS	PAY ESTIMATE # 29.	30500030.563000.R0301	31,208.09
	KPFF CONSULTING ENGINEERS	PAY ESTIMATE # 31.	30500030.563000.R0301	53,460.95
42088	LAKE STEVENS SCHOOL DISTRICT #4	MITIGATION FEES TO LSSD 08/07	642.237000.	70,546.00
42089	SANDY LANGDON	REIMB FOR NUMEROUS EXPENSES	00100310.549010.	249.15
	SANDY LANGDON		00101023.543000.	1,157.16
42090	LES SCHWAB TIRE CENTER	DEEP TRACTION RETREAD X 1	501.141100.	175.87
	LES SCHWAB TIRE CENTER	DEEP TRACTION RETREAD X 3	501.141100.	527.60
	LES SCHWAB TIRE CENTER	XFE HIGHWAY	501.141100.	623.89
	LES SCHWAB TIRE CENTER	DEEP TRACTION RETREAD	501.141100.	626.44
	LES SCHWAB TIRE CENTER	8 X 950-16.5/10 TRAILER TIRE	50100065.534000.	1,430.39
	LES SCHWAB TIRE CENTER	SERVICE CALL TO PW TO REP FLAT	50100065.548000.	97.11
42091	DEPT OF LICENSING	GEROU, MARY (RENEWAL)	001.237020.	18.00
	DEPT OF LICENSING	HERR, JAMES (RENEWAL)	001.237020.	18.00
	DEPT OF LICENSING	SCHULTZ, CAROL (ORIGINAL)	001.237020.	18.00
42092	DEPT OF LICENSING	ARMS, SCOTT	001.237080.	125.00
42093	DEPT OF LICENSING	SALES & LIC FEES FOR VEH #M015	50100048.564000.	5,600.38
42094	LOOMIS	ARMORED TRUCK SERVICES	00100050.541000.	386.33

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 9/13/2007 TO 9/19/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
42094	LOOMIS	ARMORED TRUCK SERVICES	00102020.541000.	193.17
	LOOMIS		00103010.541000.	386.33
	LOOMIS		00143523.541000.	386.33
	LOOMIS		40143410.541000.	193.17
	LOOMIS		42047061.541000.	154.51
42095	LOWES HIW INC	PANSIES, ASST ANNUALS, MUMS	00105380.531000.	723.43
42096	M-B COMPANIES, INC.	07 MB THERO APP TRLR &PREMELTR	50100048.564000.	65,525.00
42097	MARYSVILLE GLOBE	REQ FOR PROPOSALS, NOTICES	00101130.544000.	73.78
42098	MARYSVILLE PAINT & DECORATING	2 GAL CHROME GREEN PAINT	00105380.531000.	79.40
	MARYSVILLE PAINT & DECORATING	3 GAL CHROME GREEN PAINT	00105380.531000.	119.11
42099	MARYSVILLE PRINTING	#10 ENVELOPES, 3 COLORS X 2500	00100110.549000.	87.49
	MARYSVILLE PRINTING	BUSINESS CARDS FOR SWENSON	00100110.549000.	102.42
	MARYSVILLE PRINTING	#10 ENVELOPES, 3 COLORS X 2500	00100310.549000.	87.49
	MARYSVILLE PRINTING		00100720.549000.	87.48
	MARYSVILLE PRINTING	5000 WINDOW ENVELOPES	00101023.531000.	234.36
	MARYSVILLE PRINTING	ENVELOPES	00102020.531000.	89.58
	MARYSVILLE PRINTING	BUSINESS CARDS FOR MOORE, S.	00102020.531000.	113.82
	MARYSVILLE PRINTING	5 PURCHASE ORDER BOOKS-BSERIES	50200050.531000.	151.44
42100	MARYSVILLE SCHOOL DISTRICT #25	MITIGATION FEES FOR MSD 08/07	642.237000.	75,907.00
42101	CITY OF MARYSVILLE	1015 STATE AVE WTR,SWR,GRB	00101250.547000.	1,623.33
	CITY OF MARYSVILLE	1049 STATE AVE, WTR-SWR-GRB	00103530.547000.	17.30
	CITY OF MARYSVILLE	WTR @ 1049 STATE AVE	00103530.547000.	59.00
	CITY OF MARYSVILLE	1049 STATE AVE #IRRIGATION	00103530.547000.	82.30
	CITY OF MARYSVILLE	WTR, SWR GRB @ 514 DELTA AVE	00105250.547000.	25.40
	CITY OF MARYSVILLE	WTR @ 3RD & STATE	00105380.547000.	23.20
	CITY OF MARYSVILLE	WTR @ 1050 COLUMBIA AVE	00105380.547000.	30.60
	CITY OF MARYSVILLE	WTR @ 4TH @ 1-5 # IRR	00105380.547000.	50.40
	CITY OF MARYSVILLE	WTR, SWR @ 1050 COLUMBIA AVE	00105380.547000.	94.40
	CITY OF MARYSVILLE	WTR, SWR @ 514 DELTA AVE	00105380.547000.	104.50
	CITY OF MARYSVILLE	WTR@6TH ST & STATE IRRIGATION	00105380.547000.	219.80
	CITY OF MARYSVILLE	WTR @ 1ST & STATE AVE #IRR	00105380.547000.	2,477.00
	CITY OF MARYSVILLE	GARBAGE @ 80 COLUMBIA AVE	10110130.547000.	444.00
	CITY OF MARYSVILLE	GARBAGE @ 1-5 @ 1ST	10111230.547000.	468.29
	CITY OF MARYSVILLE	WTR @ 80 COLUMBIA AVE	40142480.547000.	1,116.40
	CITY OF MARYSVILLE	WTR,SWR,GRB @ 80 COLUMBIA	40142480.547000.	1,638.08
	CITY OF MARYSVILLE	WTR, SWR @ 80 COLUMBIA AVE	40143780.547000.	146.10
	CITY OF MARYSVILLE	GARBAGE @ 80 COLUMBIA AVE	50100065.547000.	580.00
42102	MCEVOY OIL CO.	MONTHLY DIESEL DELIVERY TO PS	00100010.547000.	52.65
	MCEVOY OIL CO.		40143880.532000.	891.05
42103	MCKIBBIN, BILL & KIM DWAN	UB 750380800000 5124 70TH DR N	401.122110.	138.30
42104	MCLOUGHLIN & EARDLEY CORP	CREDIT-OVERPAYMENT USETAX	501.231700.	-260.11
	MCLOUGHLIN & EARDLEY CORP	5 X HEADLIGHT FLASHERS	501.231700.	-40.60
	MCLOUGHLIN & EARDLEY CORP	2 X 4" BLUE LED LIGHTS	501.231700.	-20.57
	MCLOUGHLIN & EARDLEY CORP		50100065.534000.	262.47
	MCLOUGHLIN & EARDLEY CORP	5 X HEADLIGHT FLASHERS	50100065.534000.	518.24
42105	MONTGOMERY WATSON HARZA	PAY ESTIMATE # 13.	40220594.563000.W0304	6,608.19
42106	MOTOROLA	HD MICROPHONE & EXT SPEAKER	50100048.564000.	562.72
	MOTOROLA	VRM850 MODEM W/GPS INTERFACE	50100048.564000.	2,443.96
42107	MOUNT BAKER COUNCIL BSA # 606	REFUND DEPOSIT ON RENTAL	001.239100.	58.00
42108	CITY OF MOUNTLAKE TERRACE	SNO CO CITIES SEPT MEETING	00100060.549000.	33.00
42109	NELSON PETROLEUM	DIESEL & UNLEADED FUEL	42047165.532000.	1,166.93

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/13/2007 TO 9/19/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
42110	NEXTEL COMMUNICATIONS	NEXTEL EQUIPMENT	00100020.531000.	108.49
	NEXTEL COMMUNICATIONS		00103222.531000.	108.49
	NEXTEL COMMUNICATIONS		10111230.541000.	54.25
	NEXTEL COMMUNICATIONS		50300090.542000.	379.71
	NEXTEL COMMUNICATIONS		50300090.542000.	433.96
42111	NORTH COAST ELECTRIC COMPANY	HUBW HBL9450A	10110564.531000.	69.10
	NORTH COAST ELECTRIC COMPANY	WIRE,ELEC BOX.HOFFMAN J BOX	10110564.531000.	171.47
42112	NORTHWEST CASCADE INC	HONEY BUCKET FOR PARK THRU10/1	00105380.531000.	103.33
42113	WORTH NORTON	SYNC SOFTWARE FOR KNEILSEN	00100020.531000.	29.95
42114	NRPA	SPORT ILLUSTRATED POSTER SET	00105120.531000.	55.00
42115	O'BRIEN, LISA	UB 840001710000 7116 74TH ST N	401.122110.	31.50
42116	OFFICE DEPOT	OFFICE SUPPLIES	00100110.531000.	30.25
	OFFICE DEPOT		00100110.531000.	64.67
	OFFICE DEPOT		00100310.531000.	17.81
	OFFICE DEPOT		00100310.531000.	64.67
	OFFICE DEPOT		00100720.531000.	61.93
	OFFICE DEPOT		00101023.531000.	72.10
	OFFICE DEPOT		00101130.531000.	111.21
	OFFICE DEPOT		00143523.531000.	94.28
42117	OVERALL LAUNDRY SERVICES INC	MAT CLEANING- WWTP	40142480.541000.	10.97
	OVERALL LAUNDRY SERVICES INC	MAT CLEANING- MEZZANINE	40143780.549000.	15.63
	OVERALL LAUNDRY SERVICES INC		40143780.549000.	24.51
	OVERALL LAUNDRY SERVICES INC	UNIFORM CLEANING-BOB,STEVE,MRK	50100065.526000.	58.25
	OVERALL LAUNDRY SERVICES INC	UNIFROM CLEANING-BOB,STEVE,MRK	50100065.526000.	58.25
42118	PACIFIC POWER PRODUCTS	HYDRAULIC CYLINDER	00105380.598000.	305.92
42119	PACIFIC TOPSOILS INC	ASPHALT; DUMP; COMPLIANCE FEE	10110130.549200.M0706	92.24
	PACIFIC TOPSOILS INC		10110130.549200.M0706	166.04
42120	THE PARTS STORE	BATTERIES	42047165.548000.	69.33
	THE PARTS STORE	CAR WASH	501.141100.	12.48
42121	LAURIE HUGDAHL	MINUTE TAKING SERVICE	00101130.541000.	105.00
	LAURIE HUGDAHL		00101130.541000.	168.00
42122	PETROCARD SYSTEMS INC	FUEL CONSUMED- ENG & SURF WTR	00100020.532000.	96.95
	PETROCARD SYSTEMS INC	FUEL CONSUMED- COMM DEVELOPMI	00102020.532000.	430.87
	PETROCARD SYSTEMS INC	FUEL CONSUMED PRKS & REC VEH'S	00105380.532000.	751.04
	PETROCARD SYSTEMS INC	FUEL CONSUMED- STREETS	10111230.532000.	1,434.23
	PETROCARD SYSTEMS INC	FUEL CONSUMED- OPER&SANATATIO	40143880.532000.	3,944.81
	PETROCARD SYSTEMS INC	FUEL CONSUMED- ENG & SURF WTR	40145040.532000.	129.46
	PETROCARD SYSTEMS INC	FUEL CONSUMED- OPER&SANATATIO	41046060.532000.	3,632.06
	PETROCARD SYSTEMS INC	FUEL CONSUMED- IS	50300090.532000.	30.10
	PETROCARD SYSTEMS INC		50300090.532000.	39.97
42123	PLATT- EVERETT	CH CIRCUIT BREAKER	10110564.548000.	67.20
42124	PROLANDSCAPE SUPPLY	FERTILIZER & FUNGICIDE	42047165.531900.	2,123.55
	PROLANDSCAPE SUPPLY		42047165.531930.	965.78
42125	PUD NO 1 OF SNOHOMISH COUNTY	ACT# 968-001-439-7	10110564.547000.	75.77
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 543-001-066-9	40140180.547000.	28.17
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 300-001-899-8	40142280.547000.	28.01
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 381-001-187-8	40142480.547000.	45.76
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 400-001-036-5	40142480.547000.	701.39
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 529-001-155-9	40143780.547000.	1,374.12
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT 416-001-067-6	40143780.547000.	1,972.86
42126	PUGET SOUND SECURITY	DUPLICATE KEYS AND KEY RING	00105380.531000.	31.52

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 9/13/2007 TO 9/19/2007

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
42127	RADIOSHACK	CABLES FOR COURT FTR	00100012.564000.	24.39
42128	RANDALL, MICHAEL & JILL	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
42129	RINKER MATERIALS	PATCH WORK, PREP CTY. OVERLAY	10200030.541000.	73.10
	RINKER MATERIALS	PATCH PREP, CTY. OVERLAY	10200030.541000.	2,540.52
	RINKER MATERIALS	PATCH WORK, PREP CTY. OVER	10200030.541000.	6,314.82
42130	PAUL ROBERTS	REIMB. MTG, TRANS, MEALS	40143410.549000.	1,178.24
42131	SALOMON, CATHERINE	UB 651445650001 10228 62ND DR	401.122110.	70.66
42132	SCIENTIFIC SUPPLY & EQUIPMENT INC	2 X MFC BROTH W/O ROSOLIC ACID	40142480.531330.	154.42
42133	SMITH, DALE & MARIAN	UB 970740000004 1628 GROVE ST	401.122110.	1.16
	SMITH, DALE & MARIAN		401.122120.	3.19
	SMITH, DALE & MARIAN		401.122130.	0.80
42134	SNELSON COMPANIES, INC.	RELEASE OF RETAINAGE FEES	401.223400.	178,358.41
42135	EVE SNIDER	JAZZERCISE INSTRUCTOR	00105120.541020.	720.00
42136	SNO CO PUBLIC WORKS	STORMWTR & SOLID WASTE FEES	40145040.548000.	187.00
	SNO CO PUBLIC WORKS		41046060.551000.	113,600.00
42137	SNOHOMISH COUNTY TREASURER	CRIME VICTIM/WITNESS FUNDS	00102570.551000.	1,030.82
42138	SOUND SAFETY PRODUCTS CO INC	HEARING PROTECTION/ LEVI JEANS	00105380.526000.	88.93
	SOUND SAFETY PRODUCTS CO INC	2 X LEVI JEANS	50100065.526000.	66.25
42139	SPIKES GOLF SUPPLIES INC	SPIKE WRENCHES AND SOFT SPIKES	420.141100.	354.39
42140	SPRINGBROOK NURSERY	1 YARD TOPSOIL	001.231700.	-1.15
	SPRINGBROOK NURSERY		00105380.531000.	14.65
	SPRINGBROOK NURSERY	2 YARDS TOPSOIL	00105380.531000.	29.05
42141	STATE AUDITORS OFFICE	AUDIT PERIOD 06/06	00100090.551000.	2,515.20
42142	STATE AVENUE PLAZA, LLC	MONTHLY LEASE PYMNT 1015 STATE	00101250.545000.	28,000.00
42143	ROSALIE STORMO	REFUND DEPOSIT ON RENTAL	001.239100.	58.00
42144	SUN MOUNTAIN	SUN MTN V1 SPEED CARTS X 3	420.141100.	401.30
42145	SUNNYSIDE NURSERY	6 X SHRUBS	10110770.531000.	84.56
42146	TERRA RESOURCE GROUP	TEMP- CLOUTIER, CYNTHIA	00143523.541000.	477.58
42147	TESSCO TECHNOLOGIES	2 X # 33825 ANTENNAS	501.231700.	-6.21
	TESSCO TECHNOLOGIES		50100048.564000.	79.28
42148	TORO NSN	CENTRAL IRRIGATION LEASE	42047165.545000.	199.00
42149	TULIPS.COM	200 X 10 PK DAFFODIL BULBS&TUL	00105380.531000.	1,448.83
42150	TYLER TECHNOLOGIES, INC.	MUNIS LICENSING AND SUPPORT	50300090.541000.	44,076.57
42151	UNITED RENTALS	SOD CUTTER RENTAL	00105380.531000.	271.73
	UNITED RENTALS	PRO SAW CHAIN, SPOOL CROSSFIRE	10110770.531000.	34.58
	UNITED RENTALS	ECHO CHAIN & HEDGE TRIMR BLADE	10110770.531000.	68.61
	UNITED RENTALS	RENTAL OF A 100' POWER SNAKE	40142080.548000.	61.04
42152	UTILITIES UNDERGROUND LOCATION CTR	EXCAVATION NOTIFICATION 08/07	40141180.541000.	382.80
42153	VAN DAM'S ABBEY CARPETS	MINI BLINDS FOR ATTY'S OFFICE	00105515.549000.	479.88
42154	VAN KLAVERENS	BERBERIS,CEANOTHUS,SARCOCOCCA	00105380.531000.	166.44
42155	VERIZON NORTHWEST	03 0274 1044492270 07	00100050.542000.	468.03
	VERIZON NORTHWEST	ACCT.# 03 0274 1094715727 10	00103121.542000.	64.33
	VERIZON NORTHWEST	ACCT# 108778831503	00104000.542000.	75.45
	VERIZON NORTHWEST	ACCT.# 03 0211 1097788318 10	00104000.542000.	75.45
	VERIZON NORTHWEST	ACCT.# 03 0273 1092686355 01	00104000.542000.	93.05
	VERIZON NORTHWEST	ACCT 03 0275 1027463801 05	00104000.542000.	104.04
	VERIZON NORTHWEST	ACCT 102857559902	00112572.542000.	103.16
	VERIZON NORTHWEST	ACCT 103957234007	40142480.542000.	51.58
	VERIZON NORTHWEST	ACCT030211109792481505	40143410.542000.	74.85
42156	WASHINGTON STATE TREASURER	PUBLIC SAFETY & BUILDING REVEN	001.237010.	53,982.07
	WASHINGTON STATE TREASURER		001.237030.	523.00

CITY OF MARYSVILLE
INVOICE LIST
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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
42157	WARNER, FORREST & AMY	UB 751159213001 5410 79TH AVE	401.122110.	2.03
	WARNER, FORREST & AMY		401.122110.	166.70
42158	WASTE MANAGEMENT NORTHWEST	YARDWASTE, RECYCLE JULY 2007	41046290.541000.	68,189.18
42159	WAYNE F RICKARD	SHAMPOO/STAEM CLEAN DRVRS SEA	50100065.548000.	21.70
42160	WASHINGTON CITIES INSURANCE AUTHORI	VINE STREET SETTLEMENT	40143410.549000.	50,000.00
42161	WEBCHECK	ONLINE LIEN REQUEST UB 08/07	00143523.541000.	924.00
42162	WEST, TRINA	UB 371112000001 1610 151ST PL	401.122110.	15.41
42163	WESTERN PETERBILT INC	A/C HI-LOW PRESSURE SWITCH	50100065.534000.	47.51
	WESTERN PETERBILT INC	A/C RECEIVER DRYER, TEMP CABLE	50100065.534000.	180.70
	WESTERN PETERBILT INC	#50059.05 AIR RIDE SEAT	50100065.534000.	532.29
42164	CAROLYN WIES	REIMB FOR TV WALL UNIT-CHIEF'S	00103010.531000.	162.74
42165	WILDER CONSTRUCTION CO	512 CLASS G HOT MIX ASPHALT	10110130.549200.	270.14
	WILDER CONSTRUCTION CO	518 COMMERCIAL HOT MIX ASPHALT	10110130.549200.M0705	352.72
	WILDER CONSTRUCTION CO	RENTAL PERIOD 8/7/07	10110130.549200.	748.23
	WILDER CONSTRUCTION CO	RENTAL CHRGS IN HOUSE 8/7/07	10110130.549200.	811.77
	WILDER CONSTRUCTION CO	518 COMM HOT MIX ASPHALT 67.1	10110130.549200.	3,366.62
42166	WINGFOOT COMMERCIAL	GOODYEAR WRANGLER TIRES #V003	50100065.534000.	288.40
42167	ZELLER, JOANNE	UB 420750124001 16410 40TH DR	401.122110.	9.20
42168	ZORKO, MICHAEL & CHERYL	UB 121750000001 11216 46TH AVE	401.122110.	8.10
WARRANT TOTAL:				<u>1,477,803.64</u>

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: Payroll	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Blanket Certification	APPROVED BY:	
	MAYOR <i>DZ/L</i>	CAO
BUDGET CODE:	AMOUNT:	

Please see attached.

A

RECOMMENDED ACTION: The Finance and Executive Departments recommend City Council approve the September 20, 2007 payroll in the amount \$739,413.99 Check No.'s 18542 through 18612.
COUNCIL ACTION:

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: Approval of New For-Hire Business to Operate in Marysville	AGENDA SECTION: Consent	
PREPARED BY: Carol Mulligan, Program Specialist	AGENDA NUMBER:	
ATTACHMENTS: 1. Copy of For-Hire Business License Application 2. Copy of Registration as a Corporation with the Secretary of State. 3. MMC 5.24 “For Hire Vehicles”	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Elite Taxi Cab Corporation has submitted an application to operate a “For-Hire” Taxi business in Marysville initially consisting of two (2) for-hire taxi vehicles. In accordance to MMC 5.24.060(2): a) the applicant, by deed and word, has demonstrated the willingness and ability to provide public transportation services in full compliance with this chapter; b) the applicant has provided documentation, including vehicle inspection reports and title application / registration from the Department of Licensing, verifying the number of public service vehicles as two. With the continued growth of the greater Marysville area, the number of residents and visitors have increased accordingly with a corresponding increase in the necessity of public transportation services; c) the proposed minimal increase of two vehicles should not create any adverse impact on environmental or economic growth. The City Clerk’s Office has determined that all required information has been submitted in its entirety and to the satisfaction of the department. Currently, there are five (5) For-Hire businesses licensed and operating in the City of Marysville: *AAA Taxi, Eagle Taxi, North City Taxi, Yellow Cab of Marysville* and *Yellow Cab of Washington*.

RECOMMENDED ACTION: The City Clerk’s Office recommends City Council approve the application for <i>Elite Taxi Cab Corporation</i> to operate a For-Hire business in Marysville.
COUNCIL ACTION:

UNITED STATES OF AMERICA

The State of  Washington

Secretary of State

I, SAM REED, Secretary of State of the State of Washington and custodian of its seal, hereby issue this

CERTIFICATE OF INCORPORATION

to

ELITE TAXI CAB CORP.

a/an WA Profit Corporation. Charter documents are effective on the date indicated below.

Date: 5/18/2007

UBI Number: 602-727-286

APPID: 857808



Given under my hand and the Seal of the State of Washington at Olympia, the State Capital

Sam Reed, Secretary of State



Application for a Taxi-Cab Business License

New Renewal Fee \$ 20.00

NAME ERFAN SEMUEL DATE 5-26-07

HOME ADDRESS [REDACTED] HOME PHONE [REDACTED]

ASSUMED NAMES OR ALIASES _____

BUSINESS NAME Elite Taxi Cab Corp. ADDRESS 11616 54th Dr SE, Everett WA 98203

BUSINESS PHONE 425-322-8270 TYPE: INDIVIDUAL PARTNERSHIP CORPORATION

OWNERSHIP SHARE OF BUSINESS OR NUMBER OF CORPORATE SHARES HELD: 100%

PRINCIPAL OCCUPATION Maintenance LENGTH OF RESIDENCE IN CITY 2 yrs.

IF RESIDENCE LESS THAN 5 YEARS, LIST PREVIOUS ADDRESSES

- 1. [REDACTED] 3. _____
- 2. _____ 4. _____

HAVE YOU EVER BEEN CONVICTED OF A CRIME? NO HAVE YOU EVER FORFEITED BAIL? NO IF SO, GIVE FULL DETAILS (DATES, CHARGES AND COURTS, INCLUDING FINAL DISPOSITION OF CASES) _____

SEX M BIRTHDATE [REDACTED] BIRTHPLACE Pakistan

HAIR Brown EYES Black WEIGHT 175 HEIGHT 5ft 9in

SOC. SEC. # [REDACTED] DRIVER'S LICENSE # [REDACTED]

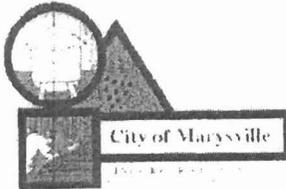
HAVE YOU EVER BEEN LICENSED TO DRIVE A "FOR-HIRE" VEHICLE? NO WHERE? N/A

EXPLAIN YOUR EXPERIENCE Driver in Pakistan 10yrs.

HAS YOUR DRIVER'S LICENSE EVER BEEN REVOKED OR SUSPENDED? NO IF YES, FOR WHAT REASON N/A

SIGNATURE OF APPLICANT: Erfan Semuel DATE 05-26-07

Police Dept. Approved _____ Denied _____ Date _____ Initials _____



Chapter 5.24 FOR-HIRE VEHICLES

Sections:

- 5.24.010 Definitions.
- 5.24.020 For-hire vehicle license required.
- 5.24.030 For-hire vehicle license application.
- 5.24.040 Criminal record.
- 5.24.050 Liability insurance.
- 5.24.060 Issuance of for-hire vehicle license.
- 5.24.070 License fees.
- 5.24.080 Driver's permit – Required.
- 5.24.090 Driver's permit – Application.
- 5.24.100 Issuance of driver's permit.
- 5.24.110 Driver's permit – Display.
- 5.24.120 Vehicle equipment.
- 5.24.130 Vehicle markings.
- 5.24.140 Rate schedule.
- 5.24.150 Call record required – Inspection.
- 5.24.160 Direct route required.
- 5.24.170 Receipts.
- 5.24.180 Fraud or refusal to pay fare.
- 5.24.190 Loading and discharging passengers.
- 5.24.200 Parking restriction.
- 5.24.210 Number of passengers restricted.
- 5.24.220 Prohibited acts of drivers.
- 5.24.230 Public service requirements.
- 5.24.240 Suspension or revocation of license.
- 5.24.250 Violation – Penalty.

5.24.010 Definitions.

The following words and phrases when used in this chapter have the meanings as set out in this section:

(1) "Convalescent coaches" means motor vehicles for hire designed for the transportation of handicapped persons who by reason of physical or mental infirmity may not be conveniently transported on public mass transportation vehicles or in taxicabs or who cannot drive their own automobile. The patients transported by such vehicles shall be limited to the following classes of patients:

(a) Patients transported by wheel chair must be able to get into the chair with the help of one person;

(b) Patients must be stable and able to take care of themselves;

(c) Patients must not be incapacitated by medication nor need oxygen or aid en route;

(d) Litter patient may be transported if he meets requirements specified in paragraphs (b) and (c) of this subsection.

(2) "For-hire vehicle" means and includes every motor vehicle used for the transportation of passengers for hire, and not operated exclusively over a fixed and defined route. This term shall also include motor vehicles designated as "taxicabs" and "convalescent coaches."

(3) "Manifest" means a daily record prepared by a taxicab driver of all trips made by said driver showing time and place of origin, destination, number of passengers and the amount of the fare of each trip.

(4) "Person" includes an individual, a corporation or other legal entity, a partnership and any unincorporated association.

(5) "Rate card" means a card issued by the city clerk for display in each taxicab which contains the rates of fare then in force.

(6) "Waiting time" means the time when a vehicle for hire is not in motion from the time of acceptance of a passenger or passengers to the time of discharge, but does not include any time that the taxicab is not in motion if due to any cause other than the request, act or default of a passenger or passengers. (Ord. 1143 § 2, 1980).

5.24.020 For-hire vehicle license required.

It is unlawful to operate any motor vehicle for hire, including taxicabs and convalescent coaches, over or upon or along any of the streets or alleys of the city without having procured a for-hire vehicle license from the city clerk. (Ord. 1143 § 2, 1980).

5.24.030 For-hire vehicle license application.

Applicants for for-hire vehicle licenses shall furnish the following information:

(1) The financial status of the applicant including the amounts of all unpaid judgments against the applicant and the nature of the transaction or acts giving rise to said judgments;

(2) The experience of the applicant in the transportation of passengers;

(3) Any facts which establish that public convenience and necessity require the granting of the license;

(4) The number of vehicles to be operated or controlled by the applicant and the location of proposed depots and terminals;

(5) For each for-hire vehicle, the company vehicle number therefor, the make, model and identifying color scheme, monogram or insignia, and serial number of the vehicle;

(6) If the applicant is a corporation, it shall accompany the application with a list of the names and addresses of all officers, directors and stockholders;

(7) The criminal record for the past five years relating to crimes of moral turpitude and fraud, for each and every owner or manager of the business;

(8) Such further information as the city clerk may require. (Ord. 1143 § 2, 1980).

5.24.040 Criminal record.

No for-hire vehicle license shall be issued if the applicant, owner or manager of the business has been convicted of a crime of moral turpitude, or one involving intent to defraud, within the preceding five years. (Ord. 1143 § 2, 1980).

5.24.050 Liability insurance.

(1) Every applicant shall file with the city clerk proof of a current and subsisting policy or policies of public liability insurance, approved as to sufficiency by the city clerk, and as to form by the city attorney, issued by an insurance company or companies authorized to do business in the state, providing liability insurance coverage for each and every vehicle for hire owned, operated and/or leased by the applicant. Such insurance shall be in the sum of \$100,000 for the injury or death of one person, or \$300,000 for the injury or death of more than one person in any one accident, and \$50,000 for property damage.

(2) Every such policy of insurance shall continue to the full amount thereof notwithstanding any recovery thereon and shall provide that the liability of the insurer shall not be affected by the insolvency or bankruptcy of the insured. The policy shall be for the benefit of any and all judgment creditors. Each insurance policy required hereunder shall extend for the period covered by the license applied for and the insurer shall be obliged to give not less than 10 days' written notice to the city clerk in the event of any change or cancellation. (Ord. 1143 § 2, 1980).

5.24.060 Issuance of for-hire vehicle license.

(1) If the city clerk finds that an application for a for-hire vehicle license meets all of the requirements of this chapter, said application shall be submitted to the city council for final determination. Within 30 days thereafter the city council shall set a date for consideration of said application and shall notify the applicant of said date.

(2) The city council shall issue a for-hire vehicle license to the applicant only upon an affirmative finding of the following facts:

(a) That the applicant is fit, willing and able to perform public transportation services for the benefit of the citizens of Marysville, and to conform to the provisions of this chapter;

(b) That for-hire vehicle service of the size and description proposed by the applicant is required for public convenience and necessity;

(c) That additional for-hire vehicles in the city will create no adverse environmental or economic impacts. (Ord. 1143 § 2, 1980).

5.24.070 License fees.

(1) The license fees are fixed in the amounts shown in the following schedule:

(a) For-hire vehicle license: \$20.00 per year for each business;

(b) Driver's permit: \$40.00 for initial permit and \$25.00 for renewal of permit.

(2) All fees shall be payable annually in advance and no pro-rated fee shall be allowed. (Ord. 1556, 1987; Ord. 1482 § 1, 1986; Ord. 1143 § 2, 1980).

5.24.080 Driver's permit – Required.

No person shall operate a motor vehicle for hire on the streets of the city and no person who owns or controls such vehicle for hire shall permit it to be so driven and no vehicle licensed by the city shall be so driven at any time for hire unless the driver of said vehicle shall have first obtained and shall have then in force a for-hire driver's permit issued under the provisions of this chapter. (Ord. 1143 § 2, 1980).

5.24.090 Driver's permit – Application.

An application for a for-hire driver's permit shall be filed with the city clerk on forms provided by the city. Such application shall be sworn to by the applicant and shall contain the following information:

(1) Names and addresses of four residents of the city who have known the applicant for a period of one year and who will vouch for the sobriety, honesty and general good character of the applicant;

- (2) The experience of the applicant in the transportation of passengers;
- (3) A concise history of his employment for the past five years;
- (4) A picture of the applicant;
- (5) Proof of the applicant's current status as a licensed driver in the state of Washington;
- (6) The applicant's driving record for the past five years;
- (7) The applicant's criminal record for the past five years, relating to abuse of alcohol and/or drugs, and crimes of moral turpitude and fraud. (Ord. 1143 § 2, 1980).

5.24.100 Issuance of driver's permit.

(1) No driver's permit shall be issued if the applicant has been convicted of a crime relating to the use of alcohol and/or drugs, or a crime of moral turpitude or fraud within the preceding five years.

(2) No driver's permit shall be issued without approval of the chief of police.

(3) Upon finding that an applicant for a driver's permit meets the requirements of this chapter, the city clerk shall issue such a permit, which shall bear the name, address, age, signature and photograph of the applicant. Such a permit shall be in effect for the remainder of the calendar year and shall be subject to annual renewal. (Ord. 1143 § 2, 1980).

5.24.110 Driver's permit – Display.

Every driver licensed under this chapter shall post his driver's permit in such a place as to be in full view of all passengers while such driver is operating a vehicle for hire. (Ord. 1143 § 2, 1980).

5.24.120 Vehicle equipment.

Each vehicle for hire shall be equipped and maintained at all times by the operator thereof for safe and lawful operation and in accordance with the laws of the city and the state and shall be furnished with such equipment as the chief of police shall deem necessary for such safe operation. Any vehicle for hire may be inspected at any reasonable time by the chief of police or his representative. The chief of police shall, on application, and may periodically inspect each vehicle as to safety and cleanliness. (Ord. 1143 § 2, 1980).

5.24.130 Vehicle markings.

Each vehicle licensed shall have the word "taxicab," "convalescent coach," or other appropriate descriptive term painted in letters at least three inches high on both sides of the vehicle directly under the true or assumed name listed thereon. Each vehicle licensed shall have the company vehicle numbers painted on all four sides of the vehicle not less than four inches high. Words that might tend to deceive the public may not be used on any vehicle licensed under this chapter. No vehicle covered by the terms of this chapter shall be licensed which has a color scheme, identifying design, monogram or insignia design to imitate any color scheme or identifying design of any other operator in such a manner as to be misleading or deceiving to the public. (Ord. 1143 § 2, 1980).

5.24.140 Rate schedule.

Every person, firm or corporation operating a for-hire vehicle in the city shall file with the city clerk the schedule of rates to be charged for the operation of their vehicle within the city limits. It is unlawful for any person, firm or corporation to make any other charges, either more or less, for the services rendered by such

person, firm or corporation than as set forth in the rate schedule. Such person, firm or corporation shall further cause to be posted in every vehicle a card containing a schedule of the rates. The card shall be posted in a prominent place in the vehicle and the chief of police shall have the power in his discretion to designate the place of posting in the vehicle and the size of the card; provided, that the filed rates shall not be changed until the proposed changes in rates are filed with the city clerk for a period of 30 days. (Ord. 1143 § 2, 1980).

5.24.150 Call record required– Inspection.

For-hire vehicle businesses shall keep at their business offices a chronological record showing each call for service which is ordered or made, and the name of the driver who responded thereto, the number of the vehicle, the time and place of the origin and of the end of each vehicle trip, and the fee charged, and shall upon request of any person paying a vehicle charge, furnish a receipt showing such information. Such records shall at all reasonable times be open to the inspection of the city clerk or chief of police or the agents of either. (Ord. 1143 § 2, 1980).

5.24.160 Direct route required.

Any driver of a vehicle for hire employed to carry passengers to a definite point shall take the most direct route possible that will carry the passengers safely and expeditiously to their destination. (Ord. 1143 § 2, 1980).

5.24.170 Receipts.

The driver of any vehicle for hire shall upon demand by the passenger render to such passenger a receipt of the amount charged, either by a mechanically printed receipt or by a specially prepared receipt on which shall be the name of the owner, license number or motor number, amount of charge and date of transaction. (Ord. 1143 § 2, 1980).

5.24.180 Fraud or refusal to pay fare.

It is unlawful for any person to refuse to pay the legal fare of any of the vehicles mentioned in this chapter after having hired the same and it is unlawful for any person to hire any vehicle herein defined with intent to defraud the person from whom it is hired of the value of such service. (Ord. 1143 § 2, 1980).

5.24.190 Loading and discharging passengers.

Drivers of for-hire vehicles shall not receive or discharge passengers in the roadway, but shall pull up to the right-hand sidewalk as nearly as possible or in the absence of a sidewalk, to the extreme right-hand side of the road and there receive or discharge passengers, except on one-way streets where passengers may be discharged on the right or left-hand sidewalk, or the side of the roadway in the absence of a sidewalk. (Ord. 1143 § 2, 1980).

5.24.200 Parking restriction.

No person or business entity holding a for-hire vehicle license shall allow, cause or permit more than two for-hire vehicles owned or controlled by it to be parked, unmanned, on the public streets of the city at any given time. (Ord. 1143 § 2, 1980).

5.24.210 Number of passengers restricted.

No driver shall permit more persons to be carried in a vehicle for hire as passengers than the rated seating capacity of his vehicle as stated in the license

for said vehicle. A child in arms shall not be counted as a passenger. (Ord. 1143 § 2, 1980).

5.24.220 Prohibited acts of drivers.

It is unlawful for any driver of a for-hire vehicle to engage in selling intoxicating liquor or controlled substances, or to solicit business for any house of ill repute, or use his vehicle for any purpose other than the transporting of passengers. (Ord. 1143 § 2, 1980).

5.24.230 Public service requirements.

All persons engaged in the vehicle for hire business in the city operating under the provisions of this chapter shall render an overall service to the public desiring to use their vehicles for hire. Holders of licenses shall maintain a place of business and keep the same open for 24 hours a day for the purpose of receiving calls and dispatching vehicles. They shall answer all calls received by them for services inside the corporate limits of the city as soon as they can do so, and if said services cannot be rendered within a reasonable time, they shall then notify the prospective passengers how long it will be before the said call can be answered and give the reason therefor. (Ord. 1143 § 2, 1980).

5.24.240 Suspension or revocation of license.

The city council may revoke or suspend any vehicle for hire driver's license or any driver's permit on the following grounds:

- (1) A driver's conviction in any court of reckless driving, driving while under the influence of intoxicating liquor and/or drugs, or a judicial finding that a driver is a habitual traffic offender;
- (2) A conviction of a driver, or an owner, operator or manager of a for-hire vehicle business, of a crime of moral turpitude or one involving intent to defraud;
- (3) The charging of passengers more than the maximum fares provided for herein;
- (4) The failure or refusal to provide overall service to the public, without cause. (Ord. 1143 § 2, 1980).

5.24.250 Violation— Penalty.

Any person willfully violating any provision of this chapter shall be guilty of a misdemeanor and shall be punished by a fine not to exceed \$500.00 or by imprisonment in jail for not more than six months, or by both such fine and imprisonment. Each day in which the violation continues shall constitute a separate offense. (Ord. 1143 § 2, 1980).



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**CITY OF MARYSVILLE
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: SR 528, 47 th Ave. NE to 67 th Ave. NE, Road Improvements Snohomish County PUD No. 1 Distribution Easement	AGENDA SECTION: New Business	
PREPARED BY: Jeff Massie, Assistant City Engineer	AGENDA NUMBER:	
ATTACHMENTS: <ul style="list-style-type: none"> • Snohomish County PUD No. 1 Distribution Easement and cover letter • Aerial Photo Exhibit 	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE: 30500030.563000 T0102	AMOUNT: -0-	

The City is re-advertising the SR 528 Road Improvement project for the construction contract bid opening of October 4, 2007. Construction is scheduled to commence in November.

The Snohomish County PUD is required to relocate, at their expense, overhead power lines that lie within City road right-of-way that conflict with proposed roadway improvements. The PUD has completed their relocation design and acquired most of their power line easements. They plan to have a contractor perform relocation construction throughout October.

Public Works Staff was directed to purchase the property located at the southwest corner of SR 528 (4th Street) and 47th Avenue NE when the property was listed for sale earlier this year. The attached easement is thus required to be approved in order for the PUD to accomplish their overhead line relocation within the City's newly acquired property. The easement has been revised in accordance with the City Attorney's comments.

RECOMMENDED ACTION: Staff recommends the City Council authorize the Mayor to sign the Snohomish County PUD No. 1 Distribution Easement.
COUNCIL ACTION:

AFTER RECORDING RETURN TO:
Public Utility District No. 1 of Snohomish County
Attn: Real Estate Services - 04
P.O. Box 1107
Everett, WA 98206



DISTRIBUTION EASEMENT
Underground and/or Overhead

E- _____
SE 28(30-05)
(356292-03)11032-11002

ORIGINAL

THIS INDENTURE made this _____ day of _____, 2007, between
CITY OF MARYSVILLE, a municipal corporation of the State of Washington,
hereinafter referred to as Grantor, PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY, and Verizon
Northwest Inc., hereinafter referred to as Grantee; and _____,
hereinafter referred to as Mortgagee, WITNESSETH:

WHEREAS, Grantor is the owner of certain lands and premises situated in the County of Snohomish, State of Washington, described as follows:

All that portion of Liberty street shown on the Map of QUINN'S SECOND ADDITION TO MARYSVILLE, according to the Plat thereof, recorded in Volume 2, of Plats, Page 60, records of Snohomish County, Washington, lying adjacent to and abutting upon Lot 1, Block 10 of said Addition and between the south line of Fourth Street and the North Line of the alley in said Block 10 produced East to the east line of Liberty Street as shown on said Plat heretofore legally vacated; TOGETHER WITH a strip of land in the Southwest Quarter of the Southeast Quarter of Section 28, Township 30 North, Range 5 East, W.M., lying between said Liberty Street and the West line of the County Road and between the South line of Fourth Street and the North line of the alley in said Block 10 produced East to the East line of said Southwest Quarter of the Southeast Quarter. EXCEPT THEREFROM that portion thereof conveyed to the City of Marysville by Statutory Warranty Deed recorded under Snohomish County, Washington Auditor File Number 200406170720

SITUATE IN THE ABOVE-DESCRIBED SNOHOMISH COUNTY, WASHINGTON

Tax Parcel No.: 005512 010 017 00

AND WHEREAS, the Grantee is desirous of acquiring certain rights and privileges across, over, under and upon the said lands and premises.

NOW, THEREFORE, Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby conveys and grants to Grantee, its agents, contractors, successors and assigns, the perpetual right, privilege, and authority to construct, erect, alter, improve, extend, repair, operate, and maintain electric distribution line facilities consisting of poles and/or structures and/or underground facilities, or combinations thereof, with necessary braces, guys, and anchors, and to install or place upon or suspend from such poles or facilities, distribution wires, insulators, cross-arms, transformers, and other electrical equipment, communication wires and/or cables, and other necessary or convenient appurtenances, across, over, under and upon the following described lands and premises situated in the County of Snohomish, State of Washington, to-wit:

- Easement Area No. 1: The East 7 feet of the above-described property.**
- Easement Area No. 2: That portion of the above-described property lying within a strip of land 10 feet in width, having 5.00 feet of such width on each side of the centerline of GRANTEE'S as-constructed or to be constructed facilities approximately described as follows: Beginning at a point on the east line of said property that is 13 feet North of the southeast corner thereof; thence Southwesterly to the southwest corner of said property and its terminus. The exterior boundaries of said easement being lengthened or shortened accordingly to intersect with the boundaries of Grantor's property.**

Together with the right of ingress to and egress from said lands across adjacent lands of the Grantor, for the purpose of constructing, reconstructing, repairing, renewing, altering, changing, patrolling and operating said line, and the right at any time to remove said facilities from said lands.

Also the right at all times to cut and/or trim all brush, timber, trees or other growth standing or growing upon the lands of Grantor which, in the opinion of Grantee, constitute a menace or danger to said line or to persons or property by reason of proximity to said line. Grantor and the heirs, successors, or assigns of Grantor hereby covenant and agree not to construct or permit to be constructed any structures of any kind on the easement area ~~without approval of the District~~ **which are inconsistent with the District's intended use.**

The Grantor and the heirs, successors or assigns of Grantor covenant and agree not to do any blasting or discharge any explosives within a distance of three hundred (300) feet of said line without giving reasonable notice in writing to the Grantee, its successors or assigns, of intention so to do.

The rights, title, privileges and authority hereby granted shall continue to be in force until such time as the Grantee, its successors or assigns, shall permanently remove said poles, wires and appurtenances from said lands, or shall otherwise permanently abandon said line, at which time all such rights, title, privileges and authority hereby granted shall terminate.

~~The Grantor also covenants to and with the Grantee that Grantor is lawfully seized and possessed of land aforesaid; has a good and lawful right and power to sell and convey same, that same are free and clear of encumbrances, except as above indicated; and that Grantor will forever warrant and defend the title to said easement and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.~~

Any mortgage on said land held by the Mortgagee is hereby subordinated to the rights herein granted to the Grantee, but in all other respects the said mortgage shall remain unimpaired.

IN WITNESS WHEREOF, this instrument has been executed the day and year first above written.

Please sign and have notarized below

CITY OF MARYSVILLE

(REPRESENTATIVE ACKNOWLEDGMENT)

State of Washington
County of _____

I certify that I know or have satisfactory evidence that _____
signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as
the _____ of
(OFFICER-MANAGING PARTNER ETC.)

CITY OF MARYSVILLE to be the free and voluntary act
(LLC, CORPORATION ETC.)
for the uses and purposes mentioned in the instrument.

(Seal or Stamp) Dated _____
Signature of _____
Notary Public _____
Title Notary Public
My appointment expires _____

CITY OF MARYSVILLE
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: Project Acceptance: Public Safety Building Jail Door Controls Replacement Project	AGENDA SECTION: Contract Acceptance	
PREPARED BY: Ryan Morrison, Engineering Aide	AGENDA NUMBER:	
ATTACHMENTS: NONE	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE: 00100025.562000	AMOUNT \$ 169,801.12	

The City Council approved award of the Public Safety Building Jail Door Controls Project contract to Engineered Control Systems (ECS) on November 13, 2006.

ECS has completed the work for this project as of June 1, 2007. The project contract was completed at a total cost of \$169,801.12.

The work performed under this Contract was inspected by HK Engineers and comments were addressed by City Staff. Further inspections were conducted by City Staff and results were found to be complete and satisfactory. Staff recommends Council's acceptance of the project for closeout.

RECOMMENDED ACTION: Public Works Staff recommends project acceptance of the Jail Door Controls Project to start the 45 day lien filing period for project closeout.
COUNCIL ACTION:

Bob Ellis, Alan Dernbach
Engineered Control Systems
2702 N. Perry
Spokane, WA 99207-4965
Phone: 509-483-6215

Subject: Public Safety Building Jail Door Controls Replacement Project
1635 Grove Street Marysville, WA 98270
Notice of Physical Completion

September 17, 2007

Dear Mr. Ellis, Mr. Dernbach,

This letter is to notify you that the above referenced project is considered Physically Complete by the City of Marysville as of June 1, 2007. The following documents or procedures are still required to establish the Project Completion Date:

1. Signed Affidavit of Wages Paid.
2. Certificate of Release from Department of Labor and Industries.
3. Notification from the Department of Revenue that Engineered Control Systems has paid the appropriate sales tax.
4. A 45-day lien period must pass without liens being filed.

Your Retainage Bond in the amount of 5% of the final Contact price will be released pending receipt of the required release forms and upon passage of the 45-day lien period without any liens being filed. The 45-day lien period will begin on the Project Completion Date. If you have any questions or comments, please contact me.

Sincerely,



Ryan R. Morrison, Engineering Aide
Project Engineer/Project Manager

**CITY OF MARYSVILLE
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: Contract Award: 66 th Ave NE Underdrain and Storm Replacement	AGENDA SECTION:	
PREPARED BY: Paul Federspiel, Associate Engineer II	AGENDA NUMBER:	
ATTACHMENTS: • Certified Bid Tabulation	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE: 40145040.548000.M0519	AMOUNT: \$199,402.93	

Staff opened bids for the 66th Avenue NE Underdrain Storm Project on September 13, 2007. The attached spreadsheet provides a tabulation of the six bids received.

The work involves replacing existing storm drain pipe with an underdrain system consisting of perforated pipe bedded in drain rock and connecting it to a new outfall. The contractor will also reconstruct curbs and gutters and overlay the street.

Trico Contracting, Inc. was determined to be the apparent low bidder, with a bid of \$189,907.55 (w/ WSST).

Contract Amount:	\$ 189,907.55
Management Reserve (5%):	\$ 9,495.38
Project Total:	\$ 199,402.93

<p>RECOMMENDED ACTION: Public Works Staff recommends City Council award the bid for the 66th Ave NE Underdrain and Storm Replacement Project to the apparent low bidder, Trico Contracting, Inc., in the amount of \$189,907.55 including Washington state sales tax, authorize the Mayor to sign the contract documents, and approve a 5% management reserve of \$9,495.38 for a total project allocation of \$199,402.93.</p>
<p>COUNCIL ACTION:</p>

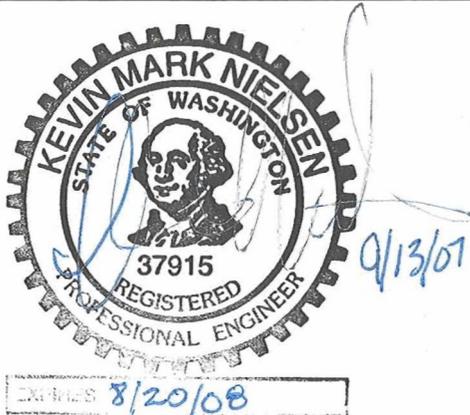
BID TABULATION

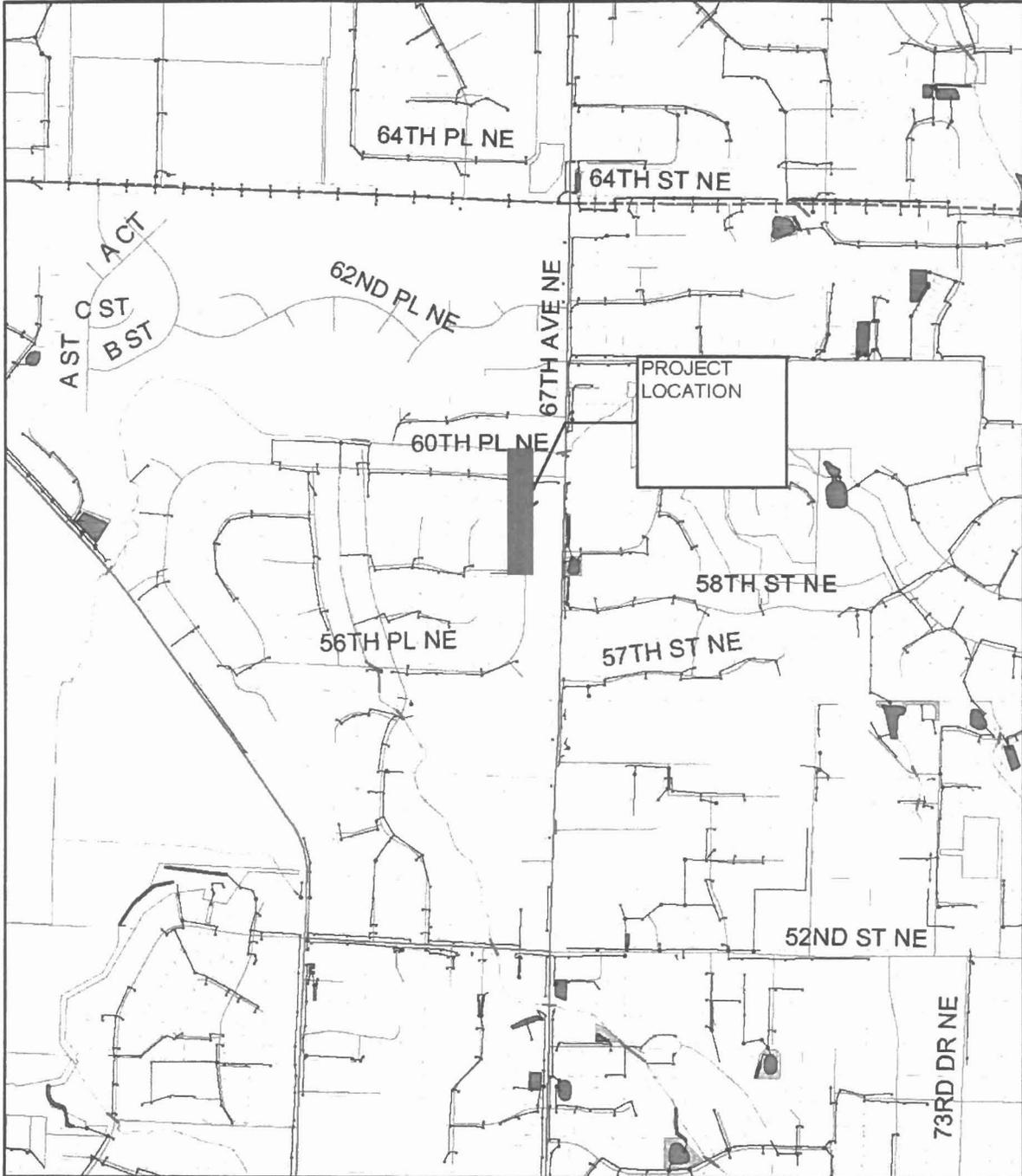
66th AVENUE NE UNDERDRAIN AND STORM
REPLACEMENT PROJECT NO. M0519

Item	Description	Unit	Quant.	Unit Price	Engineer's Estimate	Unit Price	Trico Contracting, Inc.	Unit Price	Oceanside Construction, Inc.	Unit Price	Schwetz Construction, Inc.	Unit Price	Trimaxx Construction, Inc.	Unit Price	Dennis R. Craig Construction, Inc.	Unit Price	Precision Earthworks, Inc.
					Total Price		Total Price		Total Price		Total Price		Total Price		Total Price		Total Price
1	Mobilization/Demobilization	LS	1	\$22,037.75	\$22,037.75	\$16,000.00	\$16,000.00	\$52,500.00	\$52,500.00	\$19,380.00	\$19,380.00	\$27,000.00	\$27,000.00	\$19,990.00	\$19,990.00	\$13,231.00	\$13,231.00
2	Construction Surveying and As-builts	LS	1	\$2,409.64	\$2,409.64	\$3,000.00	\$3,000.00	\$5,500.00	\$5,500.00	\$10,000.00	\$10,000.00	\$3,300.00	\$3,300.00	\$7,880.00	\$7,880.00	\$10,375.00	\$10,375.00
3	Project Temporary Traffic Control	LS	1	\$6,024.10	\$6,024.10	\$12,000.00	\$12,000.00	\$10,000.00	\$10,000.00	\$14,000.00	\$14,000.00	\$20,000.00	\$20,000.00	\$45,363.00	\$45,363.00	\$15,400.00	\$15,400.00
4	Removal of Structures and Obstructions	LS	1	\$18,072.29	\$18,072.29	\$2,500.00	\$2,500.00	\$28,000.00	\$28,000.00	\$6,000.00	\$6,000.00	\$12,500.00	\$12,500.00	\$8,534.00	\$8,534.00	\$16,290.00	\$16,290.00
5	Structure Excavation Class B Incl. Haul	CY	180	\$21.69	\$3,903.61	\$6.00	\$1,080.00	\$1.00	\$180.00	\$40.00	\$7,200.00	\$47.00	\$8,460.00	\$27.70	\$4,986.00	\$20.00	\$3,600.00
6	Shoring or Extra Excavation Class B	LS	1	\$602.41	\$602.41	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$2,000.00	\$2,000.00	\$4,400.00	\$4,400.00	\$980.00	\$980.00	\$2,950.00	\$2,950.00
7	Controlled Density Fill	CY	38	\$168.67	\$6,409.64	\$175.00	\$6,650.00	\$98.00	\$3,724.00	\$150.00	\$5,700.00	\$140.00	\$5,320.00	\$135.00	\$5,130.00	\$172.00	\$6,536.00
8	Trimming and Cleanup	LS	1	\$2,409.64	\$2,409.64	\$2,500.00	\$2,500.00	\$6,700.00	\$6,700.00	\$4,000.00	\$4,000.00	\$12,000.00	\$12,000.00	\$3,130.00	\$3,130.00	\$1,740.00	\$1,740.00
9	Dewatering	LS	1	\$3,614.46	\$3,614.46	\$5,000.00	\$5,000.00	\$1,000.00	\$1,000.00	\$3,000.00	\$3,000.00	\$9,100.00	\$9,100.00	\$7,500.00	\$7,500.00	\$1,500.00	\$1,500.00
10	Crushed Surfacing Base Course	TON	52	\$78.31	\$4,072.29	\$20.00	\$1,040.00	\$37.00	\$1,924.00	\$45.00	\$2,340.00	\$65.00	\$3,380.00	\$66.50	\$3,458.00	\$63.40	\$3,296.80
11	Commercial HMA for Trench Patch	TON	26	\$136.14	\$3,539.76	\$180.00	\$4,680.00	\$132.00	\$3,432.00	\$250.00	\$6,500.00	\$165.00	\$4,290.00	\$186.00	\$4,836.00	\$142.00	\$3,692.00
12	Commercial HMA (Overlay)	TON	282	\$136.14	\$38,392.77	\$90.00	\$25,380.00	\$103.00	\$29,046.00	\$110.00	\$31,020.00	\$130.00	\$36,660.00	\$95.00	\$26,790.00	\$108.00	\$30,456.00
13	Pavement Repair Excavation Incl. Haul	SY	60	\$42.17	\$2,530.12	\$50.00	\$3,000.00	\$10.00	\$600.00	\$20.00	\$1,200.00	\$64.00	\$3,840.00	\$18.95	\$1,137.00	\$40.00	\$2,400.00
14	ATB for Pavement Repair	TON	19	\$108.43	\$2,060.24	\$150.00	\$2,850.00	\$110.00	\$2,090.00	\$250.00	\$4,750.00	\$130.00	\$2,470.00	\$220.00	\$4,180.00	\$119.30	\$2,266.70
15	Planing Bituminous Pavement	SY	598	\$6.63	\$3,962.65	\$3.50	\$2,093.00	\$6.00	\$3,588.00	\$7.00	\$4,186.00	\$5.00	\$2,990.00	\$11.20	\$6,697.60	\$3.87	\$2,314.26
16	Gravel Backfill for Drain	CY	47	\$62.65	\$2,944.58	\$40.00	\$1,880.00	\$84.00	\$3,948.00	\$40.00	\$1,880.00	\$75.00	\$3,525.00	\$48.25	\$2,267.75	\$30.70	\$1,442.90
17	Underdrain Pipe 12 In Diam.	LF	437	\$42.17	\$18,427.71	\$45.00	\$19,665.00	\$32.00	\$13,984.00	\$61.00	\$26,657.00	\$32.00	\$13,984.00	\$62.40	\$27,268.80	\$29.80	\$13,022.60
18	Underdrain Cleanout	EA	1	\$240.96	\$240.96	\$900.00	\$900.00	\$270.00	\$270.00	\$375.00	\$375.00	\$700.00	\$700.00	\$650.00	\$650.00	\$543.00	\$543.00
19	Solid Wall PVC Storm Sewer Pipe 12 In. Diam.	LF	103	\$56.63	\$5,832.53	\$65.00	\$6,695.00	\$45.00	\$4,635.00	\$65.00	\$6,695.00	\$42.00	\$4,326.00	\$54.30	\$5,592.90	\$40.50	\$4,171.50
20	Solid Wall PVC Storm Sewer Pipe 8 In. Diam.	LF	140	\$50.60	\$7,084.34	\$45.00	\$6,300.00	\$33.00	\$4,620.00	\$60.00	\$8,400.00	\$31.00	\$4,340.00	\$51.25	\$7,175.00	\$22.00	\$3,080.00
21	Solid Wall PVC Storm Sewer Pipe 6 In. Diam.	LF	12	\$44.58	\$534.94	\$40.00	\$480.00	\$60.00	\$720.00	\$58.00	\$696.00	\$41.00	\$492.00	\$85.00	\$1,020.00	\$30.15	\$361.80
22	Ductile Iron Storm Sewer Pipe 12 In. Diam.	LF	202	\$60.24	\$12,168.67	\$65.00	\$13,130.00	\$60.00	\$12,120.00	\$87.00	\$17,574.00	\$68.00	\$13,736.00	\$76.35	\$15,422.70	\$58.00	\$11,716.00
23	Trash Rack	EA	1	\$602.41	\$602.41	\$600.00	\$600.00	\$250.00	\$250.00	\$1,000.00	\$1,000.00	\$850.00	\$850.00	\$785.00	\$785.00	\$767.00	\$767.00
24	Catch Basin Type 1	EA	6	\$1,445.78	\$8,674.70	\$1,300.00	\$7,800.00	\$1,000.00	\$6,000.00	\$900.00	\$5,400.00	\$1,280.00	\$7,680.00	\$1,162.00	\$6,972.00	\$1,900.00	\$11,400.00
31	Erosion/Water Pollution Control	LS	1	\$6,024.10	\$6,024.10	\$1,500.00	\$1,500.00	\$600.00	\$600.00	\$4,000.00	\$4,000.00	\$5,700.00	\$5,700.00	\$2,120.00	\$2,120.00	\$3,250.00	\$3,250.00
32	Concrete Curb and Gutter	LF	718	\$24.10	\$17,301.20	\$24.00	\$17,232.00	\$25.00	\$17,950.00	\$20.00	\$14,360.00	\$24.00	\$17,232.00	\$16.75	\$12,026.50	\$24.80	\$17,806.40
33	Hand Placed Riprap	CY	1.5	\$301.20	\$451.81	\$50.00	\$75.00	\$200.00	\$300.00	\$600.00	\$900.00	\$200.00	\$300.00	\$475.00	\$712.50	\$307.00	\$460.50
34	Force Account	EST	1	\$12,048.19	\$12,048.19	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Construction Total					\$212,377.51		\$175,030.00		\$224,181.00		\$219,213.00		\$238,575.00		\$242,604.75		\$194,069.46
WA State Sales Tax (8.5%)					\$18,052.09		\$14,877.55		\$19,055.39		\$18,633.11		\$20,278.88		\$20,621.40		\$16,495.90
Total					\$230,429.59		\$189,907.55		\$243,236.39		\$237,846.11		\$258,853.88		\$263,226.15		\$210,565.36

Math Error Corrected

NOTE: We hereby certify that this bid tabulation represents all bids received and that all calculations have been checked and are correct.





- | | | | | | |
|---------------------------------|---------------------|--------------------------|----------------------|----------------------------|-----------------------------------|
| City Limits | Sewer Service Area | Water Service Area | Water Pump Stations | Water Valves - Main | DNR Catchbasins (UGA) |
| Stormdrain Culverts | Sewer Cleanouts | Water Lines | Water PRVs | POSITION | DNR Culverts (County) |
| Stormdrain Catchbasins | Sewer Lift Stations | STATUS | Water Blowoffs | CLOSED | DNR Drain points (UGA) |
| Stormdrain Manholes | Sewer Manholes | EXISTING | Water Airvacs | OPEN | DNR Detention facilities (County) |
| Stormdrain Detention Facilities | Sewer Lines | ABANDONED | Water Valves - Other | UNKNOWN | DNR Cross sections (UGA) |
| Stormdrain Lines | STATUS | Water Meters | Water Valve Markers | DNR Drainage network (UGA) | Adopt-a-stream culverts |
| | EXISTING | Water Storage Facilities | Water Hydrants | Water Sampling Sites | |
| | ABANDONED | | | | |

THE CITY OF MARYSVILLE DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR WARRANTY OF FITNESS OF THIS DATA FOR ANY PARTICULAR PURPOSE, EITHER EXPRESSED OR IMPLIED. NO REPRESENTATION OR WARRANTY IS MADE CONCERNING THE ACCURACY, CURRENCY, COMPLETENESS OR QUALITY OF DATA DEPICTED. ANY USER OF THIS DATA ASSUMES ALL RESPONSIBILITY FOR USE THEREOF, AND FURTHER AGREES TO HOLD THE CITY OF MARYSVILLE HARMLESS FROM AND AGAINST ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM ANY USE OF THIS DATA.

PART 3 - CONTRACT DOCUMENTS

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66TH AVENUE UNDERDRAIN AND STORM REPLACEMENT PROJECT

CONTRACT

THIS AGREEMENT, made in 3 copies, each of which shall be deemed original, and entered into as of the date hereinafter affixed, by and between CITY OF MARYSVILLE, hereinafter called the Owner, and TRICO CONTRACTING, INC., hereinafter called the Contractor, in consideration of the terms and conditions contained herein and attached and made a part of this Agreement, the parties hereto covenant and agree as follows:

I. PERFORMANCE AND GUARANTEE -

The Contractor shall do all work and furnish all necessary tools, materials and equipment for the **66TH AVENUE NE UNDERDRAIN AND STORM REPLACEMENT PROJECT** in accordance with and as described in the attached plans and specifications, including addenda, which are by this reference incorporated herein and made a part hereof, and shall perform any alterations in or additions to the work provided under this contract and every part thereof.

The Contractor shall provide, except such as are mentioned in the specifications to be furnished by City of Marysville, and bear the expense of all equipment, work, and labor of any sort whatsoever that may be required for the transfer of materials and for constructing and completing the work provided for in this contract and every part thereof. The Contractor shall guarantee said materials and work for a period of one year after completion of this contract.

II. CONTRACT TIME & LIQUIDATED DAMAGES -

If said work is not completed within the time specified, the Contractor agrees to pay to the Owner as liquidated damages the sum set forth in Section 1-08.9 for each and every calendar day said work remains uncompleted after expiration of the specified time.

III. AGREEMENT - The City of Marysville hereby promises and agrees with the Contractor to employ and does employ the Contractor to provide the materials and to do and cause to be done the above-described work and to complete and finish the same according to the attached plans and specifications and the terms and conditions herein contained and hereby contracts to pay for the same according to the attached specifications and the schedule of prices bid

and hereto attached, at the time and in the manner and upon the conditions provided for in this contract.

The Contractor for himself and for his heirs, executors, administrators, successors and assigns does hereby agree to the full performance of all covenants herein contained upon the part of the CONTRACTOR.

It is further provided that no liability shall attach to City of Marysville by reason of entering into this contract, except as expressly provided herein.

This agreement consists of the following documents, all of which are incorporated by reference as if set forth in full herein, and are component parts hereof:

Part A - Legal, Procedural, and Contract Documents Including Addendum 1.

Part B - Washington State Requirements

Part C - 2006 *Standard Specifications for Road, Bridge and Municipal Construction* (WSDOT/APWA)

Part D - 2006 APWA General Special Provisions

Part E - Special Provisions, Including Appendices

Part F - Contract Drawings (Plans)

Part G - Indemnification Addendum

IV. INDEMNIFICATION - The Bidder agrees to defend, indemnify and hold the City of Marysville (hereinafter called Owner), its agents, its Engineer, and their sub-consultants harmless from any and all claims, demands, losses and liabilities to or by third parties arising from, resulting from or connected with services performed or to be performed under this subcontract by Contractor or contractor's agents or employees to the fullest extent

permitted by law and subject to the limitations provided below.

Contractor's duty to indemnify Owner, its agents, its Engineer and their sub-consultants shall not apply to liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of Owner or Owner's agents or employees.

Contractor's duty to indemnify Owner, its agents, its Engineer and their sub-consultants for liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the concurrent negligence of (a) Owner's agents or employees, and (b) Contractor or contractor's agents or employees, shall apply only to the extent of negligence of Contractor or Contractor's agents or employees.

Contractor's duty to defend, indemnify and hold Owner, its agents, its Engineer, and their sub-consultants harmless shall include as to all claims, demands, losses and liability to which it applies, Owner's personnel-related

costs, reasonable attorney's fees, court costs and all other claim-related expenses.

V. WAIVER OF IMMUNITY – Contractor specifically and expressly waives any immunity that it may be granted under the Washington State Industrial Insurance Act, Title 51 RCW. Further, the indemnification obligation under this subcontract shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable to or for any third party under workers compensation acts, disability benefits acts, or other employee benefits acts; provided Contractor's waiver of immunity by the provisions of this paragraph extends only to claims against Contractor by Owner and does not include, or extend to, any claims by Contractor's employees directly against Contractor.

See also Section 1-07.14 of the Standard Specifications.

Contractor does, by signing this contract, agree that this waiver of immunity was mutually negotiated.

Countersigned:

This _____ day of _____, 2007.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

CITY OF MARYSVILLE

TRICO CONTRACTING, INC.

By _____
Dennis Kendall, Mayor

By _____
Brian Wolfe

Attest

President

Tracy Jeffries,
Asst. Administrative Services Director

Title of Officer

Approved as to form

PO BOX 409
BURLINGTON, WA 98233

Grant Weed, City Attorney

Phone: 360-757-2373 X111

Acknowledgement of Waiver of Contractor's Industrial insurance immunity. See Standard Specifications, 1-07.14.

Owner

Contractor

INDEMNIFICATION ADDENDUM

TRICO CONTRACTING, INC. (hereinafter called Contractor) agrees to defend, indemnify and hold the City of Marysville (hereinafter called Owner) harmless from any and all claims, demands, loses and liabilities to or by third parties arising from, resulting from or connected with services performed or to be performed under this contract by Contractor or contractor's agents or employees to the fullest extent permitted by law and subject to the limitations provided below.

Contractor's duty to indemnify Owner shall not apply to liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of Owner or Owner's agents or employees.

Contractor's duty to indemnify Owner for liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the concurrent negligence of (a) Owner's agents or employees, and (b) Contractor or contractor's agents or employees, shall apply only to the extent of negligence of Contractor or Contractor's agents or employees.

Contractor specifically and expressly waives any immunity that may be granted it under the Washington State Industrial Insurance Act, Title 51 RCW. Further, the indemnification obligation under this subcontract shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable to or for any third party under workers compensation acts, disability benefits acts, or other employee benefits acts; provided Contractor's waiver of immunity by the provisions of this paragraph extends only to claims against Contractor by Owner and does not include, or extend to, any claims by Contractor's employees directly against Contractor.

Contractor's duty to defend, indemnify and hold Owner harmless shall include as to all claims, demands, losses and liability to which it applies, Owner's personnel-related costs, reasonable attorney's fees, court costs and all other claim-related expenses.

THE UNDERSIGNED HEREBY CERTIFY THAT THIS ADDENDUM WAS MUTUALLY NEGOTIATED.

CITY OF MARYSVILLE

TRICO CONTRACTING, INC

By _____
Dennis Kendal, Mayor

By _____
B. L. Wolfe, President

Date _____

Date _____

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CONTRACT PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That whereas CITY OF MARYSVILLE has awarded to

TRICO CONTRACTING, INC.
(Contractor)

hereinafter designated as the "Principal," a contract for the construction of the Project designated the **66TH AVENUE NE UNDERDRAIN AND STORM REPLACEMENT PROJECT** all as hereto attached and made a part hereof, and whereas said principal is required under the terms of said contract to furnish a bond for the faithful performance of said contract:

NOW, THEREFORE, we the principal and _____
(Surety)

a corporation, organized and existing under and by virtue of the laws of the State of Washington, duly authorized to do business in the State of Washington, as surety, are held and firmly bound unto CITY OF MARYSVILLE, a municipal corporation of the State of Washington in the sum of:

ONE HUNDRED EIGHTY-NINE THOUSAND NINE HUNDRED SEVEN AND ⁵⁵/₁₀₀

Dollars (\$ 189,907.55), lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by those presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that is the above-bonded principal, his or its heirs, executors, administrators, successors, or assigns shall in all things stand to and abide by and well and truly keep and perform the covenants, conditions, and agreements in the said contract and shall faithfully perform all the provisions of such contract and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, at the time and in the manner therein specified, and shall pay all laborers, mechanics, subcontractors, and material men and all persons who shall supply such person or persons or subcontractors with provisions and supplies for the carrying on of such work on his or their part and shall indemnify and save harmless CITY OF MARYSVILLE, their officers and agents and shall further save harmless and indemnify said CITY OF MARYSVILLE from any defect or defects in any of the workmanship entering into any part of the work or designated equipment covered by said contract which shall develop or be discovered within one (1) year after the final acceptance of such work, then this obligation shall become null and void; otherwise, it shall remain in full force and effect, provided that the liability hereunder for defects

in materials and workmanship for a period of one (1) year after the acceptance of the work shall not be less than the sum of:

\$ 189,907.55

And the said surety, for the value received, hereby further stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the contract or to the work to be performed there under or the specifications accompanying the same shall in any way affect its obligation on the bond, and it does hereby waive notice of any change, extension of time, alterations, or additions to the terms of the contract or the work or to the specifications.

IN WITNESS WHEREOF, the said principal and the said surety have caused this bond and three (3) counterparts thereof to be signed and sealed by their duly authorized officers this _____ day of _____, 2007.

Principal

TWO WITNESSES: (If sole proprietor or Partnership)

By _____

ATTEST: (If Corporation)

Corporate Seal

By _____

Surety

Title _____

By _____

Its _____

Address of local office and agent of Surety Company is:

APPROVED AS TO FORM

By _____

Attorney for CITY OF MARYSVILLE

NOTE: THIS QUESTIONNAIRE MUST BE COMPLETED AND ATTACHED TO CERTIFICATE OF INSURANCE.

INSURANCE COVERAGE QUESTIONNAIRE

For : _____
(Name of Insured)

Project Title : **66TH AVENUE NE UNDERDRAIN AND STORM REPLACEMENT PROJECT**

Project Owner : **CITY OF MARYSVILLE**

Are the following coverages and/or conditions in effect?

	Yes	No
The Policy form is ISO Commercial General Liability form GC-00 001 or GC 00 02 (circle ONE). If no, attach a copy of the policy with required coverages clearly identified.		
The Owner, its officials, officers, employees and volunteers are additional insureds as Respects (a) activities performed for the Owner by or on behalf of the Named Insured, (b) products and completed operations of the Named Insured, or (c) premises, owned, leased, or used by the Named Insured.		
Products Completed operation coverage.		
Cross Liability clause (or equivalent wording).		
Personal Injury Liability Coverage (with employee exclusion deleted)		
Broad Form Damage with X, C U Hazards included.		
Blanket Contractual Liability coverage applying to this contract or Contractual Liability - Coverage applying to this contract		
Employers Liability – Stop Gap		
45 days written notice of cancellation to the City		

Deductibles Or SIRS GL _____ AL _____ Excess _____
 Insurer's Best Rating GL _____ AL _____ Excess _____

This questionnaire is issued as a matter of information. This questionnaire is not an insurance policy and does not amend, extend, or alter the coverage afforded by the policies indicated on the attached Certificate of Insurance.

Agency/Broker

Completed by (signature)

Address

Completed by (type or print)

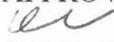
Name of person to contact

Telephone Number

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**CITY OF MARYSVILLE
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: Contract Award: Parkside Water Main Replacement	AGENDA SECTION:	
PREPARED BY: Paul Federspiel, Associate Engineer II	AGENDA NUMBER:	
ATTACHMENTS: • Certified Bid Tabulation	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE: 40220594.563000.W0410	AMOUNT: \$149,753.09	

Staff opened bids for the Parkside Water Main Replacement Project on September 13, 2007. The attached spreadsheet provides a tabulation of the 7 bids received.

The work involves the installation of approximately 1200 linear feet of 8” ductile iron water main to replace an existing 6” cast iron water main along Parkside Drive, 72nd Street and 58th Drive. Work shall include the connection of existing service lines and fire hydrants, installation of isolation valves, road restoration and other appurtenances.

Trico Construction, Inc. was determined to be the apparent low bidder, with a bid of \$142,653.09 (w/ WSST).

Contract Amount:	\$ 142,653.09
Management Reserve (5%):	\$ 7,100.00
Project Total:	\$ 149,753.09

<p>RECOMMENDED ACTION: Public Works Staff recommends City Council award the bid for the Parkside Water Main Replacement Project to the apparent low bidder, Trico Construction, Inc, in the amount of \$142,653.09 including Washington state sales tax, authorize the Mayor to sign the contract documents, and approve a 5% management reserve of \$7,100 for a total project allocation of \$149,753.09</p>
<p>COUNCIL ACTION:</p>

BID TABULATION

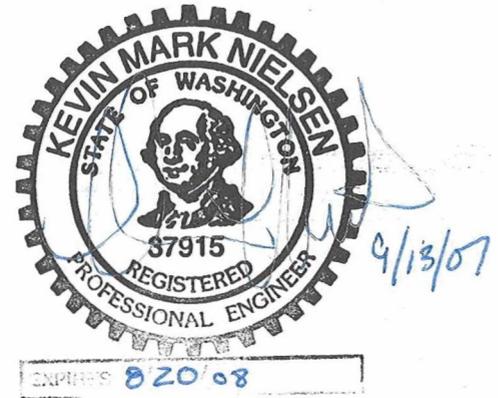
Parkside Watermain Replacement Project
No. M0643



Item	Description	Unit	Quant.	Unit Price	Engineer's Estimate	Unit Price	Trico Contracting, Inc.	Unit Price	Northend Excavating Inc.	Unit Price	D & G Backhoe Inc.
					Total Price		Total Price		Total Price		Total Price
1	Mobilization	LS	1		\$11,586.03	\$12,000.00	\$12,000.00	\$7,000.00	\$7,000.00	\$15,862.00	\$15,862.00
2	Project Temporary Traffic Control	LS	1	\$2,000.00	\$2,000.00	\$12,000.00	\$12,000.00	\$4,600.00	\$4,600.00	\$6,000.00	\$6,000.00
3	Removal of Structures and Obstructions	LS	1	\$2,400.00	\$2,400.00	\$2,500.00	\$2,500.00	\$2,750.00	\$2,750.00	\$500.00	\$500.00
4	Planing Bituminous Pavement	SY	1670	\$6.00	\$10,020.00	\$2.25	\$3,757.50	\$6.00	\$10,020.00	\$5.00	\$8,350.00
5	Commercial HMA	TON	175	\$105.00	\$18,375.00	\$115.00	\$20,125.00	\$155.00	\$27,125.00	\$103.50	\$18,112.50
6	Ductile Iron Pipe for Water Main 8 In. Diam. with	LF	1005	\$45.85	\$46,079.25	\$39.00	\$39,195.00	\$29.00	\$29,145.00	\$60.00	\$60,300.00
7	Ductile Iron Pipe for Water Main 8 In. Diam. with	LF	200	\$50.00	\$10,000.00	\$40.00	\$8,000.00	\$36.00	\$7,200.00	\$65.00	\$13,000.00
8	Blowoff Assembly	EA	1	\$150.00	\$150.00	\$2,500.00	\$2,500.00	\$2,975.00	\$2,975.00	\$1,700.00	\$1,700.00
9	Gate Valve 8 In.	EA	2	\$1,200.00	\$2,400.00	\$950.00	\$1,900.00	\$1,100.00	\$2,200.00	\$950.00	\$1,900.00
10	Shoring and Trench Safety	LS	1	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$2,800.00	\$2,800.00	\$500.00	\$500.00
11	Connection to Existing Watermains	EA	1	\$1,500.00	\$1,500.00	\$4,000.00	\$4,000.00	\$1,900.00	\$1,900.00	\$2,500.00	\$2,500.00
12	1-inch Water Service Tap	EA	21	\$350.00	\$7,350.00	\$1,000.00	\$21,000.00	\$1,245.00	\$26,145.00	\$1,150.00	\$24,150.00
13	Reconnect Existing Hydrant	EA	1	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$4,100.00	\$4,100.00	\$2,480.00	\$2,480.00
14	Replace Existing Hydrant	EA	1	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00	\$6,400.00	\$6,400.00	\$2,480.00	\$2,480.00
15	Bank Run Gravel for Trench Backfill	CY	0	\$25.00	\$0.00	\$30.00	\$0.00	\$37.50	\$0.00	\$0.00	\$0.00
Construction Total					\$115,860.28		\$131,477.50		\$134,360.00		\$157,834.50
WA State Sales Tax (8.5%)					\$9,848.12		\$11,175.59		\$11,420.60		\$13,415.93
Total					\$125,708.40		\$142,653.09		\$145,780.60		\$171,250.43

★ Math Error Corrected

NOTE: We hereby certify that this bid tabulation represents all bids received and that all calculations have been checked and are correct.



BID TABULATION

Parkside Watermain Replacement Project
No. M0643

Item	Description	Unit	Quant.	Unit Price	Schwetz Construction, Inc.	Unit Price	SRV Construction, Inc.		Oceanside Construction, Inc.		Precision Earthwork, Inc.
					Total Price		Total Price		Total Price	Total Price	
1	Mobilization	LS	1	\$13,000.00	\$13,000.00	\$30,400.00	\$30,400.00	\$23,000.00	\$23,000.00	\$17,000.00	\$17,000.00
2	Project Temporary Traffic Control	LS	1	\$2,500.00	\$2,500.00	\$8,190.00	\$8,190.00	\$7,000.00	\$7,000.00	\$17,570.00	\$17,570.00
3	Removal of Structures and Obstructions	LS	1	\$5,000.00	\$5,000.00	\$5,015.00	\$5,015.00	\$25,000.00	\$25,000.00	\$11,285.00	\$11,285.00
4	Planing Bituminous Pavement	SY	1670	\$12.00	\$20,040.00	\$5.05	\$8,433.50	\$6.00	\$10,020.00	\$5.60	\$9,352.00
5	Commercial HMA	TON	175	\$110.00	\$19,250.00	\$113.00	\$19,775.00	\$110.00	\$19,250.00	\$156.70	\$27,422.50
6	Ductile Iron Pipe for Water Main 8 In. Diam. with	LF	1005	\$57.50	\$57,787.50	\$51.40	\$51,657.00	\$47.00	\$47,235.00	\$41.30	\$41,506.50
7	Ductile Iron Pipe for Water Main 8 In. Diam. with	LF	200	\$60.00	\$12,000.00	\$49.80	\$9,960.00	\$52.00	\$10,400.00	\$44.90	\$8,980.00
8	Blowoff Assembly	EA	1	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$1,700.00	\$1,700.00	\$2,500.00	\$2,500.00
9	Gate Valve 8 In.	EA	2	\$1,500.00	\$3,000.00	\$1,475.00	\$2,950.00	\$1,300.00	\$2,600.00	\$1,280.00	\$2,560.00
10	Shoring and Trench Safety	LS	1	\$2,000.00	\$2,000.00	\$0.01	\$0.01	\$500.00	\$500.00	\$1,380.00	\$1,380.00
11	Connection to Existing Watermains	EA	1	\$1,200.00	\$1,200.00	\$2,270.00	\$2,270.00	\$1,500.00	\$1,500.00	\$3,030.00	\$3,030.00
12	1-inch Water Service Tap	EA	21	\$800.00	\$16,800.00	\$1,065.00	\$22,365.00	\$900.00	\$18,900.00	\$1,375.00	\$28,875.00
13	Reconnect Existing Hydrant	EA	1	\$800.00	\$800.00	\$1,840.00	\$1,840.00	\$1,300.00	\$1,300.00	\$2,414.00	\$2,414.00
14	Replace Existing Hydrant	EA	1	\$4,300.00	\$4,300.00	\$1,840.00	\$1,840.00	\$1,400.00	\$1,400.00	\$2,414.00	\$2,414.00
15	Bank Run Gravel for Trench Backfill	CY	0	\$36.00	\$0.00	\$31.00	\$0.00	\$25.00	\$0.00	\$33.50	\$0.00
Construction Total					\$159,677.50		\$167,195.51		\$169,805.00		\$176,289.00
WA State Sales Tax (8.5%)					\$13,572.59		\$14,211.62		\$14,433.43		\$14,984.57
Total					\$173,250.09		\$181,407.13		\$184,238.43		\$191,273.57

★ Math Error Corrected

NOTE: We hereby certify that this bid tabulation represents all bids received and that all calculations have been checked and are correct.



- | | | | | |
|----------------------|-----------------------|---------------|------------------------|-----------------------|
| — Interstate highway | P Park | ↑ Place | ■ Urban growth area | □ Tulalip reservation |
| — State highway | + School | ⊗ Boat launch | ▨ Parks and open space | □ City limits |
| — Arterial | ■ Public Building | ★ Other | | |
| --- Trails | ⌚ Police/Fire Station | | | |

THE CITY OF MARYSVILLE MAKES NO WARRANTY OF MERCHANTABILITY OR WARRANTY OF FITNESS OF THIS DATA FOR ANY PARTICULAR PURPOSE, EITHER EXPRESSED OR IMPLIED. NO REPRESENTATION OR WARRANTY IS MADE AS TO THE ACCURACY, COMPLETENESS OR QUALITY OF DATA PROVIDED. ANY USER OF THIS DATABASE ASSUMES ALL RESPONSIBILITY FOR USE THEREOF AND FURTHER AGREES TO HOLD THE CITY OF MARYSVILLE HARMLESS FROM AND AGAINST ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM ANY USE OF THIS DATA.



CITY OF MARYSVILLE
PUBLIC WORKS DEPARTMENT

80 COLUMBIA AVE MARYSVILLE, WA 98270 (360) 363-8100

FIGURE 1
M0643 PARKSIDE WATER MAIN REPLACEMENT

**PART 3 -
CONTRACT DOCUMENTS**

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Parkside Watermain Replacement

CONTRACT

THIS AGREEMENT is made this ____ day of _____, 2007, between the **CITY OF MARYSVILLE** ("City"), and **TRICO CONTRACTING, INC.** ("Contractor"), in consideration of the terms and conditions contained herein and attached and made a part of this contract, the parties herein covenant and agree as follows:

I. **PERFORMANCE AND GUARANTEE** - The Contractor shall do all work and furnish all necessary tools, materials and equipment for the City's public works project known as **PARKSIDE WATERMAIN REPLACEMENT** in accordance with and as described in the attached bid, plans and specifications, including addenda, which are by this reference incorporated herein and made a part hereof, and shall perform any alterations in or additions to the work provided under this contract and every part thereof.

II. **PROJECT COST.** The total itemized amount of the Project contract is **ONE HUNDRED FORTY-TWO THOUSAND SIX HUNDRED FIFTY-THREE AND $\frac{9}{100}$ Dollars (\$142,653.09)** including Washington State Sales Tax. The total project cost includes all costs associated with the Project work, including, but not limited to, labor, materials, overhead, administrative and permit and regulatory costs, unless otherwise agreed in writing.

III. **CITY AGREEMENT** - The City employs Contractor to provide the materials and to do and cause to be performed the project work described above and to complete and finish the same according to the attached plans and specifications and the terms and conditions herein contained, and contracts to pay for the total Project cost for such work at the time and in the manner and upon the conditions provided for in this contract.

IV. **CONTRACTOR AGREEMENT.** The Contractor hereby agrees to fully perform the work for the total project cost according to the terms and conditions of this contract.

V. **CONTRACTOR RESPONSIBILITIES.** The Contractor shall provide and bear the expense of all equipment, work and labor that may be required for the transfer of materials and for constructing and completing the work provided in this contract, unless otherwise provided in the specifications for the Project, and shall guarantee said materials and work for a period of one (1) year after approval and final acceptance of the work by the City. The Contractor shall be responsible for performing the work in accordance with all applicable laws and regulations,

including, but not limited to, all applicable environmental statutes and regulations.

VI. **EQUITABLE ADJUSTMENTS.** Should Contractor feel an equitable adjustment to the Project cost is warranted wither by written change order or an oral order from the City, Contractor shall file a written notice of that fact with the City within twenty-four (24) hours of the written or oral order. No later than five (5) days thereafter, Contractor shall file a written claim with the City stating the amount claimed, supported by appropriate documentation. No claim for equitable adjustment shall be allowed if submitted after the Project has been given final acceptance by the City.

VII. **PAYMENT TERMS.** The City shall pay the Contractor on a monthly basis for all work and services satisfactorily completed during the preceding month. A detailed application for payment shall be submitted by the Contractor to the City on or before the 1st day of each month, showing the progress of the work and requesting payment in an amount proportionate to the work completed. In cases of single payment, the city shall make payment only after all appropriate releases are submitted and the project is given final acceptance by the City. In cases of multiple payments, the City shall retain monies as required by RCW 60.28 and pay the retainage as provided therein. Payment to the Contractor shall be made within thirty (30) days after acceptance by the City.

VIII. **ATTORNEY FEES.** Should either the City or the Contractor commence any legal action relating to the provisions of this contract, or the enforcement thereof, the prevailing party shall be awarded judgment for all costs of litigation including, but not limited to, costs, expert witnesses and reasonable attorney fees.

IX. **INDEMNIFICATION** - The Contractor shall defend, indemnify and save the City and its elected officials and employees harmless from any and all claims and risk and losses, damages, demands, suits, judgments, and attorney fees or other expenses of any kind on account of injury to or death of any and all persons, on or account of all property

damage of any kind, or loss of use resulting therefrom, to any party arising out of, or in any manner connected with, the work performed under this contract, or caused in whole or in part by reason of the presence of the Contractor, the subcontractors, or their property, employees or agents, upon or in proximity to the property of the City during performance of the work or at any time before final acceptance, except only for those losses resulting from and to the extent of the negligence of the City with regard to activities within the Contractor's scope of work. This indemnification provided herein constitutes Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties.

X. **PREVAILING WAGES.** The Contractor shall pay prevailing wages as required and shall comply with RCW 39.12 and RCW 49.28. A statement of prevailing wages applicable to the Project is included in the specifications. Notice of intent to pay prevailing wages and prevailing wage rates for the Project must be posted for the benefit of the workers. Final payment will be made in accordance with the requirements of RCW 39.12

XI. **TRENCH SAFETY SYSTEMS.** All trenches shall be provided with adequate safety systems as required by RCW 49.17 and WAC 296-155-650 and 655. Contractor is responsible for providing the competent person and registered professional engineer required by WAC 296-155-650 and 655.

XII. **INSURANCE.** The Contractor shall obtain and keep in force during the term of the contract insurance in no less than the following amounts:

	<u>Comprehensive General Liability</u>	<u>Automobile</u>	<u>Property</u>
Occurrence	\$1,000,000	\$1,000,000	\$1,000,000
Aggregate	\$2,000,000	\$2,000,000	\$2,000,000

The City shall be specifically named as an insured in such policy or policies. A Certificate of Insurance, questionnaire and endorsement, as required by the City, shall be executed and delivered to the City at the time of execution of this contract.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

CITY OF MARYSVILLE

TRICO CONTRACTING, INC.

By _____
Dennis Kendall, Mayor
Attest

By _____
Brian Wolfe

Tracy Jeffries,
Asst. Administrative Services Director
Approved as to form

President
Title of Officer

Grant Weed, City Attorney

PO BOX 409
BURLINGTON, WA 98233
Phone: 360-757-2373 X111

Acknowledgement of Waiver of Contractor's Industrial insurance immunity. See Standard Specifications, 1-07.14.

Owner

Contractor

INDEMNIFICATION ADDENDUM

TRICO CONTRACTING, INC. (hereinafter called Contractor) agrees to defend, indemnify and hold the City of Marysville (hereinafter called Owner) harmless from any and all claims, demands, loses and liabilities to or by third parties arising from, resulting from or connected with services performed or to be performed under this contract by Contractor or contractor's agents or employees to the fullest extent permitted by law and subject to the limitations provided below.

Contractor's duty to indemnify Owner shall not apply to liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of Owner or Owner's agents or employees.

Contractor's duty to indemnify Owner for liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the concurrent negligence of (a) Owner's agents or employees, and (b) Contractor or contractor's agents or employees, shall apply only to the extent of negligence of Contractor or Contractor's agents or employees.

Contractor specifically and expressly waives any immunity that may be granted it under the Washington State Industrial Insurance Act, Title 51 RCW. Further, the indemnification obligation under this subcontract shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable to or for any third party under workers compensation acts, disability benefits acts, or other employee benefits acts; provided Contractor's waiver of immunity by the provisions of this paragraph extends only to claims against Contractor by Owner and does not include, or extend to, any claims by Contractor's employees directly against Contractor.

Contractor's duty to defend, indemnify and hold Owner harmless shall include as to all claims, demands, losses and liability to which it applies, Owner's personnel-related costs, reasonable attorney's fees, court costs and all other claim-related expenses.

THE UNDERSIGNED HEREBY CERTIFY THAT THIS ADDENDUM WAS MUTUALLY NEGOTIATED.

CITY OF MARYSVILLE

TRICO CONTRACTING, INC.

By _____
Dennis Kendall, Mayor

By _____
Brian Wolfe, President

Date _____

Date _____

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CONTRACT PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That whereas CITY OF MARYSVILLE has awarded to

TRICO CONTRACTING, INC.

(Contractor)

hereinafter designated as the "Principal," a contract for the construction of the Project designated the **PARKSIDE WATER MAIN REPLACEMENT**, all as hereto attached and made a part hereof, and whereas said principal is required under the terms of said contract to furnish a bond for the faithful performance of said contract:

NOW, THEREFORE, we the principal and _____

(Surety)

a corporation, organized and existing under and by virtue of the laws of the State of Washington, duly authorized to do business in the State of Washington, as surety, are held and firmly bound unto CITY OF MARYSVILLE, a municipal corporation of the State of Washington in the sum of:

ONE HUNDRED FORTY-TWO THOUSAND SIX HUNDRED FIFTY-THREE AND ⁹/₁₀₀

Dollars (\$142,653.09), lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by those presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that is the above-bonded principal, his or its heirs, executors, administrators, successors, or assigns shall in all things stand to and abide by and well and truly keep and perform the covenants, conditions, and agreements in the said contract and shall faithfully perform all the provisions of such contract and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, at the time and in the manner therein specified, and shall pay all laborers, mechanics, subcontractors, and material men and all persons who shall supply such person or persons or subcontractors with provisions and supplies for the carrying on of such work on his or their part and shall indemnify and save harmless CITY OF MARYSVILLE, their officers and agents and shall further save harmless and indemnify said CITY OF MARYSVILLE from any defect or defects in any of the workmanship entering into any part of the work or designated equipment covered by said contract which shall develop or be discovered within one (1) year after the final acceptance of such work, then this obligation shall become null and void; otherwise, it shall remain in full force and effect, provided that the liability hereunder for defects in materials and workmanship for a period of one (1) year after the acceptance of the work shall not be less than the sum of:

\$142,653.09

And the said surety, for the value received, hereby further stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the contract or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on the bond, and it does hereby waive notice of any change, extension of time, alterations, or additions to the terms of the contract or the work or to the specifications.

IN WITNESS WHEREOF, the said principal and the said surety have caused this bond and three (3) counterparts thereof to be signed and sealed by their duly authorized officers this _____ day of _____, 2007.

Principal

TWO WITNESSES: (If sole proprietor
or Partnership)

By _____

ATTEST: (If Corporation)

Corporate Seal

By _____

Surety

Title _____

By _____

Its _____

Address of local office and agent of Surety
Company is:

APPROVED AS TO FORM

By _____

Grant Weed, City Attorney

NOTE: THIS QUESTIONNAIRE MUST BE COMPLETED AND ATTACHED TO CERTIFICATE OF INSURANCE.

INSURANCE COVERAGE QUESTIONNAIRE

For : _____
(Name of Insured)

Project Title : **PARKSIDE WATERMAIN REPLACEMENT**

Project Owner : **CITY OF MARYSVILLE**

Are the following coverages and/or conditions in effect?

	Yes	No
The Policy form is ISO Commercial General Liability form GC-00 001 or GC 00 02 (circle ONE). If no, attach a copy of the policy with required coverages clearly identified.		
The Owner, its officials, officers, employees and volunteers are additional insureds as Respects (a) activities performed for the Owner by or on behalf of the Named Insured, (b) products and completed operations of the Named Insured, or (c) premises, owned, leased, or used by the Named Insured.		
Products Completed operation coverage.		
Cross Liability clause (or equivalent wording).		
Personal Injury Liability Coverage (with employee exclusion deleted)		
Broad Form Damage with X, C U Hazards included.		
Blanket Contractual Liability coverage applying to this contract or Contractual Liability Coverage applying to this contract		
Employers Liability – Stop Gap		
45 days written notice of cancellation to the City		

Deductibles Or SIRS GL _____ AL _____ Excess _____

Insurer's Best Rating GL _____ AL _____ Excess _____

This questionnaire is issued as a matter of information. This questionnaire is not an insurance policy and does not amend, extend, or alter the coverage afforded by the policies indicated on the attached Certificate of Insurance.

Agency/Broker

Completed by (signature)

Address

Completed by (type or print)

Name of person to contact

Telephone Number

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CITY OF MARYSVILLE
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: Surplus (2) Wrecked Police Cars	AGENDA SECTION:	
PREPARED BY: Mike Shepard , Fleet & Facilities Manager	AGENDA NUMBER:	
ATTACHMENTS: Resolution declaring certain items to be surplus	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE: 501186365.359000 (Fleet Replacement Fund)	AMOUNT TBD	

Fleet Services is requesting to surplus (2) Ford Crown Victoria Police Cars. Both cars were involved in accidents rendering them inoperable. WCIA has determined that both cars are a total loss. Fleet Services will send these cars to auction in October 2007 and proceeds from the sale will be placed in the Fleet Services replacement fund.

RECOMMENDED ACTION:

Staff recommends that Marysville City Council authorize the Mayor to sign Resolution No. ____ Declaring items of personal property to be surplus and authorizing the sale or disposal thereof.

COUNCIL ACTION:

CITY OF MARYSVILLE
Marysville, Washington

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARYSVILLE DECLARING
CERTAIN ITEMS OF PERSONAL PROPERTY TO BE SURPLUS
AND AUTHORIZING THE SALE OR DISPOSAL THEREOF.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON AS FOLLOWS:

The items of personal property listed below are hereby declared to be surplus
and are of no further public use or necessity.

Asset #	Year	Make	Model	Disposition	Serial Number
958	1998	Ford	Crown Victoria	Totaled	2FAFP71W4WX140828
P104	2003	Ford	Crown Victoria	Totaled	2FAHP71W93X144474

The City is hereby authorized to sell or dispose of the above referenced items in
a manner, which in the discretion of the Fleet and Facilities Manager nets the
greatest amount to the City.

PASSED by the City Council and APPROVED by the Mayor this _____ day of
_____ 2007.

CITY OF MARYSVILLE

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

**CITY OF MARYSVILLE
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: City of Marysville Surface Water Comprehensive Plan, Professional Services Agreement	AGENDA SECTION:	
PREPARED BY: Kari Chennault, Program Engineer – Surface Water	AGENDA NUMBER:	
ATTACHMENTS: <ul style="list-style-type: none"> • Professional Services Agreement 	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE: 40145040.541000.D0720	AMOUNT: \$400,000	

Attached is a Professional Services Agreement with Otak, Inc. to provide consulting services to update the City’s Surface Water Comprehensive Plan. Three consulting firms Otak, Inc., Brown and Caldwell, and RW Beck, were interviewed. The consultant selection committee rated Otak, Inc. as the best qualified firm to perform the update to the Plan. They have a very good reputation in providing this type of service and they provided a superior presentation.

The City’s existing Comprehensive Plan is from 2002 and needs to be updated to reflect the changes that have occurred both in the City and the recent issuance of the National Pollution Discharge Elimination System Phase II Permit.

RECOMMENDED ACTION: Staff recommends City Council authorize the Mayor to sign the Professional Services Agreement with Otak, Inc. in an amount not to exceed \$400,000.
COUNCIL ACTION:

PROFESSIONAL SERVICES AGREEMENT BETWEEN
CITY OF MARYSVILLE
AND *Otak, Inc.*
FOR ENGINEERING SERVICES

 ORIGINAL

THIS AGREEMENT, made and entered into in Snohomish County, Washington, by and between CITY OF MARYSVILLE, hereinafter called the "City," and *Otak, Inc.*, a Washington corporation, hereinafter called the "Consultant."

WHEREAS, the Consultant has represented, and by entering into this Agreement now represents, that the firm and all employees assigned to work on any City project are in full compliance with the statutes of the State of Washington governing activities to be performed and that all personnel to be assigned to the work required under this agreement are fully qualified and properly licensed to perform the work to which they will be assigned.

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performances contained hereinbelow, the parties hereto agree as follows:

ARTICLE I. PURPOSE

The purpose of this agreement is to provide the City with engineering services to *Develop a Stormwater Comprehensive Plan* as described in Article II. The general terms and conditions of relationships between the City and the Consultant are specified in this agreement.

ARTICLE II. SCOPE OF WORK

The scope of work is set out in the attached estimate of Professional Services for the *Stormwater Comprehensive Plan*, hereinafter referred to as the "scope of services," **Attachment A**. All services and materials necessary to accomplish the tasks

outlined in **Attachment A** shall be provided by the Consultant unless noted otherwise in the scope of services or this agreement.

ARTICLE III. OBLIGATIONS OF THE CONSULTANT

III.1 **MINOR CHANGES IN SCOPE.** The Consultant shall accept minor changes, amendments, or revision in the detail of the work as may be required by the City when such changes will not have any impact on the service costs or proposed delivery schedule. Extra work, if any, involving substantial changes and/or changes in cost or schedules will be addressed as follows:

Extra Work. The City may desire to have the Consultant perform work or render services in connection with each project in addition to or other than work provided for by the expressed intent of the scope of work in the scope of services. Such work will be considered as extra work and will be specified in a written supplement to the scope of services, to be signed by both parties, which will set forth the nature and the scope thereof. All proposals for extra work or services shall be prepared by the Consultant at no cost to the City. Work under a supplemental agreement shall not proceed until executed in writing by the parties.

III.2 **WORK PRODUCT AND DOCUMENTS.** The work product and all documents listed in the scope of services shall be furnished by the Consultant to the City, and upon completion of the work shall become the property of the City, except that the Consultant may retain one copy of the work product and documents for its records. The Consultant will be responsible for the accuracy of the work, even though the work has been accepted by the City.

In the event that the Consultant shall default on this agreement or in the event that this contract shall be terminated prior to its completion as herein provided, all work product of the Consultant, along with a summary of work done to date of default or termination, shall become the property of the City. Upon request, the Consultant shall tender the work product and summary to the City. Tender of said work product shall be a prerequisite to final payment under this contract. The summary of work done shall be prepared at no additional cost to the City.

Consultant will not be held liable for reuse of these documents or modifications thereof for any purpose other than those authorized under this Agreement without the written authorization of Consultant.

III.3 **TIME OF PERFORMANCE.** The Consultant shall be authorized to begin work under the terms of this agreement upon signing of both the scope of services and this agreement and shall complete the work by *April 1, 2009*, unless a mutual written

agreement is signed to change the schedule. An extension of the time for completion may be given by the City due to conditions not expected or anticipated at the time of execution of this agreement.

III.4 **NONASSIGNABLE.** The services to be provided by the Consultant shall not be assigned or subcontracted without the express written consent of the City.

III.5 **EMPLOYMENT.** Any and all employees of the Consultant, while engaged in the performance of any work or services required by the Consultant under this agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that may or might arise under the Workman's Compensation Act on behalf of any said employees while so engaged, and any and all claims made by any third party as a consequence of any negligent act or omission on the part of the Consultant or its employees while so engaged in any of the work or services provided herein shall be the sole obligation of the Consultant.

III.6 **INDEMNITY.**

a. The Engineer will at all times indemnify and hold harmless and defend the City, its elected officials, officers, employees, agents and representatives, from and against any and all lawsuits, damages, costs, charges, expenses, judgments and liabilities, including attorney's fees (including attorney's fees in establishing indemnification), collectively referred to herein as "losses" resulting from, arising out of, or related to one or more claims arising out of negligent acts, errors, or omissions of the Engineer in performance of Engineer's professional services under this agreement. The term "claims" as used herein shall mean all claims, lawsuits, causes of action, and other legal actions and proceedings of whatsoever nature, involving bodily or personal injury or death of any person or damage to any property including, but not limited to, persons employed by the City, the Engineer or other person and all property owned or claimed by the City, the Engineer, or affiliate of the Engineer, or any other person.

b. Should a court of competent jurisdiction determine that this agreement is subject to RCW 4.24.115, then, in the event of liability for damaging arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Engineer and the City, its members, officers, employees and agents, the Engineer's liability to the City, by way of indemnification, shall be only to the extent of the Engineer's negligence.

c. The provisions of this section shall survive the

expiration or termination of this agreement.

III.7 **INSURANCE.**

a. **Minimum Limits of Insurance.** The Consultant shall, before commencing work under this agreement, file with the City certificates of insurance coverage to be kept in force continuously during this agreement, and during all work performed pursuant to all short form agreements, in a form acceptable to the City. Said certificates shall name the City as an additional named insured with respect to all coverages except professional liability insurance. The minimum insurance requirements shall be as follows:

(1) Comprehensive General Liability. \$1,000,000 combined single limit per occurrence for bodily injury personal injury and property damage; damage, \$2,000,000 general aggregate;

(2) Automobile Liability. \$300,000 combined single limit per accident for bodily injury and property damage;

(3) Workers' Compensation. Workers' compensation limits as required by the Workers' Compensation Act of Washington;

(4) Consultant's Errors and Omissions Liability. \$1,000,000 per occurrence and as an annual aggregate.

b. **Endorsement.** Each insurance policy shall be endorsed to state that coverage shall not be suspended, voiced, canceled, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

c. **Acceptability of Insurers.** Insurance to be provided by Consultant shall be with a Bests rating of no less than A:VII, or if not rated by Bests, with minimum surpluses the equivalent of Bests' VII rating.

d. **Verification of Coverage.** In signing this agreement, the Consultant is acknowledging and representing that required insurance is active and current.

III.8 **DISCRIMINATION PROHIBITED AND COMPLIANCE WITH EQUAL OPPORTUNITY LEGISLATION.** The Consultant agrees to comply with equal opportunity employment and not to discriminate against client, employee, or applicant for employment or for services because of race, creed, color, religion, national origin, marital status, sex, age or handicap except for a bona fide occupational qualification with regard, but not limited to, the following:

employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation; selection for training, rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Consultant understands and agrees that if it violates this nondiscrimination provision, this agreement may be terminated by the City, and further that the Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

III.9 **UNFAIR EMPLOYMENT PRACTICES.** During the performance of this agreement, the Consultant agrees to comply with RCW 49.60.180, prohibiting unfair employment practices.

III.10 **AFFIRMATIVE ACTION.** Affirmative action shall be implemented by the Consultant to ensure that applicants for employment and all employees are treated without regard to race, creed, color, sex, age, marital status, national origin or the presence of any sensory, mental or physical handicap, unless based on a bona fide occupational qualification. The Consultant agrees to take affirmative action to ensure that all of its employees and agent adhere to this provision.

III.11 **LEGAL RELATIONS.** The Consultant shall comply with all federal, state and local laws and ordinances applicable to work to be done under this agreement. This contract shall be interpreted and construed in accordance with the laws of Washington. Venue for any action commenced relating to the interpretation, breach or enforcement of this agreement shall be in Snohomish County Superior Court.

III.12 **INDEPENDENT CONTRACTOR.** The Consultant's relation to the City shall at all times be as an independent contractor.

III.13 **CONFLICTS OF INTEREST.** While this is a non-exclusive agreement the Consultant agrees to and will notify the City of any potential conflicts of interest in Consultant's client base and will seek and obtain written permission from the City prior to providing services to third parties where a conflict of interest is apparent. If a conflict is irreconcilable, the City reserves the right to terminate this agreement.

III.14 **CITY CONFIDENCES.** The Consultant agrees to and will keep in strict confidence, and will not disclose, communicate or advertise to third parties without specific prior written consent from the City in each instance, the confidences of the City or any information regarding the City or services provided to the City.

ARTICLE IV. OBLIGATIONS OF THE CITY

IV.1 **PAYMENTS.** The Consultant shall be paid by the City for completed work for services rendered under this agreement and as detailed in the scope of services as provided hereinafter. Such payment shall be full compensation for work performed or services rendered and for all labor, materials, supplies, equipment and incidentals necessary to complete the work. Payment shall be on a time and expense basis, provided, however, in no event shall total payment under this agreement exceed **\$400,000.00**. In the event the City elects to expand the scope of services from that set forth in **Attachment A**, the City shall pay Consultant an additional amount based on a time and expense basis, based upon Consultant's current schedule of hourly rates.

a. Invoices shall be submitted by the Consultant to the City for payment pursuant to the terms of the scope of services. The invoice will state the time expended, the hourly rate, a detailed description of the work performed, and the expenses incurred during the preceding month. Invoices must be submitted by the 20th day of the month to be paid by the 15th day of the next calendar month.

b. The City will pay timely submitted and approved invoices received before the 20th of each month within thirty (30) days of receipt.

IV.2 **CITY APPROVAL.** Notwithstanding the Consultant's status as an independent contractor, results of the work performed pursuant to this contract must meet the approval of the City, which shall not be unreasonably withheld if work has been completed in compliance with the scope of work and City requirements.

ARTICLE V. GENERAL

V.1 **NOTICES.** Notices to the City shall be sent to the following address:

CITY OF MARYSVILLE
ATTN: *Kari Chennault*
80 Columbia Avenue
MARYSVILLE, WA 98270

Notices to the Consultant shall be sent to the following address:

Otak, Inc.
10230 NE Points Drive, Suite 400
Kirkland, WA, 98033-7897
Attn: Joe Simmler

Receipt of any notice shall be deemed effective three (3) days after deposit of written notice in the U.S. mail with proper postage and address.

V.2 **TERMINATION.** The right is reserved by the City to terminate this agreement in whole or in part at any time upon ten (10) days' written notice to the Consultant.

If this agreement is terminated in its entirety by the City for its convenience, a final payment shall be made to the Consultant which, when added to any payments previously made, shall total the actual costs plus the same percentage of the fixed fee as the work completed at the time of termination applied to the total work required for the project.

V.3 **DISPUTES.** The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this contract may be resolved by a mutually agreed-upon alternative dispute resolution of arbitration or mediation.

V.4 **NONWAIVER.** Waiver by the City of any provision of this agreement or any time limitation provided for in this agreement shall not constitute a waiver of any other provision.

DATED this _____ day of _____, _____.

CITY OF MARYSVILLE

By _____

Otak Inc, CONSULTANT

By Russell Dastin, Principal

Approved as to form:

GRANT K. WEED, City Attorney

City of Marysville
Stormwater Comprehensive Plan
Otak Project No. 31099
August 24, 2007

Background

The City of Marysville (City) has recently (January 16, 2007) received an NPDES Phase II Municipal Stormwater Permit from the Washington State Department of Ecology. The City has retained Otak, Inc. to support their efforts in the development of an updated stormwater management plan that will be consistent with the Permit and achieve regulatory compliance. The City has requested Otak to provide assistance and advice on updating the City's Stormwater Comprehensive Plan (SWC Plan) in regard to policies, legal authorities, regulatory compliance, resources, organization, capital projects, and funding.

Project Approach

Part A—Regulatory Gap Analysis and SWM Plan Update

This part of the project will be conducted according to the following four phases:

- Phase I—Project Initiation, Data Collection, Inventory, Mapping, and CIP Plan*.
- Phase II—SWM Program, Regulatory, and Funding Assessment.
- Phase III—Formation of City's Updated SWM Plan.
- Phase IV—Review and Adoption of the Plan.

Part B—Development of Updated Capital Improvement Program

This part of the project will develop the City's updated capital improvement program (CIP).

*The CIP Plan will be developed in Part B of this study; CIP costs will be integrated into the regulatory gap analysis and updated SWM Plan developed in Part A of this project. The tasks within each of the above phases are described in the following detailed Scope of Work.

Summary of Activities and Costs

Part A—Regulatory Gap Analysis and SWM Plan Update

<i>Task 1—Project Initiation, Data Collection and Site Visit</i>	\$5,008
<i>Task 2—Mapping Coordination</i>	\$3,976
<i>Task 3—CIP Plan Coordination</i>	\$4,672
<i>Task 4—Local SWM Needs and Regulatory Compliance</i>	\$50,080
<i>Task 5—Updated SWM Plan and Financial Analysis</i>	\$31,680
<i>Task 6—Public/Council Review</i>	\$15,600
<i>Task 7—Project Coordination</i>	\$ 9,360
<i>Task 8—Financial Support: Impact Fee Development</i>	\$10,222
<i>Task 9—Financial Support: SWM Rate Analysis and Service Levels</i>	\$10,222
<i>Task 10—Additional Activities</i>	<u>\$ 0</u>
<i>Subtotal Otak Labor:</i>	<i>\$140,820</i>
<i>Expenses and subconsultant (P. Matthews of Red Oak Consulting):</i>	<u><i>\$ 20,437</i></u>
<i>Total SWM Comprehensive Plan Cost:</i>	<i>\$ 161,257</i>

Part B—Development of Updated SWM Capital Improvement Program

<i>Task 1—Review Data, Maps, and Reports</i>	\$20,888
<i>Task 2—Identify Surface Water Problems</i>	\$24,332
<i>Task 3—Supplemental Drainage Inventory Survey</i>	\$9,868
<i>Task 4—GIS/Mapping</i>	\$18,940
<i>Task 5—Hydrologic and Hydraulic modeling and analysis</i>	\$48,040
<i>Task 6—Develop Capitol Improvement Program (CIP) Projects</i>	\$39,048
<i>Task 7—Engineering Study Report</i>	\$20,500
<i>Task 8—Project Coordination</i>	<u><i>\$19,380</i></u>
<i>Subtotal Otak Labor</i>	<i>\$200,996</i>
<i>Expenses and Subconsultant (M. Winch of Communications Resources NW)</i>	<u><i>\$37,747</i></u>
<i>Total Preliminary Design Cost:</i>	<i>\$238,743</i>

<i>Part A: Updated SWM Plan</i>	\$ 161,257
<i>Part B: Updated SWM CIP Plan</i>	<u><i>\$ 238,743</i></u>
<i>Project Total</i>	<i>\$ 400,000</i>

Expenses

Expenses will be billed on a cost plus ten percent basis. For budgeting purposes, expenses have been estimated at approximately 3% of the labor cost. They will include reimbursement

Scope of Work

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Continued

for such items as mileage for site visits and meetings, photographs, reproduction/copies, color graphics/boards, and other miscellaneous charges. Subconsultants, and any other out-of-house direct costs, will be invoiced at cost plus ten percent.

Project Description—Part A—Regulatory Gap Analysis and SWM Plan Update

The objective of Part A of this project is to evaluate the City's existing SWC Plan, update the capital improvement program, and create a SWC Plan/Compliance Matrix to identify and address the City's SWC needs and costs. Existing resources and funding will be reviewed, evaluated, and optimized. Future resource needs in terms of staff, equipment, and funding, including potential future funding options, will be reviewed, evaluated, and recommended. Recommendations for updating and funding the City's SWC Plan will be presented in a five-year annualized implementation plan. Funding analyses will include the review and analysis of existing SWM Utility rates and the development of a SWM impact fee for new development.

Otak will begin by documenting and evaluating the City's existing SWC Plan, giving the City regulatory "credit" for its existing stormwater activities and initiatives. A regulatory gap analysis will be performed and an implementation plan will be developed, including capital needs that will become the updated SWC Plan for the City. An annualized five-year financial plan will be developed to ensure adequate funding and effective implementation.

One of the primary objectives of this study is to develop a citywide SWC Plan that complies with federal, state, regional, and local surface water related requirements, as described in:

- The State's NPDES Phase II Western Washington General Municipal Stormwater Permit (Permit), with its associated water quality TMDL requirements,
- The State's new Underground Injection Control Rule (as/if applicable), and
- The Puget Sound Water Quality Management Plan; 2005-2007 Conservation Plan.

Other surface water related requirements will also be reviewed to assess additional City obligations for compliance with:

- The Endangered Species Act (ESA), as described by the City's participation in local and regional salmon conservation plans through local Watershed Resource Inventory Areas (WRIAs).
- Any locally established TMDLs for the attainment of State and federal water quality standards.

The City currently has a SWC Plan in place funded by a stormwater utility that may not be able to address all of the City's local drainage needs, including the regulatory requirements listed above and local capital needs, especially the replacement of an aging drainage infrastructure. The City intends to use this study to plan, update, and fund an updated city-

wide SWC Plan, including an expanded capital improvement program, in order to meet its required stormwater related responsibilities and associated deadlines over the next five years.

(Note: The City's Stormwater Comprehensive Plan (SWC Plan) is referred to as the City's Stormwater Management Plan (SWM Plan) in the following Scope of Work.)

Project Description—Part B—Development of Updated Capital Improvement Program

The primary objective of Part B of this project is for implementing the engineering study to support the City's Surface Water Plan SWP, by developing a prioritized list of surface water Capital Improvement Program (CIP) projects. These CIPs will address existing drainage problems in the City's stormwater conveyance system, and future development needs. The cost estimates will be used to establish a storm water utility rate, and where appropriate, developer impact fees associated with upgrades in the City's drainage system. We anticipate that the engineering study part of this project will be completed within 12-months, but the schedule for this project will be driven by collection of supplemental drainage inventory, building stakeholder consensus, and buy-in from the public and elected officials.

The general sequence of the engineering study includes the following key steps:

- Develop Project Schedule / Action Plan; receive City approval and concurrence.
- Prepare a public mailer, to be included with utility billings, that solicit reports of historical drainage problems from the public.
- Use drainage as-built data, the City existing mapping grade GIS inventory data, and the Snohomish County DNR drainage inventory data as a basis for our engineering study and the City's Surface Water map.
- Collect and Review drainage complaints within the City limits and UGA.
- Interview City staff (Engineering, Planning, and Maintenance) to identify additional drainage problem locations.
- Prepare a Surface Water (SW) map of the City's drainage systems; identify locations of reported drainage problems.
- Review the SW map and future landuse plans with the City's PM to qualitatively identify problems within the City's surface water system and areas most likely to be developed / redeveloped. Establish extents of hydraulic modeling and analysis necessary to evaluate existing and potential future drainage problems.
- Field verify the drainage inventory within the extents of our hydraulic analysis, and identify drainage inventory data gaps that may need to be surveyed.
- Field survey missing drainage inventory of the selected SW systems.

Scope of Work

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- Update HSPF hydrologic models to support the hydraulic analyses for existing and 20 year (ultimate build out) landuse within selected subbasins.
- Develop hydraulic models using XP-SWMM of the selected SW systems for existing and buildout landuse conditions.
- Identify and analyze problems in the selected surface water systems.
- Report deficiencies in a graphical format (map)
- Identify CIP projects for existing conveyance based on existing landuse and conveyance and regional surface water improvement for future landuse
- Estimate CIP project implementation costs (engineering and administration, permitting, construction, and land acquisition)
- Develop a CIP project prioritization and sequencing list.
- Document the drainage engineering study methods of analysis and summary of results in an engineering report.

Detailed Scope of Work
Part A—Regulatory Gap Analysis and SWM Plan Update

Phase I—Project Initiation, Data Collection, Site Visit, Mapping & CIP Plan

Task 1—Project Initiation, Data Collection and Site Visit

Task Budget: \$5,008

Objective: Initiate project by meeting with City staff, identify and collect needed data for facility inventory, CIPs and regulatory gap analysis.

1.1—Project Kickoff Meeting and Data Transmittal: Conduct project kickoff meeting (Meeting #1) to meet with key City staff to clarify project planning process, products, budget and schedule; begin to receive data and maps from the City to identify and document the City’s existing surface water management program and stormwater management (SWM) facilities, including current City priorities, CIP needs, and City-specific drainage related issues; and conduct a tour of planning area with City staff.

Decision Making Process: It is also requested at the Project Kickoff Meeting that the City identify the type of internal review and decision making process it will use throughout the project to make key policy, program, and funding decisions during the SWC planning process. Who will be involved, when and who will make the key decisions will be clarified.

Review and Approval Process: The internal and external review and approval processes, their sequence and timing in relation to the Project Schedule will be discussed. A conceptual public and City Council review process (i.e. preliminary plan) will be described and mutually agreed upon between the Consultant and City staff.

Project Schedule: Specific due dates for key products will be identified by City staff to facilitate the City’s internal and external budget and rate decision making, and public review/ approval processes.

1.2—SWM Data Request: Otak will prepare and transmit to the City an initial list of SWM information that will be needed for the study. This SWM Data Request will be provided to the City in advance or at the Project Kickoff Meeting.

1.3—SWM Plan NPDES Questionnaire and City Staff Interviews: Otak will provide the City with an initial SWM Plan NPDES Questionnaire to begin the process to identify and document the City’s SWM Plan according to each of the NPDES regulatory requirements. Once the questionnaire has been filled out and returned, Otak will follow up with a series of

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brief (30 minute) interviews with key City SWM staff to review the questionnaire, fill in any blanks, gather additional in-depth information and clarify level of effort and funding for key points of compliance.

1.4—Council/Public Review and Outreach Process: At this initial kickoff meeting City staff will discuss and give Otak direction on the type and level of effort needed for a successful Council/Public Review and Outreach Process. (This identified outreach process will be implemented in Task 6.)

Deliverables/Meetings

- Initial SWM Data Request.
- SWM Program NPDES Questionnaire.
- Email minutes of Meeting #1, including an outline of Council/Public Review Process (based on direction received from City staff).
- Project Kickoff Meeting (Meeting #1).
- Three 30 minute follow-up phone calls with key City SWM staff.

Assumptions:

- Key City SWM staff will be available to support the Consultant in the collection of existing data and participate in the questionnaire/interview process to document the City's existing SWM Program.

Task 2—Mapping Coordination

Task Budget: \$5,976

Objective: Update City storm drainage system maps using existing information.

(Note: The primary emphasis of this task is to develop the graphics needed for the SWM final report, and receive and integrate the CIP graphics from Part B into the updated Comprehensive SWM Plan.)

2.1—Collect and Organize Existing Information: Existing information includes: reports, facility information and maps from City GIS department.

2.2—Review/Evaluate Existing Data: Using the data and maps collected from the City in Task 1, Otak will review existing City drainage maps, noting needed updates and identify short and long-term data needs and priorities.

2.3—Create GIS Database: Record collected information and formulate GIS layers.

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2.4—Create Facility and Watershed Base Maps: From the created GIS layers (based on existing data collected in Task 2.2), including topography, drainage basin boundaries, roads, parcels, sensitive areas, existing and future land use, and natural and man-made drainage facilities. One base map will be created of the City SWM planning area, including adjacent GMA lands.

2.5—Review Facility and Watershed Base Maps with City Staff (Meeting #2): Receive edits from City staff (via the telephone) and finalize the two base maps.

Deliverables/Meetings:

- GIS layers from existing data.
- Updated drainage system/facility map in GIS.
- Meeting #2 to review and finalize facility and watershed base maps.

Assumptions:

- City's data and maps are in a GIS compatible format.
- Existing data will be used to create GIS database and formulate the project base map.
- No geo-referencing of collected data will be performed.
- City's review of maps will not require additional meetings.

Task 3—CIP Plan Coordination

Task Budget: \$4,672

Objective: Formulate CIP Program and costs.

(Note: The focus of this task is to receive the CIP Plan from Task B and integrate the CIP needs into the SWM Gap Analysis.)

3.1—Identify Existing CIP Needs and Costs: Meet (Meeting #3) with City staff to review CIP Plan developed in Part B of this Project. (Note that this CIP Plan will be developed in Part B of this project and integrated into the assessment of SWM and regulatory needs.)

3.2—Form Ten-Year CIP Program: Using the results of Tasks 3.1, identify costs and formulate a prioritized ten-year CIP Program, with annualized costs.

3.3—City Review/Approval: Review proposed ten-year CIP Program with City staff (meeting over the telephone) and receive City approval. Make edits as requested; finalize CIP Program.

Deliverables/Meetings:

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Continued

- Problem Identification Meeting (Meeting #3).
 - Ten-Year CIP Program and Costs (in prioritized table/list format).*
 - CIP Map using the Watershed Base Map.*
 - CIP descriptions and costs in a spreadsheet format.*
- * From Part B of this Project.

Assumptions:

- Part B of this study will develop and transmit the City's updated Ten-Year CIP Program needed for this task. The CIP Plan will be based upon the characterization of existing SWM problems and proposed solutions, using information, opinions and direction supplied by City staff, along with the professional experience and judgment of Otak SWM engineers.
- Final CIP Plan, priorities and costs will be reviewed and approved by City staff prior to inclusion into the SWM needs/regulatory gap assessment.

Phase II—SWM, Regulatory, and Funding Assessment

Task 4—Local SWM Needs and Regulatory Compliance

Task Budget: \$50,080

Objective: Review, assess, and update the City's Existing SWM Program.

4.1—Identification of City's Regulatory Requirements and Surface Water Related Obligations: The City's various regulatory compliance requirements and other stormwater obligations will be reviewed, analyzed and documented in a spreadsheet matrix. This regulatory compliance review will include the following regulations and obligations: NPDES II Permit (January 17, 2007), the UIC Rule, PSWQM Plan, WRIA, and any local TMDL obligations. Results will be recorded in Technical Memorandum #1. Task includes one meeting (Meeting #4) with the City to receive and review edits to Technical Memorandum #1.

4.2—Documentation of City's Existing SWM Program: Using the information supplied by the City in the SWM Plan NPDES Questionnaire and the follow-up interviews with City staff, the City's existing SWM Plan will be documented using a spreadsheet matrix formulated according to each of the City's regulatory requirements and surface water related obligations. Results will be recorded in Technical Memorandum #2. Task includes one meeting (Meeting #5) with the City to receive and review edits to Technical Memorandum #2.

Scope of Work

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4.3—Evaluation of City’s Existing SWM Program: The City’s existing SWM Plan will be evaluated using a spreadsheet matrix that compares the City’s Regulatory Requirements and Surface Water Related Obligations with the Documentation of the City’s existing SWM Plan. Consistencies will be noted and credited to the City’s existing SWM Plan. Inconsistencies (i.e. regulatory compliance needs) will be documented as gaps that need to be addressed by the City in order to achieve regulatory compliance. Gaps will be defined in terms of additional labor, expenses, and funding needed to achieve compliance. Results will be recorded in Technical Memorandum #3. Task includes one meeting (Meeting #6) with the City to receive and review edits to Technical Memorandum #3.

4.4—Implementation Plan: An annualized Five-Year SWM Implementation Plan will be developed, which will include projects from the Ten-Year CIP Plan. The implementation plan will be included in the Gap Analysis spreadsheet matrix presented in Technical Memorandum #3.)

(Note: SWM Plan and CIP Planning Needs: Evaluation of City’s existing SWM Program and CIP needs will result in the development of a recommended SWM planning and CIP needs (developed in Part B of this Project) for the City that addresses the various SWM regulatory requirements/ obligations, as well as describes an adequate level of staffing and funding.)

Deliverables/Meetings:

- Technical Memorandum #1 —Matrix Listing of City’s SWM Regulatory Requirements and Obligations.
- Meeting #4 to review Technical Memorandum #1.
- Technical Memorandum #2 —Matrix Documentation of City’s existing SWM Plan.
- Meeting #5 to review Technical Memorandum #2.
- Technical Memorandum #3 —City’s updated SWM Plan and CIP Plan in the form of a Matrix Regulatory Gap Analysis and Implementation Plan with Annual Costs.
- Meeting #6 to review Technical Memorandum #3.

Assumptions:

- Each of these Technical Memoranda will be reviewed and approved by City staff, and will act as technical building blocks for the creation of the final report.
- The City’s project manager will conduct the internal review of each of these three Technical Memoranda, consolidating all City comments into one document for presentation to the Consultant in order to make final edits. Any internal conflicts, including staffing, policy and funding decisions, will be resolved in advance by the City’s project manager.

Scope of Work

Attachment A

Continued

- The use of these Technical Memoranda, to present the results of these analyses and describe the City's new Updated SWM Program/Plan, will allow the final report, the City's updated SWM Plan, to be relatively short and written much like an executive summary. Thus, City staff will be viewing and approving key elements of the final report periodically throughout the SWM planning process.
- Ordinances and legal authorities needed to implement the NPDE II Permit will be listed in the Tech Memo #3 Gap Analysis and included for implementation in Years 2 and 3 of the proposed SWM Plan.
- The City will guide the decisions related to the use and/or future adoption of the Ecology 2005 Manual; the City may wish to develop its own locally specific design criteria.

Phase III—Formation of City's Updated SWM Plan

Task 5—Updated SWM Plan and Financial Analysis

Task Budget: \$31,680

Objective: Update the City's SWM Plan.

5.1—Financial Analysis: Based on the recommended City's Updated SWM Program and CIP, a financial analysis will be conducted that identifies annualized future costs and evaluates existing and future funding sources, including the option of raising existing SWM utility fees. Results and recommendations will be documented in Technical Memorandum #4 and presented to the City for review and comment.

Task 5.1.1—Review the Funding Requirements of the City's Updated SWM Plan: Compare with Existing Annual Funding

The funding for the City's existing annual SWM Plan, as identified in Task 4, will be compared with the annual budget needs identified in the City's updated SWM Plan. Funding discrepancies will be noted. Implementation Plan Management discussions with the City in Task 4 will determine the City's compliance strategy, and corresponding policies regarding SWM services and levels of staffing and funding. This information will be consolidated in this task and key policy decisions, including desired level of funding, will be confirmed by the City.

Task 5.1.2—Review and Evaluate Potential Funding Mechanisms

Based on type and amount of financial need, Otak will list, evaluate and recommend potential funding mechanisms to generate adequate revenues to fund and implement the City's updated SWM Plan. A matrix will be used to list and evaluate the potential funding mechanisms. Recommended funding mechanisms will be based on discussions with the City

Scope of Work

Attachment A

Continued

and will include consideration of the City's local financial preferences, policies, and desired surface water service levels.

Task 5.1.3—Recommend Funding Sources to Implement the City's Updated SWM Plan

With guidance and input from the City, a Financial Plan to support the City's Updated SWM Plan will be prepared and presented to the City for review. Costs will be identified by regulatory requirement for each of the five years, as well as for the total five-year permitting period. Corresponding revenue sources will also be presented so that funding for full regulatory compliance can be realized during the five year planning period.

Task 5.1.4—Review Results and Findings with City

The Financial Plan required to support the recommended City updated SWM Plan will be developed and presented to City staff. A joint meeting (Meeting #7) will be held with City staff to review the Financial Plan.

The intent of this internal management meeting is to edit and finalize the proposed Financial Plan. At this meeting, the City will review and approve the Financial Plan, and its associated funding mechanisms and rate increases.

5.2—Draft Updated SWM Plan: Write the draft updated SWM Plan and transmit to City staff for review and comment.

5.3—Review Draft Updated SWM Plan: Conduct one meeting with City staff to receive and review consolidated City comments (Meeting #8).

5.4—Final Updated SWM Plan: Receive public review comments, incorporate edits, and create and transmit the final report, the City's Updated SWM Plan, to the City.

5.5—Review Final Updated SWM Plan: Conduct one meeting with City staff to receive and review consolidated City comments (Meeting #9).

Deliverables/Meetings:

- Technical Memorandum #4: Financial Analysis of City's updated SWM Plan
- Meeting #7 to review Technical Memorandum #4.
- Draft City Updated SWM Plan (three hard copies, and one electronic copy on CD)
- Meeting #8 to receive City comments on the draft updated SWM Plan.
- Final City Updated SWM Plan (three hard copies, and one electronic copy on CD)
- Meeting #9 to receive City comments on the final updated SWM Plan.

Assumptions:

- Technical Memorandum #4 will be reviewed and approved by City staff in advance of the writing of the Draft Final Report.
- The City's project manager will conduct the internal review of each of Technical Memorandum #4 and the Draft and Final Updated SWM Plan reports, consolidating all City comments into one document for presentation to the Consultant in order to make final edits. Any internal conflicts, including staffing, policy and funding decisions, will be resolved in advance by the City's project manager.

Phase IV—Review and Adoption of the Plan

Task 6—Public/Council Review

Task 6 Budget: \$15,600

Objective: Present City's Updated SWM Plan to Public and City Council for review and approval.

6.1—Based on the public involvement/education strategy developed in Task 1, with direction and concurrence from City staff implement, the public involvement/education and outreach program will be implemented.

(Note: A public/Council review process consisting of two meetings has been proposed for this project. The first (Meeting #10) is a public/open-house style of meeting to present the draft SWM Plan and the second and final meeting (Meeting #11) is with the Council for the approval/adoption of the SWM Plan at the final public meeting/hearing.)

6.2—Develop one Power Point status report presentation (for Meetings #10 and #11).

6.3—Otak will record public comments at the two public meetings (Meetings #10 and #11), and develop a one-three page summary response for each meeting that lists all major comments and presents a written response. (The City will record names and addresses, and send out the meeting record to interested parties.)

Deliverables/Meetings:

- One Power Point Status Report Presentation to the City Council summarizing study results and recommendations.
- One Power Point Status Report Presentation (for Meetings #10 and #11) summarizing study results and recommendations.
- One Public Meeting (Meeting #10) to present the draft SWM Plan.
- One City Council Public Meeting/Hearing (Meeting #11).

Scope of Work

Attachment A

Continued

- One set of questions and responses to the Public Meeting/Hearing (~1-3 pages in length).

Assumptions:

- For the Meetings #10-11, Otak shall prepare and present one Power Point presentation (consisting of about 15-20 slides) summarizing the findings and recommendations of the City's updated SWM Plan.
- Otak will have a person at the public meeting and public hearing to record public comments.
- The City's project manager will consolidate all public and City Council comments into one document for presentation to the Consultant in order to make final edits. Any internal conflicts, including staffing, policy and funding decisions, will be resolved in advance by the City's project manager.
- City staff will set up and coordinate all logistics associated with the public meeting and City Council meeting/hearing, including copying and sending out the Lists of the Questions/Responses from the Public Meeting (Meeting #10) and the Public Meeting/Hearing (Meeting #11).

Task 7—Project Coordination

Task Budget: \$9,360

Objective: Regular communication and reporting to City's Project Manager

7.1—Provide regular communication in the form of weekly or bi-weekly telephone calls, for a period of time of up to twelve months over the life of the project.

7.2—Provide written project and financial status reports with each monthly invoice, for a period of time of up to twelve months over the life of the project.

Deliverables/Meetings:

- Weekly or biweekly phone calls to the City's project manager, or as requested by the City, during the twelve month project schedule.
- Written project progress and financial status reports with each monthly invoice over the twelve month project schedule.

Assumptions:

- Monthly invoice costs, project progress and financial status reports will be organized by task, consistent with this Scope of Work.

Scope of Work

Attachment A

Continued

Task 8—Financial Support: Impact Fee Development

Task 8 Budget: \$10,220

Objective: To develop a SWM development impact fee (impact fee) in the areas (drainage basins) within the City projected for development and redevelopment.

8.1—Define SWM Developer Impact Fee: Discuss with the City (via conference call) the nature and scope of the proposed SWM impact fee for new development. Present a verbal conceptual outline the rational (i.e. cost recovery philosophy) and the financial and technical related policies and criteria for its basis. Identify the drainage basins within the City in which the fee will apply.

Outline impact fee methodology and submit to City for review, edits and approval.

8.2—Estimate the Number of ERUs: Develop a parcel map showing drainage basins; estimate the total number of SWM Utility ERUs (both residential and commercial) within each drainage basin or geographically defined area for each proposed SWM development impact fee.

8.3—Define the Existing SWM System: Using existing SWM facility information, define existing “core” SWM facilities within each proposed geographic impact fee area; estimate their value/cost and capacity; if not at capacity, identify any remaining capacity that may be available for future development / redevelopment. Estimate the number of ERUs of existing available capacity to serve new development, if available.

8.4—Project Future ERUs: Based on the amount of new impervious area, estimate the number of new ERUs to be added to the City’s SWM Utility when the City is at complete build out/state of redevelopment, as defined by the City. Organize the ERUs by geographic area, consistent with each projected SWM developer impact fee.

8.5—Define the Future SWM System: Using existing SWM facility information and proposed CIPs, needed for ultimate development of the City according to the existing Comprehensive Plan (including UGAs), define future “core” SWM facilities within each proposed geographic impact fee area; estimate their value/cost and capacity; if not at capacity, identify any remaining capacity that may be available for future development / redevelopment. Estimate the number of ERUs of existing capacity that is being used by existing development, if appropriate.

8.6—Develop SWM Developer Impact Fee(s): Using existing information estimate the total SWM CIP costs for each geographic area proposed for an impact fee. This is done by estimating the cost of SWM CIP infrastructure needed to address full build out, subtracting

Scope of Work

Attachment A

Continued

the capacity that is currently being used by existing development, and dividing by the number of future ERUs at the time of full buildout.

8.7—Confirm Findings with City: Verbally review results with City (via conference call) and revise and refine as requested.

8.8—Record and Use the Proposed SWM Impact Fees in the Development of the SWM Financial Plan: Document the methodology and results of the development of the SWM developer impact fee in the SWM Financial Plan, presented in Technical Memorandum #4 (See Task 9.). Use the revenue of the SWM impact fees to reduce future potential SWM rate increases.

Deliverables/Meetings:

- Conference call and email outline of SWM impact fee methodology.
- Conference call to review and receive City approval of proposed SWM impact fees.

Assumptions:

- The cost for this task (\$21,000: \$10,000 for Consultant and \$11,000 for Paul Matthews of Red Oak Consulting) is a preliminary estimate and additional funds may be needed to complete this task, depending on the number and nature of the SWM developer impact fees requested by the City.

Task 9—Financial Support: SWM Rate Analysis and Service Levels

Task 9 Budget: \$10,220

Objective: To conduct a review and analysis of existing SWM Utility rates, evaluate for adequacy, develop alternative rates and levels of SWM services and present to City staff for selection, review and approval.

9.1—Analyze Existing SWM Utility Rate: An analysis of the City's existing annual SWM Utility rate will be made by comparing existing annual revenues with the projected annual revenue needs of the City's Updated SWM Plan.

9.2—Identify Funding Gaps: Annual revenue gaps will be noted and an estimate of the amount of annual revenue needed to fully fund the Updated SWM Plan preferred by the City will be estimated, along with corresponding annual SWM rates.

9.3—Evaluate Influence of SWM Impact Fees: A second analysis will be made of potential future SWM revenue needs and corresponding Utility rates, that takes into account the amount of new revenue to be received annually from the City by the implementation of SWM development impact fees. The proposed development impact fees (developed in Task

Scope of Work

Attachment A

Continued

8) are to be levied on new development to help pay for new CIP projects needed to support new development. The new revenues from the impact fees would reduce the amount of revenue needed from the SWM Utility, reducing annual rates.

9.4—Develop and Review Revenue and SWM Program Options: Meet (Meeting #12) with City staff to review of financial planning process; discuss options and conceptually evaluate different SWM service levels. Based on SWM Plan priorities established by the City, three alternative levels of SWM service and corresponding SWM Utility rates will be established and presented to the City in a financial technical memorandum (#4).

9.5—Develop SWM Financial Plan: Using the results of Tasks 9.1 through 9.4, identify the final SWM Plan preferred by the City including, levels of SWM service, CIP projects, funding mechanisms (i.e. SWM Utility rate and developer impact fee) and annualized costs.

9.6—City Review/Approval: Review proposed Financial Plan with City staff (meeting over the telephone) and obtain City approval. Receive and make edits as requested; finalize Financial SWM Plan.

Deliverables/Meetings:

- Meeting #12 to review financial and SWM Plan options.
- Technical Memorandum #4 —Financial Plan for City's Updated SWM Plan.
- Conference call with City to receive final edits.

Assumptions:

- Technical Memorandum #4, including recommended SWM Utility rate and SWM developer impact fee, will be reviewed and approved by City staff prior to the development of the draft Updated SWM Plan.
- The City's project manager will conduct the internal review of the Technical Memorandum, consolidating all City comments into one document for presentation to the Consultant in order to make final edits. Any internal conflicts, including staffing, policy and funding decisions, will be resolved in advance by the City's project manager.

Task 10—Additional Activities

Task 10 Budget: \$0

Objective: Assist the City by performing additional activities, as requested during the SWM planning process.

10.1—Additional Activities may include the following types of support:

- Policy advise (re. low impact development, drainage designs, sedimentation, habitat and wetland impacts, etc.),
- Additional public meetings and/or Council study sessions,
- Staff reports for Council study sessions, and
- Other tasks assigned by City staff.

Scope of Work—Part B—Development of Updated SWM Capital Improvement Program

This part of the project will develop the City’s updated SWM capital improvement program (CIP). This phase of the project provides the City of Marysville with an engineering study to identify drainage related capital improvement projects (CIP) within the City’s limits and urban growth areas.

Task I—Review Existing Data and Reports

Task 1 Budget: \$20,888

1.1—City’s Surface Water Systems Map

Otak will collect past studies, reports, and relevant information to assist in the development of a map of the City’s surface water systems. Past studies will include the City’s North Marysville Master Drainage Planning Study, Snohomish County’s Quilceda Creek Drainage Needs Reports (DNR No. 1) analyses and models as modified by Otak for the North Marysville MDP, Snohomish County’s Allen Creek Drainage Needs Reports (DNR No. 8), as-built engineering plans for roads and development within the basin, utility and parcel information from the City, drainage and flooding complaints, and other drainage-related information, and the mapping grade DI data included in the City’s GIS data base and from vactor truck “touch book” records. Updated information from the City’s new Critical Areas Ordinance and revised Growth Management Plan (GMA) will be obtained from the City’s Department of Community Development.

1.2—Site Reconnaissance

A field walk will be conducted to observe site conditions, drainage complaint/report locations, and to verify the main conveyance system inventory. A second visit to the project site will be conducted to compare the existing problems identified by the drainage complaints/reports with those identified in the modeling. Field observations and photographs will be documented in the MDP.

Scope of Work

Attachment A

Continued

Products—Task 1

- Surface Water map of the City’s drainage infrastructure and surface water features including drainage complaints
- Prioritized list of drainage complaints.
- List of resources reviewed.

Assumptions—Task 1

- Review of materials will be limited to resources that are public domain and reasonable available from the City, County, and regulatory agencies.

Task 2—Identify Surface water Problems

Task 2 Budget: \$24,332

The surface water problems throughout the city will be identified and shown on the SW map prepared in task 1. The problems will be prioritized with higher rankings given to flooding and erosion problems that are part of a main conveyance system (12-inch culverts or greater). These results will be reviewed with the City and tabulated within the engineering study

2.1—Drainage Complaints

Collect and qualitatively field review drainage complaints reported to the City or Snohomish County for the area within the City limits and UGA. We will review up to 40 drainage complaints within the City and characterize the problem type, potential severity, and reported recurrence.

2.2—Accounts Solicited from Community

Prepare a public mailer, to be included with utility billings, that will solicit first hand accounts and photographs of historical surface water problems from the community

2.3—Identified in previous studies

Qualitatively evaluate the surface water problems identified in the existing studies reviewed in Task 1, if the problem was not previously addressed then added to the list of existing drainage problems.

2.4—Interview City staff.

Interview City staff (Engineering, Planning, and Maintenance) to identify additional Surface Water Problems locations.

Products—Task 2

- Tabulated summary of drainage problems with ranked severity of problem.
- SW map identifying surface water problems and the priority drainage systems approved by the City to be modeled in this engineering study.

Assumptions—Task 2

- List of prioritized problems evaluated will be used as the basis for discussing priority trunklines to be modeled.

Task 3—Supplemental Drainage Inventory Survey

Task 3 Budget: \$9,868

3.1—Topographic Field Survey

Otak will provide supplemental field surveying, base-map preparation, and professional land surveying services necessary for the hydrologic and hydraulic modeling of the selected portion of the City's surface water systems. Field survey and base mapping efforts from previous North Marysville projects and the County's DNR will be supplemented with data collected under this task. Project horizontal and vertical control will be established based on City of Marysville datum (NAVD'88 vertical datum and Washington State Plane NAD'83 horizontal datum) and coordinate basis to the necessary detail for construction. This task will be limited to 40 hours (20 hours of a two-person crew).

3.2—Prepare Project Base Map

Project base maps will be prepared for the areas of supplemental inventory data. Base maps will include Washington State Plane NAD '83 horizontal and NAVD '88 vertical datum control information for the project area.

Products—Task 3

- Electronic AutoCAD (v.2007) files of all survey base map information will be provided to the City upon completion of work.

Assumptions—Task 3

- Otak will obtain and provide any necessary rights-of-entry permission for private properties prior to performing field survey work.
- This budget does not include entering collected survey data into GIS.

Task 4—GIS/Mapping

Task 4 Budget: \$18,940

GIS will be used to organize and visually present inventory and study area information by creating/updating the drainage base-map for the Marysville Area. It will also be used in the modeling of future conditions, as described below.

4.1—Creation of a Surface Water Map

Otak will assemble existing landuse and drainage inventory to create a surface water (SW) base map. The SW map will include data from the City's existing GIS mapping grade drainage inventory, drainage as-builts, and drainage inventory from Snohomish County's Drainage Needs Reports (DNR). The SW map will be used to coordinate between drainage problem areas and the necessary extents of hydrologic and hydraulic modeling.

4.2—Creation of CIP Base Maps

CIP project basemap will be based on the GIS SW map and will be used for the development of up to 40 CIP project concepts.

4.3—GIS Support to HSPF Model

Otak will assemble the required land use data (soil type, slope of the basins, and vegetation) from the City's and Snohomish County's GIS data base. GIS will be used to analyze the change of land uses from existing (2004), to the 20-year urban growth (ultimate built-out), on a sub-basin by sub-basin basis.. This GIS analysis will be used to update land use information for input to the HSPF model. Although much of the HSFP model has been developed for existing conditions, future built-out conditions also need to be estimated to route future flows and size regional detention and treatment facilities. We will use spatial analyst software in GIS to combine and define the land types for each drainage subbasin. The 19 possible PERLND/IMPLNDs (Pervious Land Use/Impervious Land Use) from the Snohomish County 2002 DNR protocols will be used in this analysis. Slope data will be based on 20-foot contour data from the United States Geological Survey (USGS).

Products—Task 4

- Creation of a drainage map(s) for the capital improvement projects.
- Land use summaries by sub-basin for input to HSPF model.

Assumptions—Task 4

- It has been assumed that much of the mapping information has been previously gathered by the City and Snohomish County

Scope of Work

Attachment A

Continued

- The HSPF model previously prepared for the North Marysville Master Drainage Plan will be modified for this project; thus, a new model will not need to be developed.
- Groundwater and water quality will not be modeled in this proposed scope of work, but can be added later if needed to support the permitting process.

Task 5—Hydrologic and Hydraulic Modeling and Analysis

Task 5 Budget: \$48,040

The basin hydrology and storm drain conveyance and detention system will be modeled using software that provides hydrology and hydraulic flow routing. Sub-basin data from the North Marysville Master Drainage Plan, and the Snohomish County DNRs No. 1 and No.8 serve as the basis for the modeling efforts.

5.1—HSPF Hydrologic Model

Otak will refine the HSPF (Hydrologic Simulation Program Fortran) model developed in the North Marysville Master Drainage Plan and the DNR No.1 and No.8 models to produce a continuous time series of runoff data from the drainage basins within the City limits and UGA. The continuous time series of runoff and associated peak rates will become the hydrologic input for all hydraulic analyses to be performed using XP-SWMM.

- Modifications to the input needed for modeling the proposed drainage and detention system will include changes in land use associated with the proposed new development (ultimate buildout).
- Output files will be developed for input into the XP-SWMM model.

5.2—Hydraulic Analyses

Otak will analyze the hydraulic performance of the existing storm water conveyance trunklines that are known to have drainage problems or are downstream of areas that are expected to have substantial develop, and proposed conveyance and regional CIP improvement projects.

5.2.1—Surface Water conveyance System

There are several flooding locations in the City that have been identified in the North Marysville Master Drainage Plan and the County's DNR studies. To mitigate for increased flow rates that may be generated by anticipated new development, the conveyance capacity of critical components of the system may need to be upgraded. Its current capacity and proposed future capacity will each be evaluated during this modeling/flow routing analysis

The results of the modeling effort will be used to identify the proper size and location of drainage CIP conveyance project components, including storm drainage infrastructure and

Scope of Work

Attachment A

Continued

natural conveyance systems, and to identify potential problem areas within the drainage basin aggravated or created by the new development. The results will be reported on a graphical/map format, as well as in a table summary.

The hydraulic model will be set up for the existing and proposed storm drain system. The model will be run for the existing facilities and with the new storm drainage system in place under existing and future land use conditions. Hydrological input will be imported from the HSPF analysis. The 6-month, 2-year, 10-year, 25-year, and 100-year design peak flows will be modeled using XP-SWMM software under existing and future land use conditions (i.e. 2004, 2010, and ultimate build-out).

5.2.2— Regional Stormwater Treatment CIPs Size

Enhanced treatment is required, the use of Low Impact Development (LID) treatment methods is preferred, in the basin to meet Ecology's recent water quality standards to address stormwater runoff from commercial/industrial land within fish bearing drainages. To meet this requirement, up to 10 constructed wetlands and other LID treatment methods will be evaluated using the XP-SWMM or Ecology's WWHM models.

Products—Task 5

- Electronic copies of modeling input and output, appended to the engineering report

Assumptions—Task 5

- The HSPF model previously prepared for the North Marysville Master Drainage Plan and the Snohomish County Drainage Needs Reports will be modified for this project; thus, a new model will not need to be developed.
- The HSPF models will be updated within basins containing selected major conveyance systems under existing conditions, and basins containing new ultimate build-out development
- The XP-SWMM model will include up to 500 drainage structures (Catch basins or Manholes).
- Up to 10 regional facilities will be modeled, in XP-SWMM or WWHM.
- Hydrologic and hydraulic analyses/modeling will be completed to an appropriate level for planning level purposes. Additional/more complete modeling will be necessary for engineering design of selected CIP project, and cost for this additional analysis will be included in the CIP project implementation cost estimate, but not include in the budget of this study.

Task 6—Develop Capitol Improvement Program (CIP) Projects

Task 6 Budget: \$39,048

Otak will develop up to 40 surface water CIPs projects to address existing priority problems identified in Task 2 and modeled in Task 4. Up to an additional 10 regional surface water improvement CIPs will be developed within selected areas identified by the City as having potential future development (ultimate buildout landuse).

Each CIP will have a Otak will prepare summary of each CIP project that will include a brief description of the problem and solution, schematic of the proposed CIP project, and a summary of the estimated CIP implementation cost. The figure will be done in GIS per Task 4.2. The implementation cost will include construction, construction administration, engineering and administration, permitting, and land acquisition. Otak will provide a tabulated prioritization and sequencing list of the CIP projects evaluated.

Products—Task 6

- CIP schematics and implementation costs
- Prioritized CIP list

Assumptions—Task 6

- None

Task 7—Engineering Study Report

Task 7 Budget: \$20,500

Otak will prepare an engineering design report to document the drainage analysis of the City surface water systems including stormwater calculations, graphics, summary of analysis methods, results, and CIP concept design recommendations. The engineering study report will be used primarily to facilitate the City's Surface Water Plan, by providing a prioritized CIP list that can be used to establish the necessary stormwater utility rate to manage the City's surface water systems.

Products—Task 7

- A draft 60% engineering study report, including stormwater calculations and graphics summarizing analysis methods, results, and design recommendations and justifications.
- Draft and final 100% engineering study report.

Task 8—Project Coordination

Task 8 Budget: \$19,380

8.1—Coordinate with City of Marysville

Otak will coordinate the execution of the project with the City of Marysville project manager and City staff. Otak will prepare agendas and meeting minutes as appropriate for coordination and committee meetings, and generally assist the City to schedule meetings, reviews, and other project support activities as required over the anticipated 12 month project duration.

8.2—Project kickoff/partnering session

This meeting would be a half day and would include the City's project manager, Otak's engineering task lead, Otak's project engineer, and the communications/quality assurance specialist (Meg Winch) from the Otak team. We anticipate that the following additional City staff may attend this meeting: Kevin Nielsen, and other City staff from Maintenance, Planning, and/or the GIS group.

8.3—Public Outreach and Involvement

This task includes facilitation and coordination of one public meeting and up to three small groups meetings with targeted stakeholders such as the Downtown planning group, the Arlington Airport, the Tulalip Tribe, and neighborhood groups.

8.4—Quality Assurance/Quality Control coordination with the City

Otak's task leader and quality assurance specialist will meet with the City's project manager prior to completing the technical documents to assure that the City agrees to the format and proposed content of each technical document, we will meet again to review the City's comments for each technical memorandum submittal.

Products—Task 8

- Weekly phone calls and monthly reports to City's Project Manager.
- Documentation of correspondence for utilities coordination.

Assumptions—Task 8

- The budget for this task is based upon an 12-month project duration and the scope of services described above.

Scope of Work

Attachment A

Continued

Project Schedule

A Project Schedule of approximately six months has been proposed. The project is anticipated to start in July, 2007 and be completed by the end of September, 2008. In order to meet this aggressive schedule, we will conduct the mapping, inventory and CIP tasks concurrently with the review of the City's existing SWM Program and the development of the updated SWM Plan, over the first three months of the project, as shown below.

Part A: SWM Plan Update	Estimated Project Schedule (in months)
1—Project Initiation, Data Collection and Site Visit	1-4
2—Mapping Coordination	2-4
3—CIP Coordination	4-6
4—Local Needs and Regulatory Compliance	4-8
5—Formation of Updated SWM Plan (w/ CIP from Part B)	8-10
6—Public and Council Review	11-12
7—Project Coordination	1-12

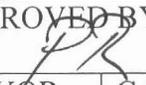
This schedule allows draft updated SWM Plan costs, equipment, staffing and CIP to be available for consideration in the City's 2009 Budget Planning Process in the fall/winter of this year.

The proposed Project Schedule will be largely determined by the City's internal and external review and decision making processes regarding key SWM policies and the review/approval of the draft SWM Plan document and proposed funding. Obtaining favorable public and Council support can often require more time and/or additional studies.

(Note that if there are issues regarding funding, particularly in regard to raising SWM utility fees/rates, it has been our experience that this could add as much as six months to the Project Schedule.)

**CITY OF MARYSVILLE
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: Contract Acceptance: Pavement Management Study	AGENDA SECTION: New Business
PREPARED BY: Jeff Laycock	AGENDA NUMBER:
ATTACHMENTS: Exhibit A – Scope of Work, Exhibit B – Fee Estimate, Exhibit C – Professional Services Agreement Contract	APPROVED BY: 
	MAYOR CAO
BUDGET CODE: 10200030.541000, M0709	AMOUNT: \$94,055

Attached to this agenda is a scope of work, fee estimate and professional service agreement with Northwest Management to provide services to update the City’s pavement management system. Five firms were invited to solicit proposals for the work. The firms that were invited, included David Evans and Associates, Bucher Willis & Ratliff, Perteet, Harris and Associates and Northwest Management Systems. David Evans and Associates ended up dropping out.

The project consultant selection committee selected Northwest Management Systems (NWMS) to perform an update of the City’s pavement management system and to incorporate this data into the City’s GIS. NWMS works exclusively with pavement management systems and has experience with the latest tools and software. Some of their current clients include Auburn, Bothell, Kirkland, Bainbridge Island and several other municipalities within the state.

Staff therefore recommends that the City Council approve the contract with NWMS.

RECOMMENDED ACTION: Staff recommends Council acceptance of the contract with Northwest Management Systems to perform an update of the City’s pavement management system study.
COUNCIL ACTION:

ORIGINAL

**PROFESSIONAL SERVICES AGREEMENT BETWEEN
CITY OF MARYSVILLE
AND NORTHWEST MANAGEMENT SYSTEMS
FOR ENGINEERING SERVICES**

THIS AGREEMENT, made and entered into in Snohomish County, Washington, by and between CITY OF MARYSVILLE, hereinafter called the "City," and PAUL SACHS, a sole proprietor dba NORTHWEST MANAGEMENT SYSTEM, hereinafter called the "Consultant."

WHEREAS, the Consultant has represented, and by entering into this Agreement now represents, that the firm and all employees assigned to work on any City project are in full compliance with the statutes of the State of Washington governing activities to be performed and that all personnel to be assigned to the work required under this agreement are fully qualified and properly licensed to perform the work to which they will be assigned.

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performances contained hereinbelow, the parties hereto agree as follows:

ARTICLE I. PURPOSE

The purpose of this agreement is to provide the City with engineering services for the update of the City's Pavement Management System as described in Article II. The general terms and conditions of relationships between the City and the Consultant are specified in this agreement.

ARTICLE II. SCOPE OF WORK

The scope of work is set out in the attached estimate of Professional Services for the Pavement Management System, hereinafter referred to as the "scope of services," **Exhibit A**. All services and materials necessary to accomplish the tasks outlined in **Exhibit A** shall be provided by the Consultant unless

noted otherwise in the scope of services or this agreement.

ARTICLE III. OBLIGATIONS OF THE CONSULTANT

III.1 **MINOR CHANGES IN SCOPE.** The Consultant shall accept minor changes, amendments, or revision in the detail of the work as may be required by the City when such changes will not have any impact on the service costs or proposed delivery schedule. Extra work, if any, involving substantial changes and/or changes in cost or schedules will be addressed as follows:

Extra Work. The City may desire to have the Consultant perform work or render services in connection with each project in addition to or other than work provided for by the expressed intent of the scope of work in the scope of services. Such work will be considered as extra work and will be specified in a written supplement to the scope of services, to be signed by both parties, which will set forth the nature and the scope thereof. All proposals for extra work or services shall be prepared by the Consultant at no cost to the City. Work under a supplemental agreement shall not proceed until executed in writing by the parties.

III.2 **WORK PRODUCT AND DOCUMENTS.** The work product and all documents listed in the scope of services shall be furnished by the Consultant to the City, and upon completion of the work shall become the property of the City, except that the Consultant may retain one copy of the work product and documents for its records. The Consultant will be responsible for the accuracy of the work, even though the work has been accepted by the City.

In the event that the Consultant shall default on this agreement or in the event that this contract shall be terminated prior to its completion as herein provided, all work product of the Consultant, along with a summary of work done to date of default or termination, shall become the property of the City. Upon request, the Consultant shall tender the work product and summary to the City. Tender of said work product shall be a prerequisite to final payment under this contract. The summary of work done shall be prepared at no additional cost to the City.

Consultant will not be held liable for reuse of these documents or modifications thereof for any purpose other than those authorized under this Agreement without the written authorization of Consultant.

III.3 **TIME OF PERFORMANCE.** The Consultant shall be authorized to begin work under the terms of this agreement upon signing of both the scope of services and this agreement and shall complete the work by April 18, 2008, unless a mutual written agreement is signed to change the schedule. An extension of the time for completion may be given by the City due to

conditions not expected or anticipated at the time of execution of this agreement.

III.4 **NONASSIGNABLE.** The services to be provided by the Consultant shall not be assigned or subcontracted without the express written consent of the City.

III.5 **EMPLOYMENT.** Any and all employees of the Consultant, while engaged in the performance of any work or services required by the Consultant under this agreement, shall be considered employees of the Consultant only and not of the City, and any and all claims that may or might arise under the Workman's Compensation Act on behalf of any said employees while so engaged, and any and all claims made by any third party as a consequence of any negligent act or omission on the part of the Consultant or its employees while so engaged in any of the work or services provided herein shall be the sole obligation of the Consultant.

III.6 **INDEMNITY.**

a. The Engineer will at all times indemnify and hold harmless and defend the City, its elected officials, officers, employees, agents and representatives, from and against any and all lawsuits, damages, costs, charges, expenses, judgments and liabilities, including attorney's fees (including attorney's fees in establishing indemnification), collectively referred to herein as "losses" resulting from, arising out of, or related to one or more claims arising out of negligent acts, errors, or omissions of the Engineer in performance of Engineer's professional services under this agreement. The term "claims" as used herein shall mean all claims, lawsuits, causes of action, and other legal actions and proceedings of whatsoever nature, involving bodily or personal injury or death of any person or damage to any property including, but not limited to, persons employed by the City, the Engineer or other person and all property owned or claimed by the City, the Engineer, or affiliate of the Engineer, or any other person.

b. Should a court of competent jurisdiction determine that this agreement is subject to RCW 4.24.115, then, in the event of liability for damaging arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Engineer and the City, its members, officers, employees and agents, the Engineer's liability to the City, by way of indemnification, shall be only to the extent of the Engineer's negligence.

c. The provisions of this section shall survive the expiration or termination of this agreement.

III.7 **INSURANCE.**

a. **Minimum Limits of Insurance.** The Consultant shall, before commencing work under this agreement, file with the City certificates of insurance coverage to be kept in force continuously during this agreement, and during all work performed pursuant to all short form agreements, in a form acceptable to the City. Said certificates shall name the City as an additional named insured with respect to all coverages except professional liability insurance. The minimum insurance requirements shall be as follows:

(1) Comprehensive General Liability. \$1,000,000 combined single limit per occurrence for bodily injury personal injury and property damage; damage, \$2,000,000 general aggregate;

(2) Automobile Liability. \$300,000 combined single limit per accident for bodily injury and property damage;

(3) Workers' Compensation. Workers' compensation limits as required by the Workers' Compensation Act of Washington;

(4) Consultant's Errors and Omissions Liability. \$1,000,000 per occurrence and as an annual aggregate.

b. **Endorsement.** Each insurance policy shall be endorsed to state that coverage shall not be suspended, voided, canceled, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

c. **Acceptability of Insurers.** Insurance to be provided by Consultant shall be with a Bests rating of no less than A:VII, or if not rated by Bests, with minimum surpluses the equivalent of Bests' VII rating.

d. **Verification of Coverage.** In signing this agreement, the Consultant is acknowledging and representing that required insurance is active and current.

III.8 **DISCRIMINATION PROHIBITED AND COMPLIANCE WITH EQUAL OPPORTUNITY LEGISLATION.** The Consultant agrees to comply with equal opportunity employment and not to discriminate against client, employee, or applicant for employment or for services because of race, creed, color, religion, national origin, marital status, sex, age or handicap except for a bona fide occupational qualification with regard, but not limited to, the following:

employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation; selection for training, rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Consultant understands and agrees that if it violates this nondiscrimination provision, this agreement may be terminated by the City, and further that the Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

III.9 **UNFAIR EMPLOYMENT PRACTICES.** During the performance of this agreement, the Consultant agrees to comply with RCW 49.60.180, prohibiting unfair employment practices.

III.10 **AFFIRMATIVE ACTION.** Affirmative action shall be implemented by the Consultant to ensure that applicants for employment and all employees are treated without regard to race, creed, color, sex, age, marital status, national origin or the presence of any sensory, mental or physical handicap, unless based on a bona fide occupational qualification. The Consultant agrees to take affirmative action to ensure that all of its employees and agent adhere to this provision.

III.11 **LEGAL RELATIONS.** The Consultant shall comply with all federal, state and local laws and ordinances applicable to work to be done under this agreement. This contract shall be interpreted and construed in accordance with the laws of Washington. Venue for any action commenced relating to the interpretation, breach or enforcement of this agreement shall be in Snohomish County Superior Court.

III.12 **INDEPENDENT CONTRACTOR.** The Consultant's relation to the City shall at all times be as an independent contractor.

III.13 **CONFLICTS OF INTEREST.** While this is a non-exclusive agreement the Consultant agrees to and will notify the City of any potential conflicts of interest in Consultant's client base and will seek and obtain written permission from the City prior to providing services to third parties where a conflict of interest is apparent. If a conflict is irreconcilable, the City reserves the right to terminate this agreement.

III.14 **CITY CONFIDENCES.** The Consultant agrees to and will keep in strict confidence, and will not disclose, communicate or advertise to third parties without specific prior written consent from the City in each instance, the confidences of the City or any information regarding the City or services provided to the City.

ARTICLE IV. OBLIGATIONS OF THE CITY

IV.1 **PAYMENTS.** The Consultant shall be paid by the City for completed work for services rendered under this agreement and as detailed in the scope of services as provided hereinafter. Such payment shall be full compensation for work performed or services rendered and for all labor, materials, supplies, equipment and incidentals necessary to complete the work. Payment shall be on a time and expense basis, provided, however, in no event shall total payment under this agreement exceed \$94,055. In the event the City elects to expand the scope of services from that set forth in **Exhibit A**, the City shall pay Consultant an additional amount based on a time and expense basis, based upon Consultant's current schedule of hourly rates.

a. Invoices shall be submitted by the Consultant to the City for payment pursuant to the terms of the scope of services. The invoice will state the time expended, the hourly rate, a detailed description of the work performed, and the expenses incurred during the preceding month. Invoices must be submitted by the 20th day of the month to be paid by the 15th day of the next calendar month.

b. The City will pay timely submitted and approved invoices received before the 20th of each month within thirty (30) days of receipt.

IV.2 **CITY APPROVAL.** Notwithstanding the Consultant's status as an independent contractor, results of the work performed pursuant to this contract must meet the approval of the City, which shall not be unreasonably withheld if work has been completed in compliance with the scope of work and City requirements.

ARTICLE V. GENERAL

V.1 **NOTICES.** Notices to the City shall be sent to the following address:

CITY OF MARYSVILLE
ATTN: Jeff Laycock, PE
80 Columbia Avenue
Marysville, WA 98270

Notices to the Consultant shall be sent to the following address:

Northwest Management Systems
ATTN: Paul Sachs
3302 North 7th Street
Tacoma, WA 98406

Receipt of any notice shall be deemed effective three (3) days after deposit of written notice in the U.S. mail with proper postage and address.

V.2 **TERMINATION.** The right is reserved by the City to terminate this agreement in whole or in part at any time upon ten (10) days' written notice to the Consultant.

If this agreement is terminated in its entirety by the City for its convenience, a final payment shall be made to the Consultant which, when added to any payments previously made, shall total the actual costs plus the same percentage of the fixed fee as the work completed at the time of termination applied to the total work required for the project.

V.3 **DISPUTES.** The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this contract may be resolved by a mutually agreed-upon alternative dispute resolution of arbitration or mediation.

V.4 **NONWAIVER.** Waiver by the City of any provision of this agreement or any time limitation provided for in this agreement shall not constitute a waiver of any other provision.

DATED this _____ day of _____, _____.

CITY OF MARYSVILLE

By _____

Northwest Management Systems, CONSULTANT

By Paul Sachs

Approved as to form:

GRANT K. WEED, City Attorney

EXHIBIT A – SCOPE OF WORK

Task A. Kickoff Meeting, Planning/Scheduling/Coordination

Northwest Management Systems (NWMS) will first meet with the City to kickoff the project. At this kickoff meeting, NWMS will review the technical approach with City staff, and cover any administrative items that may be necessary. Items to be discussed include:

- Scope of work
- Project schedule
- Budgets
- Points of contacts
- Any inventory information that currently exists
- Historical maintenance and rehabilitation files
- Cost information for treatments from recent bid tabs
- Existing maps

Task B. Refine/Develop the City's Inventory (Network Segmentation)

From the previous pavement management system and spreadsheets obtained from the City of Marysville containing information on the City' existing pavement management system, NWMS will evaluate the current network segmentation of the City' streets. NWMS will use the 604 sections that were defined in the 2000 survey and enter the segment information into the MTC database. Working with the City, NWMS will propose subdividing any additional roads added to the City's network since the 2000 survey into segments based on standard pavement criteria. This is estimated at an additional 400 segments, based on 49 miles that were added since the last survey. Surface type changes, functional classification changes and other pavement segmentation criteria will be evaluated to determine the revised pavement segments. It is assumed that approximately 655 - 665 sections (based on the previous pavement management system and additional streets that were added in the City Network since 2000) will need to be the final total inventoried. The segments will be broken down into the roadway functional classifications of arterials, collectors and residentials in this Task. Each street will be divided into appropriate manageable segments. At a minimum, inventory items for each management segment will include:

- Name
- Beginning Location
- End Location
- Length
- Width
- Age

This information will also be summarized and entered into the Metropolitan Transportation Commission (MTC) Pavement Management System (PMS) database based on changes in construction history, pavement layer thicknesses and physical constraints, such as geometry or intersections. After the new roads have been segmented, the pavement sections will be verified in the field with a distance-measuring instrument, (DMI). This will provide the city with very accurate lengths and widths for the pavement segment. Data items such as name, location, lengths, widths, age, number of lanes, surface type will be reviewed and revised as necessary while driving each street segment.

NWMS will then enter the entire street and segment data into the MTC PMS database. The data will receive quality control checks to insure that the data is complete and accurate. Once the data entry is complete, reports will be prepared and printed for the City's review and approval.

After all of the pavement segments have been verified in the steps outlined above this information can be used to begin to create a GIS link to the pavement management system database. All of the pavement information either collected in task B or calculated in task C – E can be viewed in a GIS interface. This Task is outlined for the City at the end of this scope of work.

For Task B, NWMS will require the following items from the City:

- List of City maintained roads (both hard copy and on diskette from the previous pavement management system)
- Map of City maintained roads

Task C. Perform Visual Pavement Condition Assessments

NWMS will next perform pavement condition surveys on the City's pavement network. Each of the estimated 975 – 1000 segments will be surveyed. Like many Puget Sound Communities, Marysville has a pavement network that is subjected to high volumes and heavy loads from the surrounding area. The distresses present are reflective of the traffic levels, as well as the environment and climate. Common distresses include alligator cracking, rutting, distortions, patches and utility cuts as well as weathering and raveling.

The distress types to be collected will include:

- Alligator Cracking
- Longitudinal Cracking
- Transverse Cracking
- Weather and Raveling
- Rutting
- Utility Cuts and Patches

Other distress types can be identified and added to be collected at the kickoff meeting as outlined in Task A.

Approximately one sample unit will be inspected for each 1,000 lineal feet of roadway. Any variation from the established procedures will be to accommodate unique local conditions and will be reviewed with the City of Marysville. Any areas that are not typical of the entire section will be inspected and recorded as a special sample unit.

Typically, a one-person crew will perform the condition surveys. The distress data will be recorded in the field using a PDA. NWMS will be responsible for providing all equipment necessary for performance of this task. Should City staff wish to observe NWMS's crews during this task, we will be more than happy to accommodate your wishes.

All information collected from the condition surveys will then be entered into the MTC pavement management system database. This task shall be performed at NWMS's office in order to provide quality control of all data entered into the system. NWMS recommends this procedure over data entry in the field to avoid errors and to provide backup forms of all information recorded in the field.

NWMS will then perform the pavement condition index (PCI) calculations using the MTC pavement management system software, and correct any errors found. The PCI may then be used in the pavement performance models and in the budgetary analyses.

Task D. Maintenance & Rehabilitation Treatments Decision Tree

Upon completion of the data collection activities, NWMS will review the maintenance and rehabilitation (M&R) strategies with City staff. This will include the selection of appropriate treatments such as chip seals or overlays, and the determination of construction costs. This will also be an appropriate time to review the use of new treatments or materials, such as rubberized asphalt, rubberized chip seals, or slurry seals.

NWMS experience in pavement engineering and design, as well as local conditions, allows our engineers to be able to provide the City with solutions that are practical and workable. The M&R alternatives are used to determine effective treatments for each street section based upon the condition, pavement type, and functional class. Once the M&R alternatives are defined, a unit cost will be determined for each alternative. These alternatives and costs will be entered into the MTC pavement management system database for budgetary analyses.

All modifications will be noted and summarized in a report to the City.

Task E. Budgetary Analysis & Final Report

In this task, we will perform all budgetary analyses including Budget Needs and Budget Scenarios, and prepare a final report for the City of Marysville.

Budget Needs

NWMS will perform a Budget Needs Analysis to identify M&R requirements for each street section and to determine the total maintenance and rehabilitation requirements. The Needs Analysis will identify road sections that need treatment and will apply M&R decision trees to each section. (This was described in more detail in Task D).

This forms the basis for the Budget Scenarios or “What if” module that optimizes the pavements for repair given a constrained budget.

Budget Scenarios

NWMS will perform Budget Scenario runs for the City, based on input from City staff. We shall also provide recommendations concerning funding scenarios and selected road sections for rehabilitation. The reports from this module will form the basis for a capital improvement plan (CIP) and a maintenance work plan.

Upon completion of this task, NWMS will provide a final report to the City of Marysville summarizing all results. This final report will include the following:

- 1) Inventory reports
- 2) Condition reports detailing the overall condition of the network.
- 3) M&R reports
- 4) Budget Needs
- 5) Budget Scenarios

Upon completion of this task, NWMS will provide one copy of the final PMS reports to the City of Marysville summarizing all results. The information in the PMS report will serve to prioritize pavement rehabilitation measures.

Task F. Executive Summary and Presentations

In addition, NWMS will prepare an Executive Summary as well as prepare a presentation for City Council or whomever the City desires.

The Executive Summary will focus on the budgetary analyses performed. It is a short 15-page summary of the project, and can be considered as a "State of the Pavement" report.

The presentation to Council or other funding authorities is similarly short. Typically, since the audience is non-technical, graphs are used to illustrate the results, and more importantly, the consequences of any decisions made on funding. Depending on the City's needs, NWMS can prepare 10-15 minute formal presentations for Council, or more detailed 1-hour long presentations to City technical staff.

Task G. Installation, Training & Technical Assistance

Upon completion of the above tasks, NWMS will install the software and database on the City's computer. Training will also be scheduled.

Our recommendation for training is to include at least 1 day of computer, hands-on training.

The computer training will occur on the City's computers (1 computer for 2 people) using the City's database.

Task H. Future Updates (Optional)

In order to maintain the usability of any PMS, the data must be continually updated. New streets must be added, condition surveys must be performed and any repairs must be added to the database. Of these tasks, the second one is the most expensive and the most important since it affects the entire database.

NWMS recommends the following frequency for condition surveys:

Arterials— every 2 years
Collectors – every 2 years
Residentials – every 4-5 years.

This applies only to pavements that are older than 3 years. Any new pavements (0 to less than 3 years) need not be inspected assuming that construction activities (overlays or reconstruction only) met design standards.

Task I. GIS Interface

NWMS will work with the City of Marysville to attach the pavement management information to the City's GIS. The MTC pavement management system has the ability to be linked to Arc Info or Arc View. Maps could be used by the City to show the condition of each pavement segment, show which segment needs repair and in what year as well as other pavement management information contained in the database. NWMS will use the City's current GIS base map, which is linked intersection by intersection, to automatically attach to the MTC PMS. NWMS can work with the City to develop specialized queries for automatic linkage to the MTC PMS after the attaching to the GIS.

**EXHIBIT B
FEE ESTIMATE**

**City of Marysville
PMS 2007 Update
COST AND TIME ESTIMATE**

TASK	STAFF	RATE	HRS	COST	
<u>A. Kickoff Meeting - Gather Info</u>					
	PM	\$ 135	5	\$675	
	Supplies & Reproduction			\$75	\$750
<u>B. Develop the City's Inventory</u>					
	PM	\$ 135	4	\$540	
	ANAL	\$ 85	40	\$3,400	
	TECH	\$ 65	240	\$15,600	
	NWMS Vehicle	\$ 50	14	\$700	
	Supplies & Reproduction, Mileage			\$1,300	\$21,540
<u>C. Condition Surveys and PCI Calculation</u>					
	PM	\$ 135	12	\$1,620	
	ANAL	\$ 85	40	\$3,400	
	TECH	\$ 65	316	\$20,540	
	QC/QA	\$ 135	32	\$4,320	
	NWMS Vehicle	\$ 50	43	\$2,150	
	Supplies & Reproduction, Mileage			\$4,220	\$36,250
<u>D. Maintenance & Rehab Treatments D T</u>					
	PM	\$ 135	12	\$1,620	
	Supplies & Reproduction			\$75	\$1,695
<u>E. Budgetary Analysis & Final Report</u>					
	PM	\$ 135	24	\$3,240	
	Supplies & Reproduction			\$300	\$3,540
<u>F. Executive Summary and Presentations</u>					
	PM	\$ 135	32	\$4,320	
	Supplies & Reproduction			\$250	\$4,570
<u>G. Installation, Training & TA</u>					
	PM	\$ 135	20	\$2,700	
	Supplies & Reproduction			\$400	\$3,100
<u>I. GIS Link</u>					
	PM	\$ 135	16	\$2,160	
	SNR ANA	\$ 100	200	\$20,000	
	Supplies & Reproduction			\$450	\$22,610
PROJECT TOTAL				\$94,055	\$94,055

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: 2007 Comprehensive Plan Amendments – PC Recommendations PA 07001 (citizen) & PA 07043 (city)	AGENDA SECTION: New Business	
PREPARED BY: Gloria Hirashima, Community Development Director	AGENDA NUMBER:	
ATTACHMENTS 1. PC Recommendation Summary 2. PC Minutes dated 7/24/07 (public hearing), 7/10/07 (workshop) and 6/26/07 (workshop) 3. PC Public Hearing sign in sheet 4. SEPA DEIS & FEIS Addendum 5. Citizen Initiated Amendment Staff Recommendations & Attachments including SEPA & Public Comments 6. City Initiated Amendment Staff Recommendation and Attachments including SEPA & Public Comments	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The Planning Commission (PC) has made recommendations on the 2007 Citizen and City initiated Comprehensive Plan Amendment proposals. The City conducts an annual amendment cycle for revisions to the City of Marysville comprehensive plan. The PC considered two (2) Citizen-initiated amendments and eight (8) City-initiated proposals. The PC Recommendations for each amendment is noted in Attachment No. 1.

The PC recommended that City-Initiated proposal No. 5 be remanded back to staff to conduct additional neighborhood meetings, with direction to focus on widening Sunnyside Boulevard to a 5-lane principal arterial instead of the 67th/71st Avenue collector, as proposed by staff. The PC recommended that City-Initiated proposal No. 6 be remanded back to staff for additional neighborhood meetings.

The City’s Comprehensive Plan amendment cycle is allowed once a year. Therefore, if Council accepts the PC recommendations, they should determine whether all proposed amendments will be delayed until the end of 2007 in order to accommodate the additional meetings, or if they wish to separate the proposals with City-initiated No. 5 and No. 6 being concluded with the 2008 amendment cycle.

RECOMMENDED ACTION: Consider the following options: 1) Accept the Commission’s recommendation, in which case the Council should determine whether to delay or separate the ten amendment proposals; 2) Hold additional public hearings to consider amendments to the plan; 3) Remand the plan to the PC for further review; or 4) Deny the PC recommendation.

If Council wishes to take additional public testimony, the public hearing may be set for October 22, 2007.

COUNCIL ACTION:



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

2007 COMPREHESIVE PLAN AMENDMENTS PC Recommendation Summary

CITIZEN INITIATED AMENDMENTS

· Amendment No. 1 – “Details”

Request: Amend the Comprehensive Plan Map designation and concurrently rezone a 0.40-acre parcel from High Density Single-family to Mixed Use in order to convert the existing house into Details Home décor & Gifts.

Applicant: Wayne M. Christianson
Property Location: 4716 61st Street NE
Existing Zoning: R-6.5 (single-family high density)
Staff Recommended Land Use: NB (neighborhood business)
PC Recommendation: Amend the Comprehensive Plan Map and concurrently rezone, subject to conditions outlined in the Staff Recommendation

· Amendment No. 2 – “Hylback – Twin Lakes”

Request: Amend the Comprehensive Plan Map and concurrently rezone the west half of APN 31052900400900 totaling approximately 3.1-acres from General Commercial to Mixed Use permitting a mix of commercial and townhouse style units.

Applicant: Joel Hylback
Property Location: Abutting the northern boundary of Gissberg “Twin Lakes” Park.
Existing Zoning: GC (general commercial)
Staff Recommended Land Use: MU (mixed use)
PC Recommendation: Amend the Comprehensive Plan Map and concurrently rezone, subject to conditions outlined in the Staff Recommendation

CITY INITIATED AMENDMENTS

· Amendment No. 1 – “Repeal Ordinance No. 2487”

Request: Repeal Ordinance No. 2487 which allows a master site plan over 60-acres to designate 20% of the gross site area for residential uses and infrastructure

Location: Smokey Point Subarea Plan Boundary (east of I-5, west of Hayho Creek, north of 152nd Street NE and south of the City of Arlington limits).

PC Recommendation: Repeal the Smokey Point Subarea Plan adopted by Ordinance No. 2487

· **Amendment No. 2** – “Rezone Provision Text Amendment”

Request: Text amendment to Page 4-6 of the Comprehensive Plan regarding rezones to bordering zones.

Location: Not site specific, however, implementation of the text amendment would afford all property owners located within the City of Marysville Urban Growth Area (MUGA), to utilize the rezone provisions.

PC Recommendation: Revise the text as outlined in the Staff Recommendation

· **Amendment No. 3** – “Lakewood & Smokey Point Neighborhood Road Connections”

Request: Comprehensive Plan Map amendment to Lakewood and Smokey Point neighborhood maps depicting road connections. Map amendment would affect Figures 4-87 and 4-91 of the Comprehensive Plan neighborhood maps. Amend Figures 8-4 and 8-7 of the Transportation Element proposed road connector map and 2-year Transportation Improvements. Amend Page 8-56 description of 156th Street NE in Appendix A – Recommended 20-year Transportation Plan Improvement Projects.

Location: The proposal would affect arterial connections within the Lakewood neighborhood as well as new arterial connections between the Lakewood and Smokey Point neighborhoods.

PC Recommendation: Revise the maps and text as outlined in the Staff Recommendation

· **Amendment No. 4** – “Downtown Neighborhood Road Connections”

Request: Comprehensive Plan Map amendment to the Downtown Neighborhood map and associated maps depicting road connections. The proposed map amendment would affect Figure 8-4 of the Comprehensive Plan Transportation proposed connector map.

Location: The proposal would affect road network connections within the Downtown neighborhood. Generally, the road connection is located along the easter edge of BNSF railway from 10th Street to Grove Street, acting as an extension of Delta Avenue.

PC Recommendation: Revise the maps and text as outlined in the Staff Recommendation

· **Amendment No. 5** – “67th Avenue & 71st Avenue NE Road Connection”

Request: Comprehensive plan map amendment to Figure 8-4 City of Marysville Comprehensive Plan Transportation Element “Proposed Connections” map depicting road connections for 67th & 71st Avenue between 40th & 44th Streets NE. Amend Appendix A – Recommended 20-year Transportation Plan Improvement Projects.

The alignment of this road was remanded to the PC during final ordinance review for the East Sunnyside – Whiskey Ridge Subarea Plan action.

Location: The proposal would affect arterial connections within the East Sunnyside – Whiskey Ridge subarea.

PC Recommendation: The PC recommended that the proposal be remanded back to staff to conduct additional neighborhood meetings, with direction to focus on widening Sunnyside Boulevard to a 5-lane principal arterial instead of the 67th/71st Avenue connection.

Amendment No. 6 – “40th Street NE Road Connection, West of 87th Avenue NE”

Request: Comprehensive Plan Map amendment to Figure 8-4 City of Marysville Comprehensive Plan Transportation Element “Proposed Connection” map depicting road connections for 40th Street NE extension west of 87th Avenue NE. Amend Appendix A – Recommended 20-year Transportation Plan Improvement Projects.

The alignment of this road was remanded to the PC during final ordinance review for the East Sunnyside – Whiskey Ridge Subarea Plan action.

Location: The proposal would affect arterial connections within the East Sunnyside – Whiskey Ridge subarea.

PC Recommendation: The PC recommended the proposal be remanded back to staff for additional neighborhood meetings.

Amendment No. 7 – “Lakewood Land Use Amendment”

Request: Comprehensive Plan map amendment to the Lakewood neighborhood land use designation and zoning. The proposed map amendment would affect Figures 4-2, 4-87 and 4-91 of the City Comprehensive Plan general land use and neighborhood maps.

Location: The proposal would affect the property north of 156th Street, south of Twin Lakes Park, in the Lakewood neighborhood.

PC Recommendation: Revise the maps as outlined in the Staff Recommendation

Amendment No. 8 – “Pinewood Areas Land Use Amendment”

Request: Amend the Comprehensive Plan map and concurrently rezone properties from General Commercial (GC to Single-family High Density (R-6.5).

Location: The proposal would affect the properties located at 8106, 8110, 8114, 8204 & 8207 43rd Avenue NE.

PC Recommendation: Revise the maps as outlined in the Staff Recommendation

MARYSVILLE PLANNING COMMISSION

July 24, 2007

7:00 p.m.

City Hall
Council Chambers

CALL TO ORDER

Chairman Steve Muller called the July 24, 2007 meeting of the Marysville Planning Commission to order at 6:33 p.m. The following staff and commissioners were noted as being in attendance.

Chairman: Steve Muller

Vice Chairman: Dave Voigt

Commissioners: Jerry Andes, Becky Foster, Steve Leifer
Toni Mathews arrived at 6:53 p.m.

Staff: Deirdre Kvangnes arrived at 7:01 p.m.
Gloria Hirashima, Community Director
Chris Holland, Senior Planner
Kevin Nielsen, City Engineer/System Public Works Director
John Tatum, Traffic Engineer
Craig Knudsen, City Attorney
Valeri Dean, Recording Secretary

Other: Michael Stringam, Perteet
Robin McClellan, Puget Sound Regional Council

APPROVAL OF MINUTES:

June 26, 2007 – Commissioner Voigt asked that the following corrections/additions be made to the minutes: 1) page 2, discussion of amendment 2 – the paragraph should read “The second citizen-initiated...” and 2) page 6, under amendment 5 bullet list, add “[City control vs. developer driven factor.](#)”

Motion made by Commissioner Foster to approve the 6/26/07 Planning Commission minutes with the two noted changes above; seconded by Commissioner Andes; motion passed unanimously (6-0).

July 10, 2007

Motion made by Commissioner Voigt to approve the 7/10/07 Planning Commission minutes as written; seconded by Commissioner Andes; motion passed unanimously (6-0).

AUDIENCE PARTICIPATION

Chairman Muller gave direction to the audience that wished to be heard on this evening’s agenda to sign-in including which amendment number they wish to address, and wait to be called.

PRESENTATIONS:

- Ms. McClellan presented the Vision 2040 Preferred Growth Alternative and Multi-County Policies.
- Hardcopies were made available to the commission along with a schedule for public meetings and open houses.
- This presentation can also be viewed by going to their website: www.PSRC.org

- Public comment can be made to VISION2040@psrc.org or write to: Norman Abbott, SEPA Responsible Officer, Puget Sound Regional Council, 1011 Western Avenue, Suite 500, Seattle, WA 98104-1035. Public comment will be accepted until September 7, 2007.
- Questions:
 - Commissioner Leifer asked if the regional council had a vision for mass transit and highway system for the entire area developed to solve our transportation problems. Ms. McClellan said that they have a Destination 2030 which is their Transportation Plan on the website. She also mentioned that PSRC does fund transportation projects in the region on behalf of the federal government. She then described the flow of the funding. Chairman Muller asked how well the growth curve and new numbers fit (projected and realized growth). Ms. McClellan did not have this information on hand. She said that she would find out from financial management and get back to the commission, but felt that there was not much of a deviation.

Break at 7:03 p.m. in preparation of public hearing - Resumed at 7:07 p.m.

PUBLIC HEARING:

Chairman Muller reviewed the process for speaking with audience (when called, state name and address for the record) prior to addressing the council. He also gave direction on the flow of this evening's hearing. He also confirmed that the meeting was advertised in accordance of the code. Director Hirashima replied that it was.

1. 2007 Citizen-initiated Comprehensive Plan Amendments (#1 and #2)

Citizen Initiated Map Amendment No. 1

Request: Amend the Comp Plan Map designation and concurrently rezone an approximately 0.40-acre parcel from High-density Single-family (R-6.5) to Mixed Use (MU).

Applicant: Wayne M. Christianson

Location: 4716 61st Street NE

Senior Planner Chris Holland reviewed the request and its impact on Madeleine Villa Healthcare Center. He also reviewed evaluation, and staff's recommendation to amend the Comp Plan Map and concurrently rezone the property from High-density Single-family (R-6.5) to Neighborhood Business (NB), subject to the conditions outlined in Section III. Staff concurred that the NB classification would be compatible with the surrounding community. Chairman Muller asked if the applicant was supportive with this recommendation. Mr. Holland said yes he was.

Commission Questions: None

Public Testimony: None

Chairman Muller closed public testimony.

Commission Discussion: Commissioners Foster, Kvangnes, and Chairman Muller spoke positively on the new business.

Motion made by Commissioner Foster to forward Citizen-initiated Amendment No.1 as amended to City Council for approval; seconded by Commissioner Mathews. Motion passed unanimously (6-0).

Citizen-initiated Map Amendment No. 2

Request: Amend the Comp Plan Map and concurrently rezone approximately 3.10 acres from General Commercial (GC) to Mixed Use (MU)

Applicant: Joel Hylback

Location: A portion of APN 31052900400900, abutting the northern boundary of Gissberg "Twin Lakes" Park

Senior Planner Chris Holland reviewed the request, evaluation, and staff's recommendation to amend the Comp Plan Map and concurrently rezone the property from General Commercial to Mixed Use subject to the conditions outlined in Section III.

Commission Questions: None

Public Testimony: None

Chairman Muller closed public testimony.

Commission Discussion: None

Motion made by Commissioner Voigt to forward Citizen-initiated Amendment No. 2 to City Council according to staff recommendation; seconded by Commissioner Kvangnes. Motion passed unanimously (6-0).

2. 2007 City-initiated Comprehensive Plan amendments (#1-8)

Director Hirashima gave a brief overview of the eight plan and text amendments. She also made note of the map on the side table that shows the physical locations.

City Initiated Text Amendment No. 1

Request: Repeal Ordinance No. 2487 which allows a master site plan over 60-acres to designate 20% of the gross site area for residential uses and infrastructure.

Location: Smokey Point Subarea Plan boundary (east of I-5, west of Hayho Creek, north of 152nd Street NE and south of the Marysville city limits).

Director Hirashima gave a brief overview of the request. This amendment was City Council directed and applies to multiple properties that are in Smokey Point subarea boundary. City Council passed an ordinance 2691 on March 19, 2007 which established a moratorium on the filing and receipt of new applications in the Smokey Point subarea. The staff recommendation is to repeal the Smokey Point Subarea Plan adopted by Ordinance 2487.

Public Testimony:

Bill Binford – 6513 132nd Ave., NE #345, Kirkland, WA 98033

Mr. Binford recommended additional language that would allow some multi-family uses in the event that a mixed use project is coming forth in the area. In the city transportation map including the work in amendment 3, there will be a lot of changes, there us a lot of opportunity to create a town center opportunity which makes the multi-family component like Mill Creek's town center a positive one. In the back they have four levels of multi-family over one level of retail which brings a lot of viability to the center as far as a 24/7 activity and a livelier place to live and be. Auburn, Renton, and South Everett are also doing these types of projects.

Chairman Muller closed public testimony.

Commission Questions: None

Commission Discussion: Commissioner Foster spoke about the residential element of having people around 24/7 and the importance of that. She also stated that she did not believe that single-family residences were needed. Agreeing with Mr. Binford, Commissioner Foster suggested language be added to allow the multi-family or mixed use

when it is applicable for certain projects. Director Hirashima stated that our current general commercial zone does allow above ground residential uses.

Motion made by Commissioner Foster to forward City-initiated Text Amendment No. 1 onto Council as presented; seconded by Commissioner Voigt. Motion passed unanimously (6-0).

City Initiated Text Amendment No. 2

Request: Amend the language on Page 4-6 of the Comp Plan regarding rezones to narrow the use of this provision and limit size and scope of rezones along edges outside a comprehensive plan amendment process.

Location: The proposed text amendment would affect properties located within Marysville Urban Growth Area.

Director Hirashima reviewed the request and staff recommendation to revise the text to limit size and scope of rezones along edges outside a comprehensive plan amendment process. The language is stated in item I of the amendment (this was read). She also added that this was a good tool; a good provision where no limits could potentially be a problem.

Commission Questions: None

Public Testimony: None; Chairman Muller closed public testimony.

Commission Discussion: None

Motion made by Commissioner Leifer to forward City-initiated Amendment No. 2 as written to City Council for approval; seconded by Commissioner Kvangnes. Motion passed unanimously (6-0).

City Initiated Text Amendment No. 3

Request: Amend the Lakewood and Smokey Point neighborhood maps depicting future road connections and amend the Transportation Element proposed road connector map and 20-year Transportation Improvements text amendment.

Location: The proposed map and text amendment would affect properties located within the Lakewood and Smokey Point neighborhoods.

Commissioner Foster asked to reclude herself due to conflict of interest. Chairman Muller granted her wishes.

Director Hirashima reviewed the request, evaluation, and staff's recommendation to revise the Comp Plan to reflect the arterial connections depicted in the Lakewood and Smokey Point neighborhood maps. (Area extends from 27th Ave. NE to the south to 31st Ave. and from 156th St. NE as an over-crossing concept.) Mr. Nielsen stated that the first option they looked at was tying it into a fire trail, however, the feasibility turned out that it was more cost effective and time wise to build the 156th over-crossing first.

Commission Questions: None

Public Testimony:

Bill Binford, Co-chair of the Trap Steering Committee – 6513 132nd Ave., NE #345, Kirkland, WA 98033 – 425.889.8770

Mr. Binford stated that the committee approved this amendment and extended congratulations to the Planning Commission for identifying a problem and finding a quick solution. He also wanted to encourage them to expedite the project. They also see the future of a full interchange.

Chairman Muller asked the Commission if they had any questions for Mr. Binford; there were none.

Kelly Foster – 15526 Smokey Point Blvd. – 206.501.8941

Mr. Foster stated that his family has owned the parcel at 11526 Smokey Point Blvd. for 25 years and this amendment would impact their property greatly. He encourages the planning commission to plan the ultimate design of the interchange now, to do things right the first time.

Gerald Osterman – 2605 169th St. NE, Marysville 98271 – 360.654.0144

Mr. Osterman is the president of the Lakewood Meadow Plat; he read and submitted his response to the amendment which states that the owners of this plat oppose the current plan due to the amount of traffic already experienced as a result of Target and Costco and suggests an alternate route.

Commission Questions: None

Mr. Nielsen said that Twin Lakes will be used with 152nd overpass and are working out details with right-away dedication and making a square loop to tie it into 156th. He also said that this use was development driven.

Chairman Muller closed public testimony.

Commission Discussion: Chairman Muller asked about the location of the retention ponds between 26th and the lots of the plat. Ms. Hirashima said they were not going through the neighborhood but next to it. Commissioner Leifer asked what 26th was going to be in the original Comp Plan. Mr. Nielsen clarified that 27th was always the primary connector.

Commissioner Leifer asked if it was a 2-lane collector originally. Mr. Nielsen responded that it would have always been a collector flowing south where it becomes a 3-lane.

Commissioner Kvangnes asked how the flow was in that area. Mr. Nielsen said he did not have the current trip numbers; however at full build out of Lakewood, there would be 29,000 trips into the development. He then asked Traffic Engineer John Tatum if he had updated numbers. Mr. Tatum responded that he did not. Chairman Muller added that there were not a lot of options in the area between the freeway and the railroad tracks; that there is little road to work with and a lot a traffic to deal with. Mr. Nielsen stated that Twin Lakes Blvd. would be used as a main road until development builds the connector road. Commissioner Kvangnes asked how soon the people would see relief. Mr. Nielsen said it would take a couple of years for construction; they are currently looking for a designer. He also added that striping of 172nd will be done very soon. Chairman Muller asked how many accidents had occurred with individuals taking a u-turn on 172nd and those entering 172nd off of 27th. Mr. Tatum said that he did not have that data. Chairman Muller shared his concern about people being in a hurry going onto 72nd. Mr. Tatum added that the area had been subject to enhanced enforcement. Commissioner Kvangnes asked about temporary relief. Mr. Nielsen said that Mr. Tatum has done some detailed analysis and will be giving an update once the work is done. He also said that he foresees a dramatic improvement. Someone from the audience suggested a slip ramp and further spoke about a free right turn on to I5 South that was added then removed. Chairman Muller said that he believed that this was shot down and asked Mr. Nielsen to clarify. Mr. Nielsen said that the right drop to 127th would be put back in the future; and that this was a WADOT plan.

Commission Discussion: None

Motion made by Commissioner Voigt to forward City-initiated Amendment No. 3 as presented to City Council for approval; seconded by Commissioner Andes. Motion passed unanimously (6-0).

Break: 7:53 – 7:55 – Commissioner Foster returns

City Initiated Text Amendment No. 4

Request: Amend the Downtown neighborhood maps depicting a future road (alley) extension of Delta Avenue between 10th Street and Grove Street.

Location: The proposed map amendment would affect properties within the Downtown neighborhood abutting the eastern BNSF right-of-way from 10th Street to Grove Street.

Director Hirashima reviewed the request, review, and staff's recommendation to revise the plan maps and text to provide for a 22' paved section in a 30' right-of-way, north from the current end of the Delta Ave. right-of-way, terminating in a right-in/right-out intersection at Delta and Gove Street. Optional northern treatment: Provided there is a two way width at the south property line to the parcel abutting Grove, property impact could be reduced and the creation of control at the Grove intersection simplified if the right-of-way across the last parcel is 20' with 20' paved one way north only as alleys on to State. Mr. Tatum was present to answer any questions that may be asked.

Commission Questions: None

Public Testimony: None; Chairman Muller closed public testimony.

Commission Discussion: Commissioner Kvangnes asked Chairman Muller what he thought about it. Chairman Muller said that it was a good relief valve; a good alternative to traffic. Mr. Nielsen added that it provided interconnection between businesses; from a technical view point. He also added that this would relieve the type of backups that happen at the post office and that this was a good connection for multiple business visitations.

Motion made by Commissioner Kvangnes to forward City-initiated Amendment No. 4 as written to City Council for approval; seconded by Commissioner Foster. Motion passed (5-0; 1 nay)

City Initiated Text Amendment No. 5

Request: Amend the future road connection maps for 67th/71st Avenues NE between 40th and 44th Streets NE and amend the 20-year Transportation Improvements text, as remanded to the Planning Commission for further consideration in regard to the final East Sunnyside – Whiskey Ridge Subarea Plan.

Location: The proposed map and text amendment would affect properties within the East Sunnyside – Whiskey Ridge Subarea Plan adjacent to the future road alignment connecting 67th Avenue NE with 71st Avenue NE between 40th and 44th Streets NE.

Ms. Hirashima reviewed the request, review, and staff's recommendation of approving alignment #2 which provides for a through connection of 67th Ave. NE to 71st Ave. NE. As referenced in the Perteet Inc. analysis, this connection provides maximum benefit to future transportation needs in the Sunnyside/Whiskey Ridge area. This roadway connection has been estimated to cost \$19 million. Mr. Nielsen said that this project is also developer driver, not a capital project. This has been a continuing process that staff was directed to do.; not only did they look at Sunnyside but they also did some detailed cost analysis. He encouraged the Commission to look at the entire project from the beginning to prior to forwarding to City Council. Mr. Stringam of Perteet, Inc. stated that he was present to respond to questions anyone might have. He also reviewed their findings and why they came to the conclusion that they did taking all the analysis and Comp Plan into consideration. He added that the project would cost \$35 million and eleven different properties would be impacted.

Commission Questions: None

Public Testimony:

Jennifer Dold - Bricklin, Newman, Dold, LLP – 1001 Fourth Avenue, Suite 3303, Seattle 98154 – 206.264.8600

Ms. Dold submitted a letter representing property owners, Beccie and Tim Nixon, Jim and Jeri Short, and Gerald McKinney. On behalf of her clients they are rejecting the staff proposal due to insufficient information regarding alignment two and that the focus should be on Sunnyside. She suggested less impact alignments should be considered prior to recommendation. She added that alignment two in its current configuration does not comply with GMA due to inconsistencies with the City's plan, policies, and goals; and does not provide an adequate funding plan under the GMA. Ms. Dold continued to talk about why they are asking the Planning Commission to remand back to staff to take another look before forwarding the amendment to the City Council for approval.

Jeri Short – 6917 40th Street, NE, Marysville – 425.348.5840

Ms. Short stated that she was concerned of the impact alignment two would have on her property/investment/retirement/families home life/everything that she has worked to have for twenty-eight years. She expressed her concern of the proposed road going through her property and not understanding why the road would take the route it would. She shared her concern of Sunnyside needing to be a 5-lane road. She referred to Bothell-Everett Highway which is a 5-lane road and leads to corridors to freeways, it has massive businesses, apartments, vs. Sunnyside that does not. Instead there are swamps... All ideas are taking her property and she is finding a hard time understanding why. Commissioner Leifer asked where her property was located. Ms. Short said that it was at the intersection of 40th and 71st where her dream would be to have her children have homes there as well.

Rebecca Nixon - 4024 71st Avenue, NE, Marysville – 425.335.7764

Ms. Nixon stated that she opposes the connector road for 67th and 71st Avenues NE between 40th and 44th Streets SE. She believes that several of the proposals are a waste of money and resources, and disrupt and displace many homes and families unnecessarily. She also said that she views this as a City growth vs. longtime residence issue and requests the Planning Commission to review the documentation presented by her attorney and take a visit to the location to see the affect on the community first-hand. She went on to say why she felt that alignments two, three, and four would not work; and concluded that alignment five would be the best option for traffic flow because it would not take any homes and that there is plenty of land to complete the project.

Tim Nixon – 4024 71st Avenue, NE, Marysville – 425.335.7764

Mr. Nixon stated that their property extends on 71st for quite a ways (from 40th up to 42nd). When looking at the proposed diagonal that will go through his property it would come very close to the doors of his dining room, living area, and pool and does not feel comfortable that a road would be put this close to his home where his children play. He added that 71st is a highly traveled road at high speeds. Also to the south where the proposal is to go from 40th to 79th to 71st. this are is all wetlands. He added that he feels the same way his wife, Jeri does. In closing he asks, how the commission members would like it if this was happening to them.

Jerry Mansfield - 2008 Sunnyside Blvd, Everett 98205 – 425.343.4365

Mr. Mansfield stated that he owns five lots south of the upper growth area. He said that he understands that no one want this to go through their yard and would prefer for it to go down Sunnyside Blvd. where it will take his home; which he is okay with. His concern is that traffic on Sunnyside is bad already, and when the interchanges are put in, people are going to use

Sunnyside; where they are traveling at 60-70 mph; which he avoids due to speeding, he was almost hit by someone passing in a no-passing zone. He is also a commissioner for district #4 (King Creek). There are water issues of flooding; storm drains do not work. We are all zoned AG10; most are poor farmers. He closed with requesting relief on Sunnyside Blvd. Chairman Muller closed public testimony.

Commission Discussion:

Chairman Muller explained that it is spoken about a developer-driven request; the City does not come in and demand where roads go; there is a lot of development taking place in the Sunnyside/Whisky Ridge area; there is not a place where the City puts a protective overlay where there are not roads required; roads are required. We are here saying that this is only a plan and not set in stone. We want to meet the needs of the residence as well as the needs of the city traffic. Commissioner Leifer asked Mr. Stringam when 67th was projected to be a 3-lane; what was 87th projected to be in that framework? Mr. Stringam said when they analyzed that particular area of 87th, they were concerned about the proximity of 87th to highway 9; leaving them to recommend 83rd to be a north/south arterial instead. Commissioner Leifer added that he was curious whether the 87th question could be isolated from the discussions of 67th or Sunnyside being a major arterial or a minor arterial; would that question whether one or the other is bigger, namely 67th or Sunnyside; would that impact the size of 87th? Mr. Stringam responded that 87th would not be widened. What they have recommended in the Whisky Ridge plan is using three north/south minor arterials instead of one principle and two collectors. What is shown in the Comp Plan is that 83rd Ave. and Sunnyside are collectors, and 67th/71st as a minor arterial (fig. 8.1). We recommended keeping the minor arterial and upgrading Sunnyside and 83rd Ave. to 3-lane minor arterials in the north/south direction. Going through history it is clear as to why we have made the recommendations. He suggested more analysis using 67th/71st as a five-lane arterial to see if the impact could be reduced. Commissioner Leifer said that if it became a 5-lane road, they would need to find a connection to 67th at the south end of 71st. Mr. Stringam concurred. Commissioner Leifer asked what the zoning in option two was. Ms. Hirashima responded that it is a single-family high density (R6.5). Commissioner Leifer asked how the sewers would be connected to that. Mr. Nielsen said that there is a sewer coming up 71st currently; the back side would drop down and connect; the hardest part is the hole on 40th. Commissioner Leifer then asked about moving option 4 to the north to 44th and adding a roundabout at the two intersections and whether it would be problematic due to topography? Mr. Stringam responded, yes due to topography and residence on the corner. There is not an easy solution. Commissioner Foster asked Mr. Stringam to clarify that he said that five lanes were impossible for Sunnyside due to the topography, creeks, and homes (110 homes)? Mr. Nielsen stated that Sunnyside is to be a 5-lane option from 52nd to 71st, 4 residents displaced, 145 property titles = \$1,000,000 for title reports. Condemnation is approximately 15 and right of way is \$35,000,000 for the 52nd to 71st 5-lane option. 47th to 52nd could be a 3-lane; with right-of-way, 4 residents, 1 business, 10 condemnations, 102 title reports = \$27,000,000. Chairman Muller asked when using option five, what happens when you get to 3rd Street; traffic is bad, where would a five-lane dump? Mr. Nielsen said that they would have to look at it further; he did not have any other answers right now. This is one alternative.

Ms. Dold asked Chairman Muller if he should recluse himself from this amendment due to his residency on Sunnyside. Director Hirashima introduced City Attorney, Mr. Craig Knudsen. Chairman Muller asked Mr. Knudsen if he should recluse himself. Mr. Knudsen

said that since it was a Comp Plan amendment of an area-wide nature, in his view it is clearly a legislative matter so the appearance of fairness doctrine does not apply.

Commissioner Leifer asked Mr. Stringam for more clarity on the how the Sunnyside five-lane road proposal would affect 67th and 83rd and how would it affect the total cost. Mr. Stringam said that the amount shifted over to Sunnyside would not be sufficient to reduce 67th/71st down below. He added that he thought that it was 5,000 vehicles per day which is a classification between a collector street, a two-lane road, and a minor arterial, therefore 67th/71st would still be a minor arterial. The direct question may not be required, He also said that if we don't ensure a direct route that's comparable to Sunnyside and 83rd than we will find one getting loaded up unnecessarily and pushed to a level that it does not need to be. Commissioner Andes asked when speaking of widening Sunnyside is it just Sunnyside or also Soper Hill as well. Mr. Stringam said that Soper Hill would be three-lanes as well; this would depend on amendment six. Commissioner Andes stated that he thought a lot of new plots are going in along Sunnyside with a seventy foot right-of-way and a forty-four foot wide curb-to-curb. What does that allow you for three-lanes? Mr. Nielsen said that currently it looks like we can do three lanes. The question is having bike lanes and landscaping. The breakdown for the five-lane is eighty feet. Commissioner Andes added that the newer plats have detention ponds as well. Mr. Nielsen said that drainage might have to be taken up in the City's roadway systems increasing the land purchase of the ponds. This is not represented in the amendment at this time. Chairman Muller asked Kevin about options 1, 2, and 4 and what physically takes place at the intersection of 44th and 67th. Mr. Nielsen said that 44th ties back into the major road as the subdivisions come on; 71st would dead-end somewhere. Chairman Muller added to Mr. Nixon's comment on speed on 71st and attests to the speed on Sunnyside. He asked as we build these massive corridors through the cities, what are the calming events that we can put in? Mr. Nielsen stated that he had a different philosophy on arterials and what they are meant for; they are meant to move cars; therefore eliminate driveways and mailboxes and have roads come out to the main street. Calming measures on arterials are not favored and is difficult to do. He believes that this would be counter-productive. Chairman Muller asked if there was any philosophy that says you should stop traffic at some point and not have an extended roadway that goes more than one mile/two miles long before you stop to help avoid problems. Mr. Stringam stated that when the networks start being built out, there will be different traffic control devises at the different intersections (4-way stop). He also stated that he agrees 100% with Mr. Nielsen that the arterials are there to move traffic (not at 60-70 mph); you also attempt to restrict residential driveways and bring them in on side streets. This sets up a reasonable opportunity for "traffic calming" that is the use of landscape mediums. Commissioner Voigt asks Chairman Muller if they can move on. Chairman Muller agrees. Commissioner Voigt says that in his tenure he has never seen such a well organized, concise coach and argument put together by the public as they have done. He added that he had reviewed the documents submitted and is very familiar with the area and agrees that the options submitted by the staff are not good options, due to the steep grades it will be a problem, the modeling is very weak, and the costs presented are quite overstated.

Motion made by Commissioner Voigt to remand back City-initiated Amendment No. 5 to staff to do the necessary modeling to accurately forecast the traffic counts that are needed to make these decisions, to work on cost more, and to pursue Sunnyside as the principle arterial to carry the traffic, and remove lines off the map for the 67th/71st connectors; seconded by Commissioner Mathews; Motion passed unanimously (6-0).

City Initiated Text Amendment No. 6

Request: Amend the future road connection maps for 40th Street west of 87th Avenue NE and amend the 20-year Transportation Improvements text, as remanded to the Planning Commission for further consideration in regard to the final East Sunnyside – Whiskey Ridge Subarea Plan.

Location: The proposed map and text amendment would affect properties within the East Sunnyside – Whiskey Ridge Subarea Plan adjacent to the future road alignment connections for 40th Street NE west of 87th Avenue NE.

Ms. Hirashima reviewed the request, review, and staff's recommendation to revise the alignment to utilize 87th Ave. NE and roundabouts at the two intersections shown in Figure 2, and to revise the Comp Plan maps and charts depicting the arterial connector. She clarified that currently there is not a fourth leg at SR92 and that it was already accepted by the Council that a connection to SR92 is desirable; therefore the issue is how we make that connection. 87th Ave. NE was reviewed as well and found not to be recommended for a high-volume collector or arterial. Correspondence has been received in opposition to 87th Ave. NE as an alternative due to widening the road would bring it closer to structures. Commissioner Leifer asked if it would be a three or a five-lane road. Ms. Hirashima referred to Mr. Stringam who said that the proposal on 87th Ave. NE was not clear due to unknown fronting land use. He added that their recommendation at this time would be to preserve the option for five lanes on 87th Ave. NE. Commissioner Leifer asked Mr. Stringam to clarify if the original plan stated a three-lane road for 87th Ave. NE. Mr. Stringam said that he found that not 87th but 83rd was designated as a collector and not decided what it should be; this is what the analysis was for Whiskey Ridge. He also said that the important piece is the connection to Hwy. 9 thru to 40th St. giving another east/west connection other than Soper Hill; otherwise Soper Hill will be going to five-lanes. Commissioner Leifer asked how many lanes were planned north of 40th. Mr. Stringam said that they recommended disconnecting 87th north of 40th (cul-de-sac) therefore not attracting a lot of thru traffic in the north/south direction.

Commission Questions: None

Public Testimony:

Ken White 3303 87th Ave. NE, Marysville 98270 – 425.377.0282 – Submitted comments in writing.

Mr. White opposes amendment #6 due to the impact the changes would have on small property owners (1 acre). They will lose a significant portion of their land and be a high impact for neighborhood. At previous meetings it was clear that the Commission would not want to hurt the existing people and force them off their land. He added that amendments five and six are interlinked, therefore he recommends to send this amendment back to staff to take a closer look. In closing he stated that he was disappointed that the public had not been able to give feedback and help with the process. Due to lack of clarity, he believes more workshops with people from the neighborhood to work together to find a solution would be beneficial.

Shelly Thomas – 3626 87th Ave. NE – 425.238.3548

Ms. Thomas stated that she agrees with Mr. White. She said that a decision could not be made at this time with outdated information. A three-lane road would be twenty feet from her front door; with a five-lane road, her home would need to be condemned. The maps and text are not clear, roundabouts will slow down traffic, and there are fourteen homes that sit close to the road. Safety, speed, children, a disabled child, and senior citizens live there and they do not want to develop or move. In her opinion, the best route to 92 would be to bring 92

down to 83rd. She asked why there was a change to the original plan. Ms. Hirashima responded that either alternative works. The main reason they looked at an alternative is that they had anticipated the concerns about not looking at existing right-of-way. She added that they thought that this would be a better route and not affect as many people. Ms. Thomas asked how many properties per alternate, per option. Ms. Hirashima said that they believed that this would have a smaller impact and reduce new right-of-way creation. Ms. Thomas recommended the analysis of how many properties per option. Mr. Stringam responded to the question on why not use 83rd; he said, however, 83rd is designated as a minor north/south arterial, traffic would increase the traffic on the 92nd extension, therefore pushing the road to a five-lane road.

Don Bakker - 3811 87th Ave. NE, Marysville 98270 – 425.335.0751

Mr. Bakker stated that he agrees with his neighbors, Ken and Shelly. He believes that the idea is not a good one, it will disrupt a nice neighborhood, they would lose property value, it would increase traffic and road rage; we would have a loss of mature trees and animals. There would be difficulty leaving their driveways. In closing he stated that they live in the country because they like it and that there exist roads that require repair due to the traffic that would come into the city. He also added that the population forecast done by Puget Sound Regional Council states Marysville in 2040 will have 18, 700 more people. Mr. Bakker went on to talk about his concerns on a storm water charge and Chairman Muller directed him to City Council.

Tim Nixon – 4024 71st Ave. NE – 425.335.7764

Mr. Nixon inquired about the drawings on the map; 79th to 71st on 40th, there is no road but is it part of the plan. Ms. Hirashima said that the road from 40th street will connect all the way to 83rd Ave. NE that is reflected in the current Comp Plan. In addition due to plat activity between 71st Ave. and 83rd Ave. NE, the roadway has already been identified and will be required to be constructed by several subdivisions that have received preliminary approval. She continued to explain the responsibilities and plans. Mr. Nixon shared his additional concern for development in the wetlands. Chairman Muller stated that it would not happen due to environmental standards. He also asked Gloria if the approval was through Snohomish County. Ms. Hirashima said yes that four plats were approved through Snohomish County. Mr. Nixon then recommended 44th being extended down the hill to Sunnyside.

Chairman Muller asked Elaine Sykes (3306 87th Ave. NE, Marysville 98270 – 425.385.3626) if wanted to address the Commission; she declined.

Malcom McNaughton – 12203 9th Pl. NE, Lake Stevens

Mr. McNaughton stated that he was representing Brad Kirk who is a property owner on 40th and 87th; who asked him to speak on his behalf. First he commended the city for annexing this area; enabling these discussions here in Marysville. He went on to say that through his experience in working with the planning commission, he knows that although lines are on a map, they are not firm, only planning. His understanding is that this is a developer-driven project and not by the City. In closing he said that he supports additional input on this plan with community meetings for further study.

Jeri Short - 6917 40th Street NE – 425.348.8540

Ms. Short asked about changes in property value when the project is developer driven. Chairman Muller asked to speak on this question. He said that when you list your property currently zoned at 6.5 units per acre and developer wants to develop, they will make an offer

at a higher value drafted on feasibility basis. They meet with city staff and inquire about the property and work together to make it work. Ms. Short then asked what if you are selling to an individual and not a developer. Chairman Muller stated that zoning dictated land use. Mr. Nielsen added that a developer-driven project receives credit back for right-a-way and building the road. Commissioner Foster added the feedback she received from elderly couples attending workshops - how very happy they were in receiving a high value for their property. Ms. Hirashima addressed the fear on the roadways; she stated that the Comp Plan has policies including a transportation policy to guide this process. She said that we are looking for guidance for serving future development and growth of the area. She then explained the process and why staff goes through it.

Shelly Thomas - 3626 87th Avenue NE

Ms. Thomas requested clarification on the connection from 92 to 40th as developer-driven. Ms. Hirashima said yes it was what they anticipate due to lack of funding for capital projects. Chairman Muller added that if the project is not a need then it becomes developer-driven, he explained further and asked if this helped Ms. Thomas. Ms. Thomas replied yes, and that she was still in opposition. Ms. Hirashima added that there was land owned by the City and it would be taken care by the City.

Holly White – 3303 87th Ave. NE

Ms. White spoke to the emotionality in the room; the skyrocketing prices are nice and wow some people, but the bottom line for quite a few people in this area that have been annexed is the “quality of life.” She closed by stating that no amount of money would move her from her home.

Chairman Muller closed public testimony.

Commission Discussion:

Commissioner Kvangnes stated that she has lived here for 40 years, eight of which she has served as a volunteer on the commission. She agreed that we have a traffic problem and that we are way behind in fixing it. Either way someone is going to be impacted. She added that she is in agreement with Mr. White’s workshop idea. She complimented everyone on their involvement, however this is personal. She encouraged everyone to stay involved in their city to make it a better place. Last year we had a developer workshop to resolve a very difficult situation, this is another one of those types of situations; it will be very, very difficult to resolve it. She closed recommending a workshop with the community to work together. She also stated for the record, that she did not care for all the sweeping options.

Commissioner Andes – None

Commissioner Voigt – None

Motion was made by Commissioner Foster to remand City-initiated Amendment No. 6 back to staff for further review (workshops with the community); seconded by Commissioner Kvangnes. Motion passed unanimously with a hand vote of 6-0.

Ms. Hirashima requested Commission’s direction due to the fact that the Comp Plan, by state law, can only be amended once a year. This group of 2007 amendments must be submitted together. Therefore, the remand of these two amendments remands the entire package. She further requested a firm date to continue the meeting while having workshops in-between. Chairman Muller asked why the amendments had to stay together. Ms. Hirashima said that the City, by state law can amend the Comp Plan once a year; this is the 2007 Comp Plan amendment cycle. Chairman Muller then asked why these two items could not be remanded to the next cycle. Mr. Knudsen stated that a way to handle this would be to forward all the recommendations made tonight to the Council, including the two remanded (5

and 6) ones leaving up to the City Council to decide whether they agree with that or not. He further stated that this would allow them to move forward on all others and let the Council remand the two amendments back to staff. Chairman Muller asked to confirm that this would allow them to move on with the others. Mr. Knudsen said yes. Chairman Muller then asked if this process would then push the two amendments into the next cycle. Mr. Knudsen said yes, it could. Chairman Muller then stated that if the amendments were pushed into the 2008 cycle, they would become null and void and there would be no workshops. Commissioner Leifer asked if it stopped any of the other projects in that area. Ms. Hirashima clarified that it would not. She also clarified that the City currently has a connection plan within the Comp Plan and this would not alleviate anyone from doing road connections. Mr. Nielsen concurred. Ms. Hirashima added that it would affect the Whisky Ridge plan that states the credit towards their right-of-way and mitigation; the projects in the interim would not receive this credit. Chairman Muller stated that we would adhere to the vote taken but it would need to be amended. Mr. Knudsen recommended a motion to clarify the affect of both decisions on amendments five and six that the Commission is making a recommendation to the Council to remand both amendments to staff for further study (workshops).

Motion made by Commissioner Voigt to forward City-initiated Text Amendments No. 5 and No. 6 to City Council with the Commission's recommendation to remand them back to staff for further review (workshops); seconded by Commissioner Kvangnes; Motion passed unanimously (6-0).

City Initiated Text Amendment No. 7

Request: Amend the Comp Plan Map designation and concurrently rezone residentially designated property located north of 156th Street NE and east of BMSF railway, within the Lakewood neighborhood, from Low-Density Multi-family (R-12) to Community Business (CB).

Location: The proposal map and text amendment would affect the residentially designated properties located north of 156th Street NE, east of BNSF railway in the Lakewood neighborhood.

Director Hirashima reviewed request, review, and staff's recommendation to approve amendment as submitted.

Commission Questions: None

Public Testimony: None; Chairman Muller closed public testimony.

Commission Discussion:

Commissioner Voigt stated that there was nothing controversial about this request.

Motion made by Commissioner Foster to approve staff's recommendation as written; seconded by Commissioner Voigt. Motion passed unanimously (6-0).

City Initiated Text Amendment No. 8

Request: Amend the Comp Plan Map designation and concurrently rezone commercially designated property, as a map correction for properties that were short platted and developed with duplexes in 2001, from General Commercial (GC) to High-Single-Family (R 6.5).

Location: 8106, 8110, 8114, 8204, and 8207 43rd Avenue NE.

Director Hirashima reviewed request, review, and staff's recommendation to revise the comprehensive plan and zoning maps to reflect R-6.5, Single-Family-High land use designation and zoning. She stated that this was a mapping error approval of this request would correct it.

Commission Questions: None

Public Testimony: None; Chairman Muller closed public testimony.

Commission Discussion:

Commissioner Leifer asked for confirmation of the property location.

Motion made by Commissioner Kvangnes to forward City-initiated Text Amendment No.8 as submitted to City Council for approval; seconded by Commissioner Andes. Motion passed unanimously (6-0).

3. Development Regulations Update

Director Hirashima stated that the July 2nd 2007 Development code revisions are numerous code amendments that reflect residential and commercial zones.

Commission Questions: None

Public Testimony:

Aaron Metcalf, President, Belmark Land and Homes LLC - 505 Cedar Ave. Ste. B1, Marysville

Mr. Metcalf said that he was speaking due to the fact they have a project where they will be making application on Soper Hill Road and 83rd (north-east corner). They are producing a master plan project following the Whisky Ridge subarea plan. Their challenge is the interpretation they need to do following code. In doing so, they are finding issues with the City's subarea plan; one of the housekeeping issues is that the R6-18 zoned property in the Whisky Ridge area is currently going off "gross acres density" rather than "net." He then submitted his comments along with a map showing how this would affect his project of a loss of 14 lots. He added that although this is a housekeeping and small item, it has a great repercussions on the project. Mr. Metcalf recommends that more time be taken to make sure that they are correct. Chairman Muller asked about lot size and what is the housekeeping item. Mr. Metcalf responded with lot size of 45x90 and MMC 19120306a. Ms. Hirashima explained the reason for the amendment. Chairman Muller requests clarification to the loss of fourteen lots with the change. Mr. Metcalf said yes and added that it was costly. Discussion continued with Chairman Muller, Mr. Metcalf, and Ms. Hirashima on the cost, burden, and challenges.

Commission Questions: None

Commissioner Andes asked how long it would take to implement these revisions. Ms. Hirashima said that she hoped they would be adopted by September 2007. She then submitted a letter from Barclay North, Inc.

Chairman Muller closed public testimony.

Commission Discussion:

Commissioner Voigt asked Ms. Hirashima what she thought about Barclay's North's recommendations. Ms. Hirashima felt that their letter reflected confusion on what we are doing.

Motion made by Commissioner Voigt to forward the 2007 Code Revisions to City Council for action; seconded by Commissioner Andes. Motion passed unanimously (6-0).

COMMENTS FROM THE STAFF: None

COMMENTS FROM COMMISSIONERS:

Chairman Muller asked about the next step on City-initiated Amendments No. 5 and No. 6. Will we do a workshop? Commission Voigt recommended having the consultant scope and budget

an additional modeling effort. Discussion was had between the Commission and Ms. Hirashima on the affect of remanding the two amendments and how it would affect next steps.

CITY COUNCIL ACTION

Minutes available online on city website: www.ci.marysville.wa.us

ADJOURNMENT

Seeing no further business, Chairman Muller solicited a motion to adjourn. **Motion** made by Commissioner Foster, seconded by Commissioner Kvangnes to adjourn at 10:32 p.m. **Motion** passed unanimously (6-0).

NEXT MEETING

September 11, 2007 at 7:00 p.m. (No meeting scheduled in August)

Respectfully submitted,
Valeri Dean, Recording Secretary

MARYSVILLE PLANNING COMMISSION

July 10, 2007

7:06 p.m.

City Hall
Council Chambers

CALL TO ORDER

Vice Chairman Dave Voigt called the July 10, 2007 meeting of the Marysville Planning Commission to order at 7:06 p.m. The following staff and commissioners were noted as being in attendance.

Vice Chairman: Dave Voigt

Commissioners: Jerry Andes, Steve Leifer, and Toni Mathews

Staff: Gloria Hirashima, Community Director
John Tatum, Traffic Engineer
Valeri Dean, Recording Secretary

Absent: Chairman Steve Muller, Commissioner Becky Foster, and Commissioner Deirdre Kvangnes

APPROVAL OF MINUTES

June 26, 2007 – A revised version will be distributed with the packet for the July 24th, 2007 meeting to be sent out Friday, July 13, 2007. Vice Chairman asked the council members to review the revised minutes to confirm when they were speaking.

AUDIENCE PARTICIPATION

Vice Chairman Voigt solicited public comment on items not already on the agenda. There were none.

CURRENT BUSINESS

1. Development Code Revisions

Director Hirashima – reviewed the following updates to the development codes:

1. Page 3 of 18 – 19.12.030 – Residential Zones – Note 11. *Townhome setbacks are reduced to zero on an interior side yard setback where the units have a common wall for zero lot-line developments. Note 12. Townhome setbacks are reduced to 5' on side yard setbacks provided the buildings meet a 10' separation between structures.*
2. Page 7 of 18 – 19.12.040 – Resource and Commercial/Industrial Zones – Note 12. A 15' (was 20') setback is required for 1) commercial or *multiple-family* structures on property lines adjoining *single-family* residentially designated property; **and** 2) *a rear yard of a multi-story residential structure* otherwise no specific interior setback requirement. *Interior setbacks may be reduced where features such as critical area(s) and buffer(s), public/private right-of-way or access easements, or other conditions provide a comparable setback or separation from adjoining uses.*

Commissioner Leifer pointed out that Note 12 of item 2 above, the word “**and**” should be “**or**”. Director Hirashima will correct in final report.

Director Hirashima expressed the following concerns:

1. Transition issues for the existing neighborhood may prevent infill projects due to small lots
2. Single-family dwellings, duplexes, townhomes, and multiple mobile homes parking requirements of 2 per dwelling. Driveways used to count as 1 space. This will no longer

be allowed with what is proposed. Developments with enclosed garages and no driveways would now need an additional parking space.

Director Hirashima also noted that

Amendment 18 - Create new Master Planned Senior community overlay zone and 19 – Tax Exemption for multi-family housing as allowed under RCW84.14 have not been finalized and will come separately.

2. City-Initiated Amendments

Amendment 4 – Delta Avenue Extension

Director Hirashima – noted that Traffic Engineer John Tatum has written a letter outlining technical issues that were of concern to the commission. Vice Chairman Voigt stated that the letter did clarify questions they had from a technical standpoint. The letter also mentioned that there was not significant traffic increase with this project due to the turning restriction at both ends. He then asked if this would continue to be a low-volume road. Mr. Tatum said yes that it would and that he did not see this changing in the future. Commissioner Leifer asked if the road would be a one-way or a two-way road. Mr. Tatum said that he saw the concept developed as a two-way road all the way to Dunn Lumber. With two more feet of pavement it's possible and he believes that this would be cost effective. Commissioner Leifer asked about funding. Director Hirashima responded that the project might be city funded due to the fact that they own most of the area. Mr. Tatum added that it would improve access to water and sewer facilities for this area. Vice Chairman Voigt asked if the properties would be redeveloped and if there is an opportunity to remove some curb cuts or entries off of State Avenue to smooth out the flow of traffic? Mr. Tatum said he had not looked at that, but it could be possible Vice Chairman Voigt added with redevelopment they could look at reconfiguring parking lots with fewer entries to State Avenue to streamline the flow. Director Hirashima agreed that this was worth looking into especially if there are multiple access points. Commissioner Andes asked how they were planning to go from two lanes to one lane. Mr. Tatum said that it depended on the access in the back of each of the businesses can be accommodated. Ideally the two lanes would go into a parking area, essentially a back driveway. He also noted that that this road could be extended parcel by parcel and did not have to be done all at once. Commissioner Andes expressed his concern of this becoming a shortcut. Mr. Tatum assured him that this would only be an access from business to business. Commissioner Leifer asked about the funding being paid by public funds since it is only a benefit to the businesses. Director Hirashima said that would be addressed at a later date as this amendment does not identify a funding source.

Sunnyside Proposal

Director Hirashima noted that the additional information the council requested had been prepared and will be included in the final report.

Vice Chairman Voigt noted receipt of letters from property owners addressing their concerns. He asked if any of the owners were present and encouraged them to come to the public hearing on July 24, 2007. He also stated that their letters would be incorporated into the file.

Amendment 6 – Whisky Ridge

Director Hirashima said that the original road concept was a new road on the back of the properties between 83rd and 87th. The alternative currently discussed proposed use of 87 th Ave NE. This was intended to reduce overall ROW needs. She also noted that she had received feedback from some property owners that they prefer the original route. She will include the original route in the report for reference as an alternative alignment.

3. 2007 Citizen-Initiated Comprehensive Plan Amendments

Vice Chairman Voigt confirmed that there were no loose ends with the Citizen-Initiated Amendments

COMMENTS FROM THE STAFF:

Director Hirashima said:

- Packets will be distributed on Friday, July 13th, 2007
- Engineering and our consultant will be at the public hearing to address questions.

Director Hirashima asked if the July 24, 2007 meeting could begin at 6:30 pm with the Puget Sound Regional Council's presentation. All agreed.

COMMENTS FROM COMMISSIONERS:

- Vice Chairman Voigt notified all present that Deputy City Clerk, Lilly Lein had passed away and that there is a memorial fund set up for the family at North County Bank in lieu of flowers. Commissioner Mathews said that she will purchase a card for the council members to sign. It will be available at her office. If for some reason this is not convenient, she is willing to come to you. Director Hirashima said she would notify everyone not present about the card and when she learns of the details of the service, she will notify the Commission.

CITY COUNCIL ACTION

Minutes available online on city website: www.ci.marysville.wa.us

ADJOURNMENT

Seeing no further business, Vice Chairman Voigt solicited a motion to adjourn. **Motion** made by Commissioner Mathews, seconded by Commissioner Andes to adjourn at 7:42 p.m. **Motion** passed unanimously (3-0).

NEXT MEETING

July 24, 2007 at 6:30 pm – Public Hearing

Respectfully submitted,

Valeri Dean, Recording Secretary

MARYSVILLE PLANNING COMMISSION

June 26, 2007

7:00 p.m.

City Hall

CALL TO ORDER

Vice Chairman Dave Voigt called the June 26, 2007 meeting of the Marysville Planning Commission to order at 7:10 p.m. The following staff and commissioners were noted as being in attendance.

Vice Chairman: Dave Voigt

Commissioners: Jerry Andes, Becky Foster, Steve Leifer, Toni Mathews

Staff:
Gloria Hirashima, Community Director
Chris Holland, Senior Planner
Valeri Dean, Recording Secretary

Absent: Chairman Steve Muller and Commissioner Deirdre Kvangnes

APPROVAL OF MINUTES

June 12, 2007

Motion made by Commissioner Foster, seconded by Commissioner Matthews, to approve the 6/12/07 Planning Commission minutes as written. Motion passed unanimously (4-0).

AUDIENCE PARTICIPATION

Vice Chairman Voigt solicited public comment on items not already on the agenda. There were none.

PUBLIC HEARING - None

NEW BUSINESS

1. 2007 Citizen-Initiated Comprehensive Plan Amendments

Amendment 1

Mr. Holland noted that the proposal involved a .4 acre parcel on the southeast corner of 47th and 3rd. Wayne Christianson has requested that the parcel be re-designated from a high-density-single-family use to mixed-use.

Staff has reviewed the request and believes that a neighborhood business classification would better fit the existing neighborhood and would limit the uses as opposed to the mixed-

use designation which also allows high-density-multi-family... The staff brings this recommendation subject to three conditions: 1) right-of-way dedication along 47th; 2) access restricted to 47th only; 3) any future action is required to comply with the neighborhood-business design and development standard outlined in the Marysville Comprehensive Plan.

Mr. Holland then inquired if there were any other needs of the Commission prior to setting a date for the public hearing.

Vice Chairman Voigt asked if there was anything new in the packet submitted today. Mr. Holland said that there was a little more in-depth analysis based on the code comp plan criteria and standards that applies.

Commissioner Mathews inquired about a letter received from a law firm. Mr. Holland confirmed that a letter was received from Anderson Hunter Law Firm, who represents Madeline Villa, which is directly south of the project site. They had concerns about the mixed-use land use designation and the types of uses that it would allow. Any commercial land use is required to provide protection to residential land uses. Madeline Villa is in a residential designated neighborhood, therefore, any projects on the south side would be required to provide both landscaping and fencing along the south and east boundary to protect the residential designated neighborhood properties. The proposed change includes the protection from the surrounding land uses.

Vice Chairman Voigt asked if the proponent was still seeking mixed use. Senior Planner Holland said that they were comfortable with the staff recommendation because it still allows them to move forward with their plan.

Commissioner Mathews asked if the recommendation indeed allows the proponent to do what they are planning. Mr. Holland said yes, the neighborhood business and the mixed-use designations allow very similar land uses for commercial. The difference is mixed use allows you to build apartment complexes at a high density rate; where the neighborhood business specifies that all multi-family uses have to be above the ground floor of commercial use.

Vice Chairman Voigt asked what action the Commission was being asked to take. Mr. Holland said he was seeking any additional information the Commission might want in preparation for the public hearing. None noted by the Commissioners.

Amendment 2

The second citizen-imitated amendment is located in the Lakewood area and submitted by Joel Hylback and Ronald Young. This parcel is currently designated to general commercial and is butting Twin Lakes Park on the north boundary. The initial request was a larger request area (one individual parcel and a ½ of parcel to the east). The applicants have requested to withdraw the western most parcels from the request. They are requesting to change the land use from general commercial to mixed-use only on the eastern 3 acres. Staff reviewed and recommends approval with the condition of right-of-way for future improvements along 164th Street, NE and 27th Avenue, NE.

Note: Both of these recommendations have been forwarded to both applicants with a potential date of July 24, 2007 for a public hearing.

City-Initiated Amendments

Amendment 1

Director Hirashima reviewed the proposed comprehensive plan amendment to repeal ordinance 2487 which allows a master site plan over sixty acres to designate twenty percent of the gross site area for residential uses and infrastructure. This applies to the Smokey Point Subarea Plan boundary (east of Interstate 5, west of Hayho Creek, north of 152nd Street NE and south of the city of Arlington. This was a provision that was adopted within the subarea plan in 2004. This amendment would repeal the subarea plan. Currently the City Council has adopted a moratorium ordinance to prohibit new applications from being submitted under the residential site plan allowance. Council has directed staff to review repeal of the provisions during this cycle.

Commissioner Foster asked if after and when this is repealed, we will re-do the plan. Director Hirashima said, no, because when this plan was adopted, the city concurrently rezoned the area to general commercial so this would repeal the allowance for residential use.

Amendment 2

Director Hirashima - Comprehensive plan text amendment to page 4-6 of the Comprehensive Plan regarding rezones to bordering zones. This is a language change. Currently it says, "Property at the edges of land use districts can make application to rezone property to the bordering zone without applying for a comprehensive plan amendment. However, the burden of proof is on the applicant to demonstrate basis for the rezone. At the last workshop we discussed the size limitation and excluding critical areas in the calculation. This change is now reflected in the amendment.

Vice Chairman Voigt asked if the acreage number is still a loose/flexible number. Director Hirashima said that here it is not because it is limited to 10 acres. Beyond the 10 acres a request can be made through the comprehensive plan amendment cycle. This also provides more guidance for applicants.

Amendment 3

Director Hirashima - Lakewood and Smokey Point Arterial Maps. The classification terminology used by Perteet is different from the City's Engineering design standards. A request has been made to Perteet to update the maps conforming to the City's standard. Example: Blue lines are our minors, the map shows collectors.

Commissioner Leifer asks to confirm what our terminology means. Director Hirashima responds with minor = 3 lanes, principles = 5 lanes, and collectors = 2 lanes. Commissioner

Leifer notes that wording in the second paragraph should be “a minor arterial is 3 lanes”. Director Hirashima will correct.

Commissioner Andes clarified that State Avenue as it goes north to 116th will be a principle arterial at 5 lanes. He also asked if there was anything bigger than that proposed. Director Hirashima said no.

Commissioner Andes asked about 4th street and what it is supposed to be. Director Hirashima said that 4th street is designated a principle arterial and it is a five-lane plan section except for 4 lanes across the bridge. 4th street will soon be re-stripped as the five-lane section. Also, some of the new roads, for instance 156th street is shown as a minor but that will go to principle and then will be a major road and potentially a new interchange.

Amendment 4

Director Hirashima - The City has studied extension of Delta Avenue between 10th Street and Grove Street. The City of Marysville owns a strip of land along the east edge of the Burlington Northern Railroad tracks along several of these properties as depicted in the attached map. An alley paralleling State Avenue would provide an alternate point of access to properties along State Avenue. The alley width will be a minimum of 20' in width. This would provide internal connectivity along the west side of State Avenue.

Commissioner Leifer asked about the Dunn Lumber building and if there was room to squeeze by. Director Hirashima said that it was a challenge due to the right-of-way does not exist presently or a tract of land does not exist. In order to provide an alley there would have to have a strip along the west edge of the property.

Vice Chairman Voigt asked if this would reduce the driveway accesses off of State Avenue. Director Hirashima said that it would potentially mean that people can go from business to business without going out onto State Avenue; this would provide an additional roadway that would eliminate some of the access movement onto State Avenue.

Vice Chairman Voigt stated that he was not convinced that the effort and expense and trouble is worth it; and asked if there were any definitive trip studies or anything to confirm that this is a problem presently. Director Hirashima said that these properties only have one point of access onto State Avenue and that it would be a benefit to have a through access and to give better access to the businesses and properties. Also there is a strip that exists that goes from 10th Street to the back of this property that we are in.

Note: The Commission did not receive map in packet. The Commissioners took time to review copy from Vice Chairman Voigt.

Vice Chairman Voigt asked if the businesses affected by this were willing to do it as an LID, if it benefits them. Director Hirashima said that this would likely be a City project due to the fact that the City owns most of the property.

Commissioner Andes asked if there would be light at Delta and 4th. Director Hirashima said there was no light proposed at Delta and 4th. Commission Andes went on to express concern about a potentially congested alley due to the significant traffic from 4th to 9th. Director Hirashima said that it would be something they could look at. Vice Chairman Voigt said that it might have some complicating factors whether left turns off the north end can go across the tracks or not, maybe right out only/right in only. Commissioner Foster added that while making a left turn across the tracks a train comes, there would be a backup. Vice Chairman fell that more discussion and the financial piece needs further discussion.

Commissioner Mathews said that she believed that this would only be used for a shortcut through town. Director Hirashima asked if the concern is overuse of the proposed alley. Vice Chairman Voigt confirmed that he felt that it would not get used for what it is intended purpose. Director Hirashima confirmed that the concern is that it would become a main thoroughfare.

Director Hirashima asked what kinds of things they wanted to see prior to the public hearing.

Commissioner Foster asked what business was on the north end and asked if it would entail demolition of the building. Commissioner Leifer said that it was Dunn Lumber. Director Hirashima said that this would not happen unless there was redevelopment of the site.

Vice Chairman Voigt suggested a cul-de-sac turnaround at the Dunn property line, although, it would change the character of the road. Director Hirashima asked if there were concerns about public funding of a dead end road. Vice Chairman Voigt and Commissioner Leif noted that this was a concern.

Director Hirashima asked to confirm that some on the Commission felt that it would have value as another through access to State, but were concerned that it needed to be larger/wider than 20'. Commissioner Mathews said yes, that she feels the proposals not wide enough for the traffic anticipated. As an entry into the businesses it could help, but is it really going to help enough for the cost of the project. Vice Chairman Voigt agreed. Director Hirashima will make note to have the engineering department look at the size of the road and volume of traffic it would be expected to serve.

Commissioner Leifer stated that a road like this that is adjacent to a right-of-way like the railroad has no interference from traffic coming in from one side of it which allows it to act as a good smooth flowing road. Commissioner Andes adds that there is the potential that people would like to put some offices facing that road too. Director Hirashima said that one of the things that staff is looking at are the uses of the downtown and planning for increased densities and increased redevelopment. One of the goals for this kind of improvement is to prepare the downtown for increased intensity of use. The city has been looking at ways to spur redevelopment including building a city center within the downtown. We are looking at ways to maximize the downtown.

Director Hirashima confirms that the following will be addressed in the final report:

1. Size of the road.
2. The volume of traffic it could serve.

3. Alley vs. Street
4. Cul-de-sac or go through
5. Funding sources.
6. Traffic light at 4th street.

Amendment 5

Director Hirashima - This is the Council remand from East Sunnyside/Whisky Ridge master plan hearing. The Commission received a map in their packets showing the various options. At the last meeting Michael Stringham of Perteet, Inc. provided the Commission with an overview of the report and reviewed various alignment options. The Commission previously reviewed option 1, 2, and 3 which were shown on the public works engineering analysis of the three roads. There was an option 4 that Commissioner Steve Muller proposed which was to straighten out the road and put roundabouts on either side which is shown. At the last meeting, engineering staff had indicated that option 4 might be a good compromise to option 2. However, after drawing it up they felt that it consumed as much right-of-way as option 2. Therefore, they felt that option 2 would still be the best alternative because in option 4 the roundabouts themselves consume quite a bit of right-of-way.

Discussion between council members on options took place with the following highlights:

- Expense
- Impact on existing roads
- Timeframe
- Radius of curves
- Design speed
- Affected structures
- Traffic lights
- City Council satisfaction of their original intent to remand.
- Traffic volumes
- Proposed roads
- Property owner's needs
- Poor planning
- Sunnyside development as option 5
- Removing option 3 – All concurred to remove due to the impact it would have.
- Removing option 1 – Although financially expensive, Chairman Voigt agreed to leave on for the sake of the people testifying.
- Neighborhood input

Amendment 6

Director Hirashima reviewed the proposal for 40th street (map attached). This proposal shows an alternative to the road that was identified in the master plan that went between 83rd and 87th Avenue. She indicated that there was no new information on this and asked if the Commission wanted additional information for the hearing. Vice Chairman Voigt referred to a new piece of correspondence from the Nixon's in the packet and asked if it was applicable to this amendment 6. Director Hirashima said that she did not receive a copy of the letter and would need a copy for the file. Vice Chairman Voigt stated that the last time we looked at this

there were no questions. Commissioner Andes asked if 83rd would still be a major road north and south. Director Hirashima responded that it would and noted that the reason 87th was used vs. 83rd was because 83rd will be a major north/south minor arterial. 83rd Avenue could not be used because it would end up consuming north/south capacity which is needed. The new proposed road from SR 92 actually carries the east/west traffic. The reason staff felt 87th Ave was a better candidate was because 87th Avenue was perceived as an essential north-south arterial and this proposal would convert it into an east-west component tying into 40th. This also reduces the need to do an additional road between 83rd and 87th to carry east/west traffic and provides a disconnect on 87th so you wouldn't have people shortcutting through. Commissioner Andes observed that looking at the other streets; the City is trying to provide a curvilinear design while this proposal suggests a design with sharp lefts and sharp rights. This seems contrary to the goal of trying to provide a more direct route from Highway 9. Director Hirashima stated that the difficulty is that there are so many property owners involved and in the beginning we had a centrally curved road proposed but the difficulty in that concept was that several parcels would be split in half. Staff was concerned that the road would never get built as the ownership pattern and right of way was so complicated. . This road would be an important arterial for carrying southeast Marysville traffic and by utilizing an existing right-of-way it vastly increases the likelihood that it will be constructed. If the City controlled all the properties or they were under single ownership than a gentler road design could be proposed. Commissioner Andes observed that a nice curve at 40th and 87th could substitute for a roundabout. He noted that there may be a problem with 87th and SR 92 as there is a pretty good size house on that corner. He asked if instead a bigger radius could avoid it. Director Hirashima indicated that that should be considered.

Amendment 7

Director Hirashima noted that this proposal is a plan map amendment to Lakewood land use designation and zoning. This corresponds with amendment number 3 which introduces a new road concept for the Lakewood area. One of the things that staff considered in providing for that new road alignment is 156th was that it is going to become a major principle arterial with an over-crossing over I-5. This reduces desirability of residential along 156th. A future interchange could actually be developed at 156th which makes it more desirable for commercial land instead. Staff is recommending extension of the existing community business zone onto the map amendment site. It is currently multi-family. This has also been discussed with the owner.

Amendment 8

Director Hirashima noted that this is simply a map correction. Staff became aware of this when a property owner who was requested a zoning letter for his bank. This site is developed for duplexes and it is zoned general commercial. We researched it historically and found no record of deliberately rezoning the land so we concluded that it was a mapping error. We would like to change that back to a residential zone. We are recommending an R18 which is what the adjoining land is developed. It is currently GC. Commissioner suggested R6.5 instead.

Director Hirashima noted that she would bring back the information requested on addendum 4 and 5 and advertise the hearing for July 24th. Vice Chairman Voigt noted that the Commission has another workshop on July 10th.

Development Code Revisions

Director Hirashima reviewed the proposed revisions.

1. Changing the definition for family to make it legally compliant with federal fair housing act. I had the City Attorney review this and he recommended this revision to correspond with some of the court cases on this.
2. This is providing a definition for master plan senior community. There has been interest in doing a master plan senior community. This will simply provide a definition. It will not provide the zone and the matrix. She noted that these codes will come separately.
 - 3, 4, 5, 6, and 7 deal with the residential zone density and dimensional chart. There are a number of revisions being made to the chart including:
3. Delete the RU zone because we no longer have any properties zoned RU (rural use/transition).
4. Revises the building coverage requirements and increases the building coverage allowances for some of the smaller lot zones.
5. Revises minimum side-yard setback related to town homes. We are seeing a lot of town home proposals that are being submitted. The current code requires a 10' side-yard setback. This proposal would reduce the side-yard setback to 5' if on separate lots similar to single-family residential dwellings. We have seen proposals come in where town homes were on individual lots and when you have a 10' side-yard, you are looking at 20' separation which is pretty large for side setbacks. We are also recommending 0' on an interior lot line where the town home is common wall.
6. Revises heights to 30' in the R4.5 and R6.5 zones. As we annex properties, Snohomish County and many other cities have 25' building height maximum. In the city we are starting to see more 3-story dwellings in the single-family zones which often look out of scale. We have received complaints from the public living in the adjoining neighborhoods as more of these structures are built. Commissioner Andes asked if site average grade is measured from the front to the back of the lot. Director Hirashima indicated that from where the building is, you take the four corners of the building and average it.
7. Adds the Whisky Ridge zones to the matrix. These zones were incorporated with the Whisky Ridge subarea plan. This would bring them into our overall municipal code. All the notes apply. Recommended revisions to the Whisky Ridge zones are 1) changing the maximum building coverage in the Whisky Ridge 4-8 zone from 40% to 50% similar to R8; 2) incorporates the reference to notes 11 and 12 from code amendment number 5 above which relates to changing the town home setback requirements; and 3) provides a broader allowance to dealing with a split zoned parcels through density averaging. We had a 15 acre master plan requirement and this basically says that you can do it if you have topography to clear or other reasons to justify the density averaging.
8. Deletes note 14 relating to minimum lot size outside planning area 1. This has not been superseded by the small lot and PRD code revisions.
 - Code amendments 9, 10, and 11 relate to the commercial zone matrix which is 19.12.040.
9. Revises the mixed-use zone setbacks. This provides for rear setbacks for ground floor residential uses of 20'. The mixed-use zone has a 5' setback currently. The mixed-use

zone states that there is a minimum 5' setback is required when adjacent to non-residential designated property, which could be another mix –use zone. What can result is having a town house proposed towering over the single-family uses that were in the mixed-use zone. This does not provide for a nice setback in addition for fire requirements which should be at least 15'. We are recommending that if it's a ground floor residential, use should be treated like a residential rear yard and have 20' instead of 5'. This would provide for greater compatibility. Director Hirashima – shares a map showing this type of situation where the old code was in affect. A copy will be made for all. Parking is also an issue.

12. Change setbacks to 10' separation between buildings. This section of the code referred to a 15' separation.
13. Providing for a fee in lieu of option for recreation within planning area 1 or in the case of smaller projects. We have found that open space requirements are difficult to meet in downtown info projects. This is for multi-family projects. These provisions are likely restricted the ability to redevelopment multi-family within the downtown. In many smaller projects the recreation areas are very limited. A fee in lieu of program could provide the basis for park improvements on a planned basis with the city providing for public improvement.
14. Revising landscape buffer as shown in the table. It includes buffers for multi-family development along the parking and drive isles similar to commercial uses. Also changes the 25' setback that applies to SR9 and I-5 right-of-way and the matrix showed industrial and business building and parking areas. When the Smokey Point area was changed to industrial/commercial, the code provision no longer applied. This brings back industrial/commercial and business park areas, so it includes Smokey Point area. It also reduces the setback from 25' to 15' due to comments from property owners that 25' is a rather large landscape setback along the back of the property. We also reduced the setback from 20' to 15' along public arterial right-of-ways.
15. A fire district concern of tandem parking being used to meet minimum required parking spaces. This would result in inadequate functions parking within a development. The fire district contend that it is not used for parking therefore we are not requiring enough parking if we allow tandem parking to be counted the required spaces. While going through the small lot provisions there was a desire on part of the development committee to allow tandem parking because it reduces the amount of area for driveways and they showed where tandem parking was used effectively in Redmond and Kirkland. This would change the spaces required for single-family dwelling, duplexes, town houses and mobile homes to say 2 per dwelling driveway, minimum one car width is also required for enclosed garage parking.
16. Repeal the freeway service zone. It is not a zone that we are using any more and there are no properties zoned for freeway service.
17. Correction to reference the current critical areas code.

ADDITIONAL DISCUSSION

Commissioner Foster asked what the City's stance is on the proposed rural clusters in the Happy Valley area. Director Hirashima indicated that the City has written a letter expressing concern about that the proposed rezone. Commissioner Foster asked if it puts way too many cars on the roads and lowers our level of service. Director Hirashima concurred that traffic

was one of the concerns the City has raised. In addition changing the zoning would increase the density of rural housing project. The other thing we expressed in our letter was that there is plenty of capacity within the UGA's, in particular the Marysville UGA's is at less than 10% of our additional capacity for 2025. The City is concerned that about increased density and the potential for a fully contained community proposal. The county planning director has indicated that the County is in discussion with the applicant about this potential. The applicant has a legal right to do rural clusters now, but what they are proposing is to increase density and to qualify for up to 100% density bonus by changing the zoning from R5 to R5 Basic under the provisions in the county code. This would take rural zone to a higher level and in future if this becomes a fully contained community there would essentially be a city created. She noted that staff is going to meet with McNaughton's staff tomorrow. They contacted the City because they wanted to explain their project so we could understand what they are trying to accomplish. Stanwood and Arlington have both written letters against the proposal as well. Commissioner Foster stated that one of the concerns of the Smokey Point Chamber is that when we lose the level of service to the residential it prohibits us from creating the job base and the taxes that are building the roads and fixing the infrastructure. Director Hirashima agreed and noted that an additional concern is the additional infrastructure needs it creates. Vice Chairman Voigt noted that this would distract from the other existing needs.

Vice Chairman Voigt asked if there were any other topics or issues, or a motion to adjourn.

Director Hirashima asked if there were any remaining questions on the development revision codes. Vice Chairman Voigt confirmed that it was ready for hearing.

COMMENTS FROM COMMISSIONERS - None

NEXT MEETING

- July 10, 2007 – Work Session in preparation for July 24, 2007 Public Meeting

ADJOURNMENT

Seeing no further business, Vice Chairman Voigt solicited a motion to adjourn. **Motion** made by Commissioner Foster, *seconded by Commissioner Leifer to adjourn at 9:23 p.m. Motion passed unanimously (4-0).*

Respectively submitted,

Valeri Dean, Recording Secretary

Marysville Planning Commission

Sign-in Sheet

July 24, 2007

	Name	Address	Phone
	Jennifer Dold -	4001 4 th Ave Suite 1015, Scatne, WA 98154	206 264-8600 Comp. Plan Am. #5 -
516	Jeri Short -	6917 40 th St NE	Am #5 - 425 348 8540
	Beccie Nixon -	4024 71 st Ave NE	425-335-7764 #6?
516	Tim Nixon (speel)	4024 71 st Ave NE	425 335 7764 #6?
Amend #6	Ken White against	3303 8 th Av NE	425-377-0292
	Don + Shannon O'Connell	3615 8th Ave NE	354-5601
Amend #6	Shelly Thomas ^{oppose} _{53 am 57}	3626 8 th Ave NE	425 238 3548
	Leon Prather	4007 Sunnyside Blvd	425-372-1029
#1	BILL BINHEED - Amend #1	6513 132 Ave NE #345 Kirkland, WA 98033	425-889-0770
	✓ (TRAP) Amend. #3	(support) —	
#6	Don Babbe ^{oppose}	3811 8 th L Ave NE	425 335 0751
Amend #3	Kelly Foster ^{support}	(support) 15528 Smokey Pt. Blvd	206-501-8941
	Don + Shannon O'Connell	3615 8th Ave NE	354-5601
#3	Denay Osterman <u>against</u>	2605 164 th St NE Marysville, WA 98271	654-0144



COMMUNITY DEVELOPMENT

80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

**NOTICE OF INTENT TO AMEND THE COMPREHENSIVE PLAN
AND NOTICE OF AVAILABILITY OF ADDENDUM AND ADOPTION OF EXISTING
ENVIRONMENTAL DOCUMENTS UNDER THE STATE ENVIRONMENTAL POLICY ACT**

Pursuant to the Washington State Growth Management Act (GMA) and State Environmental Policy Act (SEPA), the City of Marysville is issuing a SEPA threshold determination related to comprehensive plan amendments to the city's GMA Comprehensive Plan. These amendments include the 2007 City-Initiated Comprehensive Plan Amendments, which address the following proposals:

1. Comprehensive plan amendment to repeal Ordinance 2487 which allows a master site plan over sixty acres to designate twenty percent of the gross site area for residential uses and infrastructure.
2. Comprehensive plan text amendment to Page 4-6 of the Comprehensive Plan regarding rezones to bordering zones.
3. Comprehensive plan map amendment to Lakewood and Smokey Point neighborhood maps depicting road connections. Map amendment would affect Figures 4-87 and 4-91 of the City of Marysville Comprehensive Plan neighborhood maps. Amend Figures 8-4 and 8-7 of the Transportation Element proposed road connector map and 20-year Transportation Improvements. Amend Page 8-56 description of 156th Street NE in Appendix A Recommended 20 year Transportation Plan Improvement Projects.
4. Comprehensive plan map amendment to Downtown neighborhood map and associated maps depicting road connections. Map amendment would affect Figure 8-4 of the City of Marysville Comprehensive Plan Transportation proposed connector map.
5. Comprehensive plan map amendment to Figure 8-4 City of Marysville Comprehensive Plan Transportation Element "Proposed Connections" map depicting road connections for 67th/71st Avenue connector between 40th and 44th Streets NE. Amend Page Appendix A of the 20 year Transportation Plan Improvement Projects. Council remand from East Sunnyside/Whiskey Ridge subarea plan.
6. Comprehensive plan map amendment to Figure 8-4 City of Marysville Comprehensive Plan Transportation Element "Proposed Connections" map depicting road connections for 40th Street NE extension west of 87th Avenue NE. Amend Page Appendix A of the 20 year Transportation Plan Improvement Projects. Council remand from East Sunnyside/Whiskey Ridge subarea plan.
7. Comprehensive plan map amendment to Lakewood land use designation and zoning. Map amendment would affect Figures 4-2, 4-87

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and 4-91 of the City of Marysville Comprehensive Plan general land use and neighborhood maps.

8. Map correction and rezone from General Commercial (GC) to Multi-Family Medium (R18) for properties at 8106, 8110, 8114, 8204, 8207-43rd Avenue NE.

The Final Environmental Impact Analysis included the areas and neighborhoods affected in the environmental analysis.

The City of Marysville has determined that it is the appropriate SEPA lead agency for the proposal. Adoption of amendments to the Comprehensive Plan and Development Regulations are non-project actions under SEPA, Chapter 43.21C RCW.

GMA Notice: 60-day notice of intent to amend the City of Marysville Comprehensive Plan was circulated per WAC 365-195-620 to DCTED and State agencies on June 14, 2007.

Notice of Availability of SEPA Addendum and Adoption of Existing Environmental Documents: The document also serves as notice of availability of a SEPA addendum and adoption of existing environmental documents, pursuant to SEPA rules (Chapter 197-11 WAC). After review of the non-project action application and associated environmental information, the SEPA Responsible Official at the Community Development Department has determined that probable environmental impacts resulting from adoption of these legislative proposals have been previously analyzed. An addendum has been prepared which supplements existing environmental documents.

The following existing environmental documents are being adopted:

- Draft Environmental Impact Statement dated January 13, 2005
- Final Environmental Impact Statement dated April 2005
- Interlocal Agreement Between the City of Marysville and Snohomish County Concerning Annexation and Urban Development within the Marysville Urban Growth Area

The following documents are incorporated by reference in this review:

- Environmental Checklists for each of the amendment proposals
- Interlocal Agreement Between Snohomish County and the City of Marysville on Reciprocal Mitigation of Transportation Impacts

Comment Period. There is no comment period for the Addendum to the Final Environmental Impact Statement for the City of Marysville Comprehensive Plan.

Availability of Documents. For more information or to inspect or request copies of the amendments, the adopted existing environmental documents, or other related information, contact the City of Marysville's Community Development Department at 80 Columbia Avenue, Marysville, WA 98270 or call (360) 363-8100.

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ADDENDUM #11 TO THE CITY OF MARYSVILLE COMPREHENSIVE PLAN UPDATE FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) AND DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) AND PREVIOUSLY ISSUED ADDENDA

Addendum Notice: WAC 197-11-625 and WAC 197-11-630

File Number: PA 07043

Project Title: City of Marysville Comprehensive Plan, Environmental Impact Statement Addendum No. 11, 2007 City-Initiated Comprehensive Plan Amendments

Proposed Action: The proposed action is the adoption by the City of Marysville Council of amendments to the City of Marysville Comprehensive Plan.

Purpose of the

EIS Addendum: The purpose of this addendum is to add information and analysis relating to the programmatic city action of amending the comprehensive plan map and text. The information in this addendum adds to the analysis of previously identified significant impacts of the city's GMA Comprehensive Plan dated April 2005 (FEIS) and January 13, 2005 (DEIS), and subsequent addenda, but does not substantially change the analysis.

No additional significant impacts beyond those identified in the FEIS and earlier SEPA documents are expected to occur. To the extent that the existing environmental documents listed in this Addendum (Appendix A) or other published documents have analyzed such revisions at the citywide level and adopted by reference, no additional programmatic level environmental review will be required.

This Addendum is being issued in accordance with WAC 197-11-625 and WAC 197-11-630. Additional changes to the proposal may be considered during the public hearing process. The adopted and incorporated documents listed below meet the City of Marysville's environmental review needs for the current proposal.

Description of

Proposal: This document addends the original EIS prepared for the City of Marysville Comprehensive Plan, and addresses the environmental review for proposed 2007 city-initiated amendments to the Comprehensive Plan.

The City of Marysville issued a *Draft Environmental Impact Statement* on January 13, 2005, and a *Final Environmental Impact Statement* in April of 2005, for the City's Comprehensive Plan and Development Regulations update. This addendum addresses the 2007 comprehensive plan amendments which are currently under review. The update has been reviewed for consistency with the recently adopted Comprehensive Plan and Development Regulations. This information expands upon previously identified significant impacts of the

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alternatives of the city's GMA Comprehensive Plan and Development Regulations (Draft EIS), January 13, 2005, and Final EIS dated April 2005, but does not substantially change the analysis. The city has already considered the impacts of the proposed non-project actions analyzed in the Addendum in these EIS documents. The proposed amendments will not have significant affect on either residential or employment capacity. No additional significant impacts beyond those identified in the adopted documents are expected to occur. To the extent that the existing environmental documents listed in this Addendum or other published documents have analyzed such changes, no additional non-project action environmental review will be required.

This Addendum is being issued in accordance with WAC 197-11-625 and WAC 197-11-630. Additional changes to the proposal may be considered during the public hearing process. The following environmental documents and reports represent the City of Marysville's environmental review needs for the current proposal and are adopted, and/or incorporated by reference:

- Environmental Checklists and Staff Reports for each of the proposed comprehensive plan amendments.
- Draft Environmental Impact Statement dated January 13, 2005
- Final Environmental Impact Statement dated April 2005
- Interlocal Agreement Between the City of Marysville and Snohomish County Concerning Annexation and Urban Development within the Marysville Urban Growth Area
- Interlocal Agreement Between Snohomish County and the City of Marysville on Reciprocal Mitigation of Transportation Impacts
- Interlocal Agreement Between Snohomish County and the City of Marysville on Reciprocal Mitigation of Transportation Impacts

Description of Proposed Amendments: Adoption of the amendments will revise the city's GMA Comprehensive Plan and Zoning Map. The City-initiated amendments consist of eight proposed amendments affecting various text and maps within the comprehensive plans. Amendments No. 7 and 8 propose a rezone, consistent with the plan amendment. The City of Marysville has determined that it is the appropriate SEPA lead agency for the proposal. Adoption of any amendments to the Comprehensive Plan and Development Regulations (zoning) would be a non-project action under SEPA, Chapter 43.21C RCW.

1. Comprehensive plan text amendment to repeal Ordinance 2487 which allows a master site plan over sixty acres to designate twenty percent of the gross site area for residential uses and infrastructure.
2. Comprehensive plan text amendment to Page 4-6 of the Comprehensive Plan regarding rezones to bordering zones.
3. Comprehensive plan map amendment to Lakewood and Smokey Point neighborhood maps depicting road connections. Map amendment would affect Figures 4-87 and 4-91 of the City of Marysville Comprehensive Plan neighborhood maps. Amend Figures 8-4 and 8-7 of the Transportation Element proposed road connector map and 20-year

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Transportation Improvements. Amend Page 8-56 description of 156th Street NE in Appendix A Recommended 20 year Transportation Plan Improvement Projects.

4. Comprehensive plan map amendment to Downtown neighborhood map and associated maps depicting road connections. Map amendment would affect Figure 8-4 of the City of Marysville Comprehensive Plan Transportation proposed connector map.
5. Comprehensive plan map amendment to Figure 8-4 City of Marysville Comprehensive Plan Transportation Element "Proposed Connections" map depicting road connections for 67th/71st Avenue connector between 40th and 44th Streets NE. Amend Page Appendix A of the 20 year Transportation Plan Improvement Projects. Council remand from East Sunnyside/Whiskey Ridge subarea plan.
6. Comprehensive plan map amendment to Figure 8-4 City of Marysville Comprehensive Plan Transportation Element "Proposed Connections" map depicting road connections for 40th Street NE extension west of 87th Avenue NE. Amend Page Appendix A of the 20 year Transportation Plan Improvement Projects. Council remand from East Sunnyside/Whiskey Ridge subarea plan.
7. Comprehensive plan map amendment to Lakewood land use designation and zoning. Map amendment would affect Figures 4-2, 4-87 and 4-91 of the City of Marysville Comprehensive Plan general land use and neighborhood maps.
8. Map correction and rezone from General Commercial (GC) to Multi-Family Medium (R18) for properties at 8106, 8110, 8114, 8204, 8207-43rd Avenue NE.

Location: City of Marysville planning boundary
See maps of each amendment

**Action Sponsor/
Lead Agency:** **City of Marysville**
Community Development Department
80 Columbia Avenue
Marysville, WA 98270

**Required Approval/
Review:** City of Marysville Planning Commission – Recommendation
City of Marysville City Council – Ordinance Adoption
Washington State Department of Community Trade and
Economic Development (CTED) – coordination of state
Comments

**Circulation and
Comment:** This Addendum, or notice of the availability, is being sent to
all recipients of the previously issued Final FEIS (Appendix B).

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No comment period is required for this Addendum under WAC 197-625.

Date of Issue: July 2, 2007

Responsible Official:

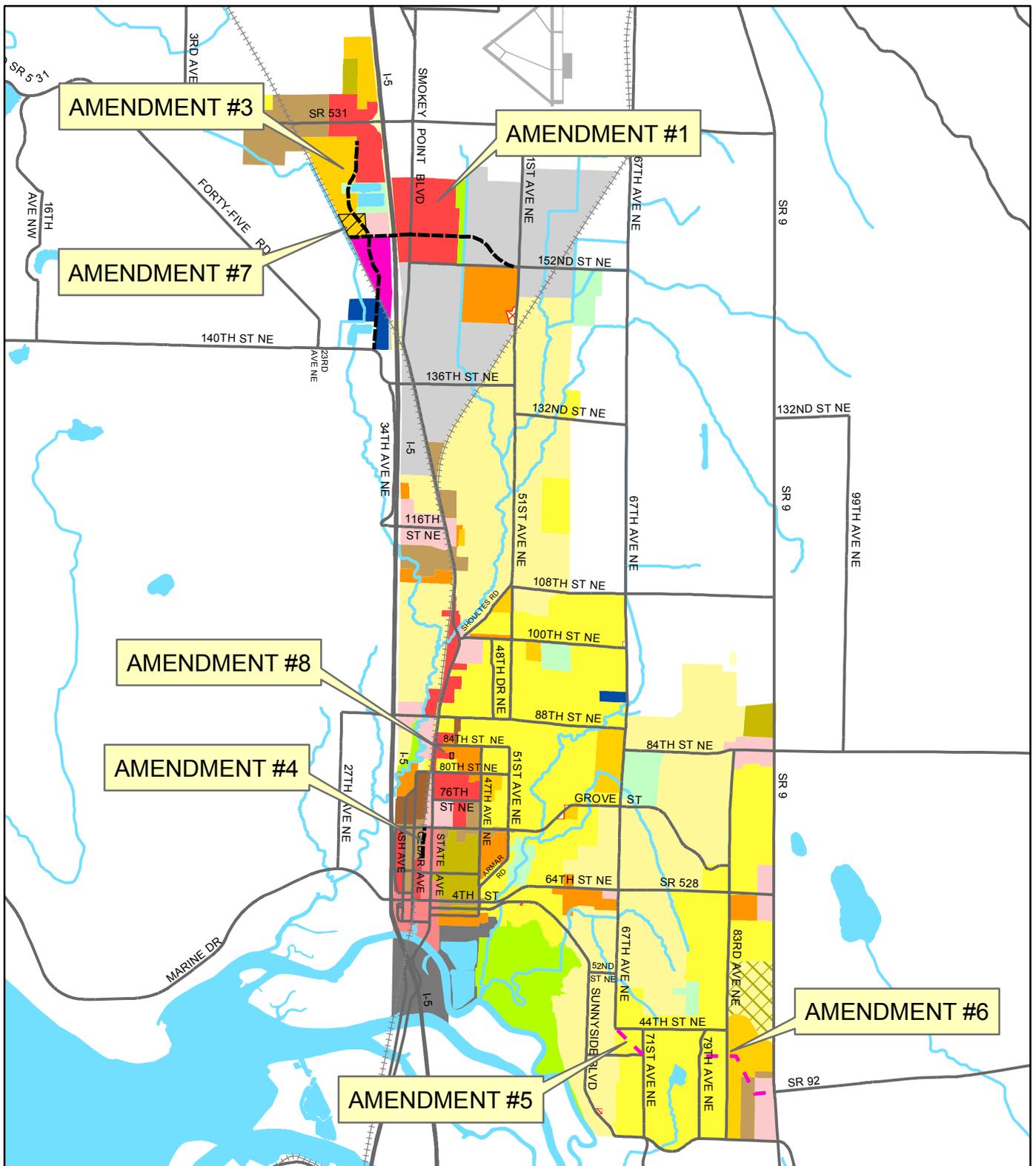
Gloria Hirashima, Director
Community Development Department
80 Columbia Avenue
Marysville, WA 98270
(360) 363-8100

Signature  _____
Gloria Hirashima, Director

Tentative Date of Implementation: Ordinance Adoption by City of Marysville Council in Fall 2007

Public Hearing: The Planning Commission will hold a public hearing on the proposed amendments on July 24, 2007.

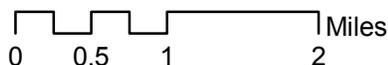
Documents: Additional information concerning the proposed amendments is available for viewing at the City of Marysville Community Development Department, 80 Columbia Avenue, Marysville, WA 98270. File number 07043.



2007 Marysville Comprehensive Plan Amendments

VICINITY MAP

This map provides general locations of the proposed amendments. For detailed site information, please refer to site specific reports.



**REQUEST FOR AMENDMENT
TO THE
CITY OF MARYSVILLE COMPREHENSIVE PLAN**
Citizen Initiated Amendment No. 1

The following is a review of a citizen initiated request for an amendment to the City of Marysville
Comprehensive Plan land use designation and associated rezone proposal.

File Number: PA 07001-1

Applicant: Wayne M. Christianson
10231 N. Davies Road
Lake Stevens, WA 98258
(425) 334-6137

Contact: same as applicant

Location of Proposal: 4716 61st Street NE

Tax Parcel(s): 30052800400100

Current Use: Single-family residence

Property size: Approximately 0.40-acres

Existing Land Use: High Density Single-family

Proposed Land Use: Mixed Use

Amendment Request: Comprehensive Plan Map Amendment and concurrent Rezone to change the land use designation from High Density Single-family to Mixed Use.

Staff Recommendation: Amend the Comprehensive Plan Map and concurrently Rezone the property from High Density Single-family (R-6.5) to ***Neighborhood Business (NB)***, subject to the conditions outlined in Section III of this report.

I. EVALUATION

Request: A citizen initiated NON-PROJECT action requesting approval of a Comprehensive Plan Map Amendment and concurrent rezone to change the land use designation of an approximately 0.40-acre parcel from High Density Single-family to Mixed Use (MU) in order to eventually propose a project action converting the existing single-family residence into a home décor & gift shop.

The High Density Single-family land use designation and implementing zoning designation of R-6.5, prohibits retail uses, as proposed by the applicant. Subsequently, the MU land use designation is a commercial classification, which permits retail uses such as a home décor & gift shop, as desired by the applicant.

Location: The proposed amendment request is site specific and located on the southeast corner of 47th Avenue NE & 3rd Street (aka Sunnyside Boulevard & 61st Street NE) at a site address of 4716 61st Street NE (see attached map).

Surrounding Uses: Surrounding properties to the north are currently zoned NB (neighborhood business) and are currently developed with a convenience store/gas station, restaurant and retail/office center. Existing single-family homes are located on the R-6.5 (single-family, high density) zoned property to the east, and R-8 (single-family, high-density small lot) to the west. The property to the south is currently zoned R-18 (multi-family, medium density) and is currently developed with Madelein Villa Healthcare Center, providing primary care for the elderly.

This proposed amendment site is currently developed with a 3,832 SF 1 ½ story single-family residence with an unfinished basement, which the applicant is proposing to convert into a home décor & gift shop, if the comprehensive plan amendment and concurrent rezone is approved.

Traffic & Circulation: The proposed amendment site is located along two minor arterial classified roadways (47th Avenue NE & 3rd Street; aka 61st Street NE or Sunnyside Boulevard). Minor arterial classified roadways provide for intra-community travel for areas bounded by the principal arterial system. Citing criteria for a change in land use classification from residential to commercial requires commercial land uses to be located adjacent to an arterial classified roadway, as outlined in the Marysville Comprehensive Plan.

A capital improvement project improving this intersection is scheduled for construction in the Summer of 2007. The intersection improvements include signalizing the intersection and providing improved channelization including additional turn lanes and turning radii as well as ADA improvements in order to accommodate current and future motor vehicle and non-motor vehicle traffic flows. These planned improvements support re-designating this corner property from a residentially designated property to a commercially designated property, based on changed circumstances including, increased traffic mobility and installation of a signal controlled intersection.

Public Comments: A letter in opposition of the proposed amendment and concurrent rezone request was received from Anderson Hunter Law Firm, P.S., dated May 14, 2007. Anderson Hunter Law Firm, P.S. represents Madeleine Villa Healthcare Center, Inc., which provides primarily care for the elderly, and abuts the southern boundary of the amendment request site. The opposition letter states that the requested Mixed Use Comprehensive Plan designation would allow a vast array of uses that would likely be significantly incompatible with Madeleine Villa's use.

The Marysville Municipal Code provides protection of existing and proposed land uses through implementation of applicable development standards, addressing potential environmental impacts, including, but not limited to, land use, noise, landscaping, fencing, pedestrian access and building design standards. Specifically, Section 19.16.090 MMC, *Required landscape buffers*, requires a 10' semi-opaque landscape buffer plus a 6' sight-obscuring fence or wall to be provided between commercially designated properties (as proposed by the applicant) bordering multi-family designated properties (Madeleine Villa Healthcare Center,

Inc.). The landscaping and fencing requirements, as well as all other applicable development standards outlined in the MMC, were adopted in order to address potential environmental impacts and provide adequate protection from existing and proposed land uses.

Staff Analysis: In reviewing a Comprehensive Plan Amendment application, Staff considers whether or not changed circumstances have occurred in the area to warrant said amendment request and if the proposed amendment request serves the communities interest as a whole, including a review of adjacent land uses, and whether or not the proposed amendment request is compatible with the surrounding established uses.

The MU land use designation requested by the applicant combines office uses with the highest density multi-family residential. This land use is typically assigned in areas with high vehicular and transit access and close proximity to services and employment. Commercial uses allowed in the MU land use designation are similar to those in the Neighborhood Business (NB) land use designation, except that the MU designation permits multi-family development at a base density of twenty-eight (28) dwelling units per acre, whereas, the NB only allows multi-family development above a ground floor commercial use.

Although the applicant has not proposed development of a high density multi-family apartment complex, assigning the MU land use designation would allow the current or future property owners to construct such a use at this location. The proposed amendment site is located in a well established neighborhood at the edge of a neighborhood businesses district to the north, single-family residential homes to the east and west and a convalescent facility to the south. Allowing multi-family land uses in an established neighborhood could prove problematic to the current residents in the area as well as take away from the character of this established neighborhood.

Consequently, the NB land use could serve the immediate neighborhood and be oriented towards pedestrians, bicyclists and motor vehicles, and would prohibit construction of a multi-family apartment complex at this location. In addition, the criteria and standards for citing a NB land use, as outlined in the Marysville Comprehensive Plan, include site size of ¼ to 1 ½ maximum acres. The existing NB designated properties located adjacent to and north of the subject site totals approximately 0.70-acres. If the subject site was re-designated NB the total site area of the NB designated area would be approximately 1.10-acres (0.70 + 0.40), which meets the citing criteria of 1 ½ maximum acres. The maximum citing acreage would also provide a limiting factor for future amendment requests, further expanding commercial uses into an already established residential neighborhood.

Based on the reviewing factors outlined above the NB land use designation appears to be more compatible with the existing neighborhood than the MU land use designation, and would also limit the potential for expanding commercial or multi-family uses into the established residential neighborhood.

Conformance with State Environmental Policy Act: After evaluation of the applicant's environmental checklist, supporting documentation submitted with the application, and review of information on file with the City, a Determination of Non-Significance (DNS) was issued on June 18, 2007.

II. CONCLUSIONS

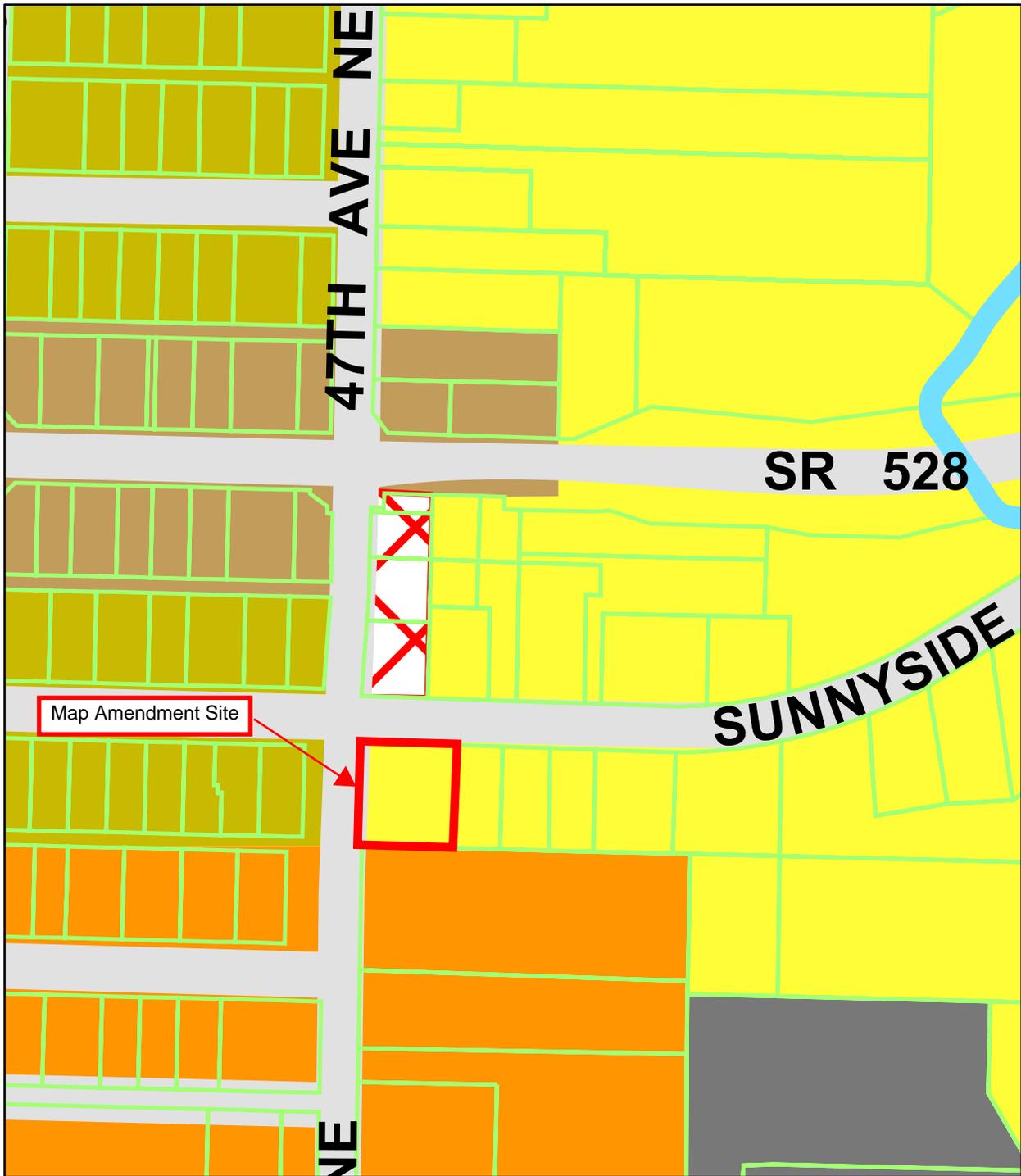
1. The applicant is requesting approval of a Comprehensive Plan Map Amendment and concurrent rezone to change the land use designation of an approximately 0.40-acre parcel from High Density Single-family to Mixed Use (MU).
2. The proposed amendment request is located on the southeast corner of 47th Avenue NE & 3rd Street.
3. Surrounding properties are currently zoned NB to the north, R-6.5 to the east, R-18 to the south, and R-6.5 to the west.

4. The proposed amendment site is located along two minor arterial classified roadways known as 47th Avenue NE & 3rd Street.
5. Commercial land uses are to be located adjacent to an arterial classified roadway, as outlined in the Marysville Comprehensive Plan citing criteria.
6. Intersection improvements on the corner of 47th Avenue NE & 3rd Street include signaling the intersection and providing improved channelization including additional turn lanes and turning radii as well as ADA improvements in order to accommodate current and future motor vehicle and non-motor vehicle traffic flows.
7. Anderson Hunter Law Firm, P.S., which represents Madeleine Villa Healthcare Center, Inc., submitted a letter of opposition stating the requested Mixed Use Comprehensive Plan designation would allow a vast array of uses that would likely be significantly incompatible with Madeleine Villa's use.
8. The Marysville Municipal Code provides protection of existing and proposed land uses through implementation of applicable development standards, addressing potential environmental impacts, including, but not limited to, land use, noise, landscaping, fencing, pedestrian access and building design standards.
9. The NB land use designation appears to be more compatible with the existing neighborhood than the MU land use designation, and would also limit the potential for expanding commercial or multi-family uses into the established residential neighborhood.
10. A Determination of Non-Significance (DNS) was issued on June 18, 2007.

III. STAFF RECOMMENDATION

Based on the above stated findings and conclusions CD recommends **APPROVAL** of the NON-PROJECT action request, amending the Comprehensive Plan Map and Concurrently Rezoning the approximately 0.40-acre parcel of property located on the southeast corner of 47th Avenue NE & 3rd Street from High Density Single-Family (R-6.5) to **Neighborhood Business (NB)**, subject to the following conditions:

1. The applicant shall be required to dedicate 7.5' of property along 47th Avenue NE in order to obtain the ultimate right of way section for this collector arterial, in accordance with Section 12.02A.110(1)(d) MMC, *Dedication of road right-of-way – Required setbacks*.
2. Access from the adjacent right-of-ways shall be restricted to 47th Avenue NE. No access from the site shall be permitted onto 61st Street NE (aka 3rd Street/Sunnyside Boulevard).
3. Future project action submittals shall be required to be designed in accordance with the Neighborhood Business Criteria and Standards, outlined in the Marysville Comprehensive Plan.



City limits	Recoveries - areas	Mixeduse overlay	Mixed Use	R6.5 Single Family High
Urban growth area	Recoveries - lines	Waterfront overlay	General Industrial	R4.5 Single Family Medium
Deferments	Road	General Commercial	Light Industrial	Public-Institutional
Annexation covenants	Sewer	Downtown Commercial	R28 Multi-Family High	Recreation
New language	Water	Community Business	R18 Multi-Family Medium	Open
FALSE	Main fees	Business Park	R12 Multi-Family Low	Undesignated
TRUE	Sewer	Neighborhood Business	R8 Single Family High Small Lot	
	Water			

THE CITY OF MARYSVILLE DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR WARRANTY OF FITNESS OF THIS DATA FOR ANY PARTICULAR PURPOSE, EITHER EXPRESSED OR IMPLIED. NO REPRESENTATION OR WARRANTY IS MADE CONCERNING THE ACCURACY, CURRENCY, COMPLETENESS OR QUALITY OF DATA DEPICTED. ANY USER OF THIS DATA ASSUMES ALL RESPONSIBILITY FOR USE THEREOF, AND FURTHER AGREES TO HOLD THE CITY OF MARYSVILLE HARMLESS FROM AND AGAINST ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM ANY USE OF THIS DATA.

07-001



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue, Marysville, WA 98270
(360) 363-8100, (360) 651-5099 FAX

APPLICATION FOR AMENDMENT TO THE MARYSVILLE COMPREHENSIVE PLAN

Section I

(Please type or print legibly)

Name of Proponent: Wayne M Christianson

Address: 10231 N. Davies Rd.
Lake Stevens, WA . 98258

Telephone: 425-334-6137

Representative (if different from Proponent):

Address:

Telephone:

Signature: _____

Section II

- A. Is the proposed amendment a change to:
- | | |
|-----------------------------------|------------------|
| | <u>Check one</u> |
| 1. Land Use Map designation only? | <u>✓</u> |
| 2. Text amendment only? | _____ |
| 3. Both the text and Land Use Map | _____ |

B. If a change of the written text is proposed, indicate which Element, section and policy numbers.

C. Indicate the following:

1. Property location or description - 4716 Sunnyside Blvd.
Marysville, WA 98270
2. Size of property in acres - 0.4 Acres
3. Existing Land Use designation - Residential

4. Existing zoning of the property - Residential
5. Proposed Land Use designation - Mixed use
6. Proposed Zoning - Mixed use
7. Current and projected population density in the general area - to be determined

D. How does the Comprehensive Plan land use map designation you are seeking relate to the designation and use of surrounding properties? Provide a map with this information.

1. North
 - a. Comprehensive Plan Land Use designation: Neighborhood Business
 - b. Current Zoning: Neighborhood Business
 - c. Current use of property: Neighborhood Business
2. South
 - a. Comprehensive Plan Land Use designation: multi-family medium
 - b. Current Zoning: multi-family medium
 - c. Current use of property: multi family medium
3. East
 - a. Comprehensive Plan Land Use designation: sign single family high
 - b. Current Zoning: single family high
 - c. Current use of property: single family high
4. West
 - a. Comprehensive Plan Land Use designation: single family high
small lot
 - b. Current Zoning: single family high
small lot
 - c. Current use of property: single family high
small lot

E. Would the land use designation you desire for the subject property create the need or cause direct or indirect pressure for a change of land use designation on surrounding properties? Please explain.

There should not be any impact on the surrounding properties since they are presently zoned for their best use. Only this property has the corner lot location, visibility, and road access for a retail store, professional office and or other mixed use zoning criteria.

- F. Describe in detail the circumstances that have changed since the adoption of the existing plan on April 1, 1996 that warrant the change to the Comprehensive Plan text which you are seeking.
- G. Explain the measures that would be necessary to assure compatibility between the subject property and surrounding uses.
 The subject property is a corner lot. The southern neighbor is a medium density nursing home. There is a slotted cyclone fence separating the property. The eastern neighbor is a resident and there is also an existing cyclone fence. New natural shrub landscaping in front of the fences would complete the buffer between other uses.
- H. Describe the detail why the proposed change in land use designation would be in the best long term interest of the community.
 Currently the property is vacant, a rezone to mixed use would enable the character and history of the home to be preserved when converted to a retail store and or professional office. The population of the area would recognize the rezone as a positive as the building and land have much deferred maintenance. The city of Marysville would realize increased revenue from licensing and sales tax collection.
- I. Identify the quantity and location of vacant land zoned for the existing and proposed use in the City and within the Marysville Comprehensive Plan boundary.
 See comp plan map attached
 as per Gloria
- J. Attach to this application any site development plans which are proposed as part of this requested comprehensive plan amendment which will serve to illustrate the nature of the requested land use map change and which support the statements made in support of the requested change. Feel free to attach any other materials which support the land use map change you are requesting.
- K. How would the land use designation you desire effect the physical, economic and human environment?
 A mixed use rezone would improve the property. The mixed use zoning would enable income producing businesses to fund improvement and maintain the site.
 an attractive mixed use building at 41st Ave & Sunnyside Blvd. would be a positive aesthetic change to the local visual environment.

L. What effect would it have upon open space, streams and other sensitive areas?

There would be none or very little effect on open space, streams or other sensitive areas. The existing building and land does not have a sensitive area. There are no plans to change the existing site plan that would change the open space!

M. What impacts will there be on community facilities including utilities, streets, public transportation, parks, recreation facilities and schools? What measures are proposed to mitigate such impacts?

There would be zero impact on parks recreational facilities and schools. The impact on streets and public transportation would be minimal. The impact on utilities would be mitigated complying with the usage conditions and regulations. The new traffic light at 47th NE & Sunnyside Blvd. should improve the traffic flow & service level.

N. Describe the proposal's overall consistency with the 1996 Marysville Comprehensive Plan policies.

Our proposal for the change to a mixed use zoning would conform to the Marysville Comprehensive Plan mixed use criteria and standards in the comprehensive plan. The location of the property is very convenient at the intersection of 47th Ave NE and Sunnyside Blvd. This intersection now has a deficient level of service, but with the city's planned traffic signal installation completed the intersection will be at a much higher level of service. The craftsman style home (see pictures exhibit A) would be an attractive addition to the area as a mixed use center. The buildings characteristics are appealing for a retail store such as Details Home Decor & Gifts as well as offices or personal service businesses. The lot has sufficient land for parking in the back (south) and both the east & west sides.

Section III (Applies when a change to the text of the Comprehensive Plan is necessary to support the proposed change in land use designation and rezone)

A. Indicate how the text of the Comprehensive Plan is proposed to be changed, including the language proposed to be added to and/or removed from the text:

N/A

CITY OF MARYSVILLE

RCW 197-11-960 Environmental Checklist.

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your observations or project plans without the need to hire experts. If you really don't know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of this checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and affected geographic areas," respectively.

5/6/02

A. BACKGROUND

1. Name of proposed project, if applicable:
2. Name of applicant: *Wayne M. Christianson*
3. Address and phone number of applicant and contact person:
*10231 N. Davies Rd
Lake Stevens WA 98258*
4. Date checklist prepared: *Jan 26 2007*
5. Agency requesting checklist: *Marysville Community Development Dept.*
6. Proposed timing or schedule (including phasing, if applicable):
Spring 2007
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. *NO*
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. *Does not apply*
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.
NONE
10. List any government approvals or permits that will be needed for your proposal, if known.
Do not know
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.)
Rezone application from Residential

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.

416 - Sunnyside Blvd
Marysville WA 98270
NE 33-30-05

300528 004 001 000

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____.
- b. What is the steepest slope on the site (approximate percent slope)? 0%
- 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 prime farmland. CLAY
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. NONE
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. NONE
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. NO
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? 10%
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: NONE

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

None

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

none

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

none

3. Water

a. Surface:

- 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.

none

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, describe and attach available plans.

NO

- 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.

0

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

no

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

no

- 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:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

no

- 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.

none

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) 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.

unknown

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

no

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

none

4. Plants

a. Check or circle 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
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

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

Some grass

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

none

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

none

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other: _____

mammals: deer, bear, elk, beaver, other: _____

fish: bass, salmon, trout, herring, shellfish, other: _____

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

none

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

no

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

none

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.

electric as now. for needs

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

no

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:

none

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.

none

- 1) Describe special emergency services that might be required.

none

- 2) Proposed measures to reduce or control environmental health hazards, if any:

none

b. Noise

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

nothing significant

- 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.

nothing significant

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

none

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

Residential, Commercial, High Density

- b. Has the site been used for agriculture? If so, describe.

no

- c. Describe any structures on the site. 32 x 49 House

18 x 24 detached garage

- d. Will any structures be demolished? If so, what? NO

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

Residential

- f. What is the current comprehensive plan designation of the site? *Mixed Use to Commercial*
- g. If applicable, what is the current shoreline master program designation of the site?
not known
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
no
- i. Approximately how many people would reside or work in the completed project?
3-4
- j. Approximately how many people would the completed project displace?
NONE
- k. Proposed measures to avoid or reduce displacement impacts, if any:
none
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
approval by city of marysville planning department

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
none
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
none
- c. Proposed measures to reduce or control housing impacts, if any:
none

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?
two story House existing
- b. What views in the immediate vicinity would be altered or obstructed?
none
- c. Proposed measures to reduce or control aesthetic impacts, if any:
none

11. Light and Glare

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

none

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

none

- 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:

none

12. Recreation

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

city parks

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

none

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

none

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

none

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

none

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

none

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

see site plan

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

one block

c. How many parking spaces would the completed project have? How many would the project eliminate?

Six; eliminate none

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

none

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

none

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

20-40 10AM-6PM

g. Proposed measures to reduce or control transportation impacts, if any:

none

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, health care, schools, other)? If so, generally describe.

none

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

none

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

we

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.

USE EXISTING UTILITIES

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 Wayne M. Christen

Date Submitted Jan 30 2007

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS
(Do not 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?

This proposal should not increase water, air or toxic or hazardous quantities

Proposed measures to avoid or reduce such increases are:

None required

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

Not likely to affect plants animals or marine life

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

None required

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

The proposal should not change to current effects on energy or natural resources

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

None required

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 proposal does not affect any environmentally sensitive areas

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

None required

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?

The proposal would not result in any uses
incompatible with existing plans

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

none required

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

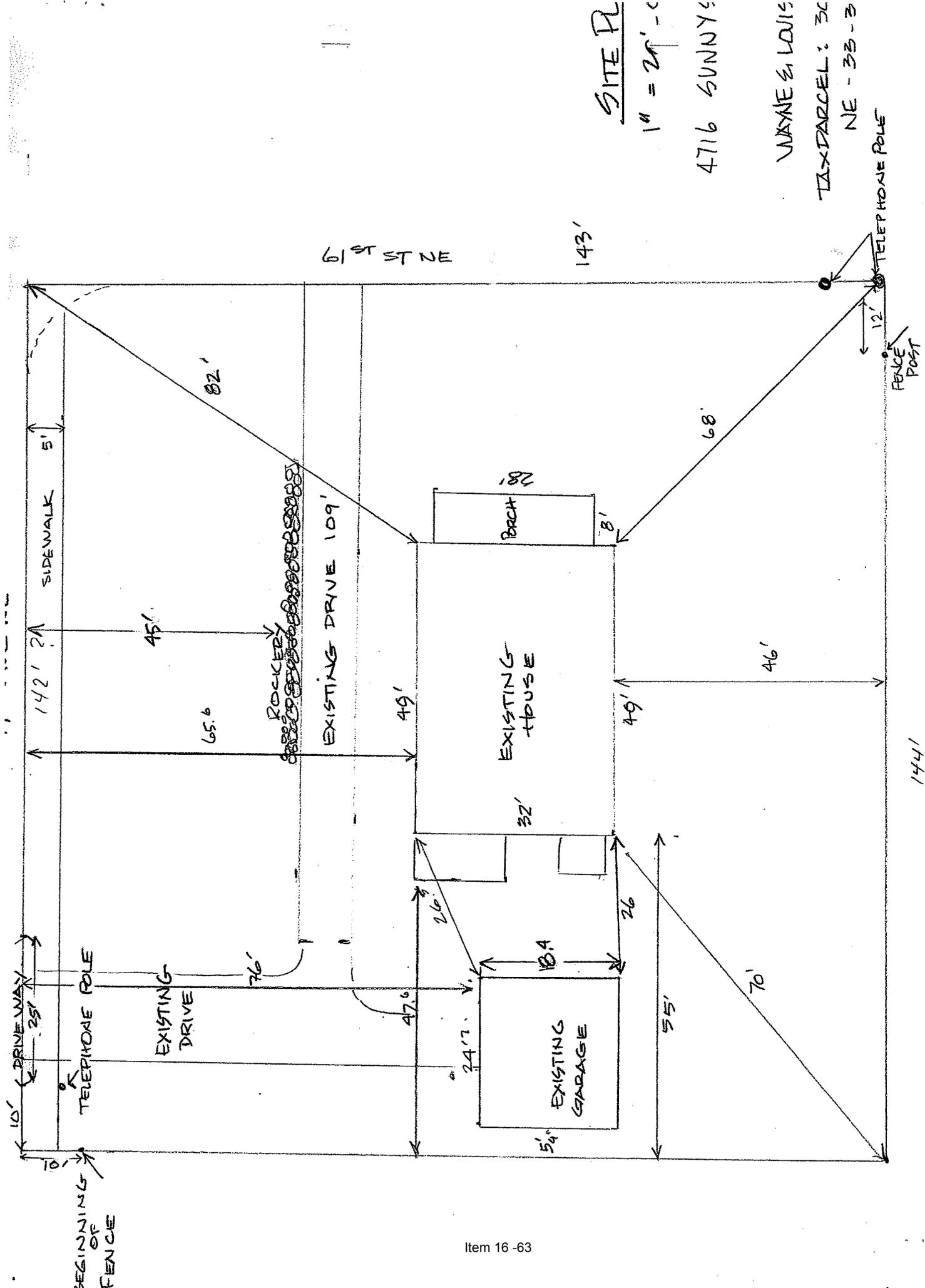
The proposal would increase demands
on transportation or public services enough to
require an increase or change.

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

Coordinate with the city of Marysville
transportation to conform to the city use plans.

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

The proposal would have the approval of
the Local, State and Federal Laws to be
sanctioned





Details Home Décor & Gifts
6618 - 64th St. N.E. "D"
Marysville, WA 98270-4834
360-651-9077

We are requesting an amendment to 2005 Marysville comprehensive plan from residential to mixed use so we can move Details Home décor & Gifts to 4716 Sunnyside Boulevard.

Details Home Décor & Gifts has been in Marysville since 1998. Our goal in seeking the zoning change is to keep Details in Marysville. Over the years we have supported the community thru donations to many schools, pre schools, church fundraisers and also have been very active in the Marysville Noon Rotary.

A rezone and move would improve our business location to the downtown business core, planning area # 1. The rezone and business move would bring Details within one block of an Community Transit stop location and walking distance of the new retail center on 4 Ave and 47 ST NE.

The corner 0.4 acre lot would provide class A exposure to commuter traffic in the AM, PM and weekends too. The intersection of 3 RD (Sunnyside Boulevard) and 47 NE is a collector road as well as main arterial access to the rezone and business move location. The existing home and property has fencing and landscaping separating the residence to the east and the mixed use to the south.

Currently Details has more than neighborhood business customer demographics. 50 % of our preferred customer list lives in the 98270 zip code, 20 % in the 98271 and the rest in Arlington, Lake Stevens and others.

The craftsman style of the Baca estate home would be synergistic with our business plan. Displaying our products for purchase as they would be used in a home is a force that would definitely accelerate sales volume growth. This is very true especially in this classic home settings. As our business prospers so would the sales tax collections for the city of Marysville.

Louise & I believe moving Details to this home after the rezone would be beneficial to the City of Marysville as well as our selves.

Wayne & Louise Christianson

City of Marysville
Community Development
80 Columbia Ave.
Marysville, WA 98270
(360) 363-8100

Request for Review

The City of Marysville Planning Department is reviewing this application and encourages other affected agencies, departments, community groups, and municipalities to respond. Your comments will assist the City's evaluation and are sincerely appreciated.

Responding Agency: John Cowling

File: PA 07001

Related File # PreApp 07021

Applicant: Wayne M. Christianson

Proposal: Non-project action amending the comprehensive plan map and concurrently rezone a 40 acre parcel of property from high density single family to mixed use *0.40*

Location: 4716 - 61st St NE

Tax Account#: 30052800400100

SEC/TWN/RNG: 28/30/05

Please respond by: 4/11/2007

Comments/Recommendations:

Comments are attached.

Responding Agency's Signature *Aime Miller* Date 4/10/07

For further information, please contact Chris Holland
CHolland@ci.marysville.wa.us

Please return this form and your comments, attachments may be discarded.



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

MEMORANDUM

DATE: April 10, 2007
TO: Chris Holland, Senior Planner
FROM: Anne Miller, Associate Engineer II *AM*
RE: PA 07-001 Comp Plan Amendment
4716 61st St. NE

The following comments are offered after review of the above referenced application.

The following comments are offered after review of the above referenced application for *general land development technical issues*.

1. Pre-application comments were provided by Shane Oden, Associate Engineer II on March 13, 2007.
2. Right of way dedication:
 - a. Sunnyside Blvd/61st/3rd: 17' of right of way has been purchased by the city for the capital improvement project. A map provided by Jeff Massie, Assistant City Engineer showing the right of way acquisition is attached.
 - b. 47th Ave. NE: 5' of right of way dedication is required.
 - c. Intersection right of way: Sufficient right of way has been purchased by the city for the capital improvement project. A map provided by Jeff Massie, Assistant City Engineer showing the right of way acquisition is attached.
3. Access:
 - a. Per Engineering Design and Development Standards 3-301 bullet 5, access will be limited to the lowest volume roadway.
 - b. Future access onto Sunnyside Blvd., as stated on the site plan, will not be permitted. Access will be permitted from 47th Ave. only.
 - c. Per Engineering Design and Development Standards table 3-3.1 the driveway on 47th Ave. NE is required to be set back from the intersection 235'. As this property can't accomplish the setback because of its length, a variance application will be required to be made.
 - d. Per Engineering Design and Development Standards 3-303 (4), driveway widths shall be 30 feet minimum and 40 feet maximum for commercial/industrial driveways.

4. Frontage improvements are required per MMC 12.02A.090 when development occurs. Frontage improvements are described as curbs, gutters, and sidewalks; underground storm drainage facilities; patching the street from its preexisting edge to the new curb line; and overlayment of the existing public street to its centerline. Frontage improvements:
 - a. Sunnyside Boulevard/61st/3rd: The capital improvement project intends to design and install frontage improvements on Sunnyside Boulevard/61st/3rd. However, this project may be required to install the frontage improvements or pay cash in lieu of improvements if occupancy precedes the CIP. Future build out of Sunnyside Boulevard is a minor arterial with 5 lanes, bicycle lanes and streetscape.
 - b. 47th Ave. NE: This project is required to improve 47th to current standards. 47th is a collector arterial with three lanes and bicycle lanes.

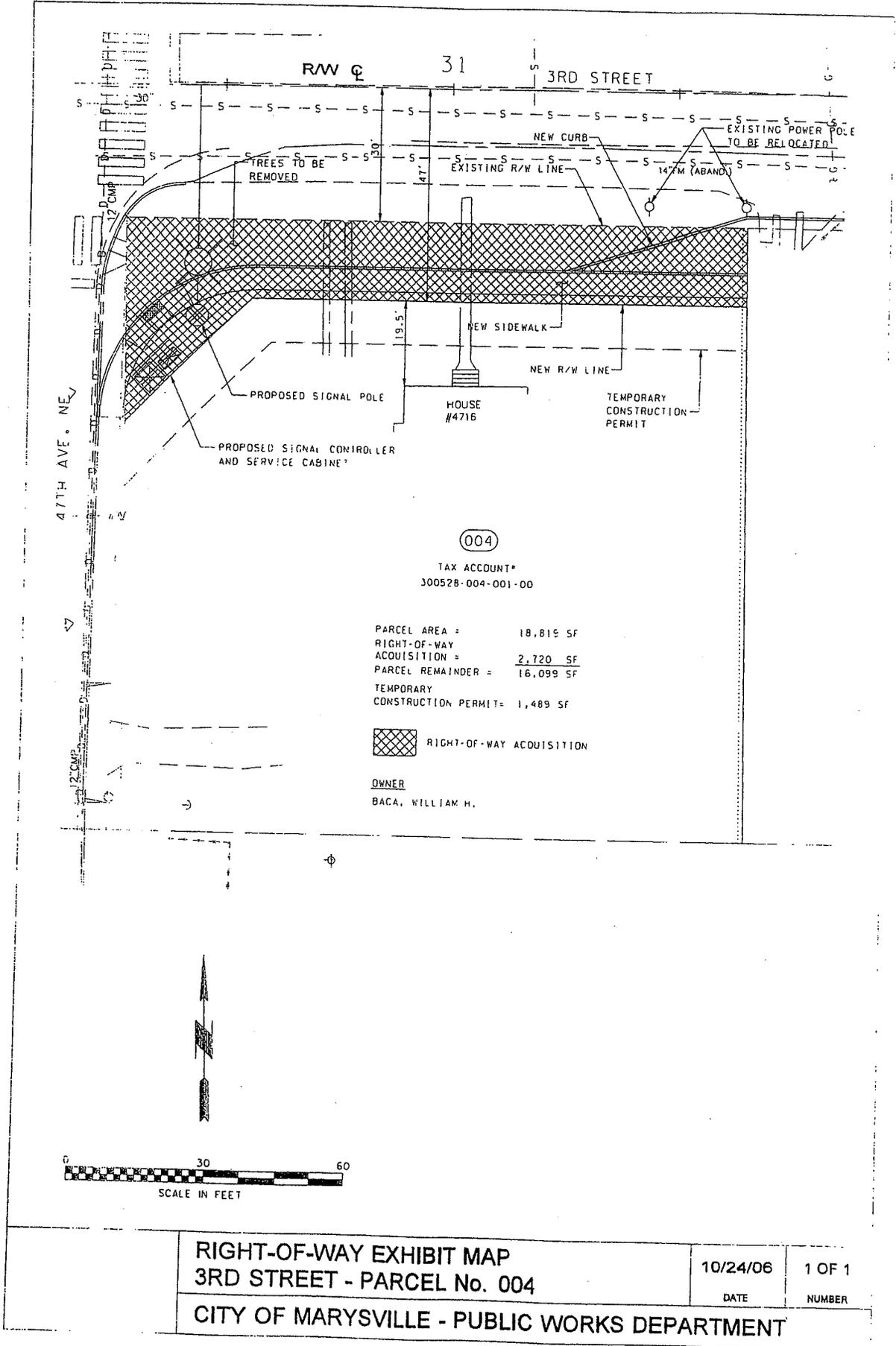
5. The following comments are being provided to address *stormwater drainage issues* associated with the proposed site plan. Completion of the project will generate more than 5,000 square feet of new and/or redeveloped impervious surface. Projects above the 5,000 square feet threshold must comply with requirements stipulated in Volume I, Chapter 2 of the Stormwater Management Manual for Western Washington. Please be aware that the city is no longer accepting the interim method as described in the 2001 Stormwater Management Manual for Western Washington. The requirements include, but are not limited to, the following components:
 - Minimum Requirement #1: Preparation of Stormwater Site Plans
 - Minimum Requirement #2: Construction Stormwater Pollution Prevention (SWPP) to include all 12 elements.
 - Minimum Requirement #3: Source Control of Pollution
 - Minimum Requirement #4: Preservation of Natural Drainage Systems and Outfalls
 - Minimum Requirement #5: On-site Stormwater Management
 - Minimum Requirement #6: Runoff Treatment
 - Minimum Requirement #7: Flow Control (Interim method is not acceptable)
 - Minimum Requirement #8: Wetlands Protection
 - Minimum Requirement #9: Basin/Watershed Planning
 - Minimum Requirement #10: Operation and Maintenance

6. Existing utilities:
 - a. Sewer – There is a 48” Clay sanitary sewer main (Asbuilt S41, 1968) in Sunnyside Blvd. There is a 30” sanitary sewer in both 47th Ave. NE and Sunnyside Blvd (Asbuilt SS49, 1997).
 - b. Water – There is an 8” CI water main (Asbuilt W276, 1954) in 47th Ave. NE and an 8” CI water main (Asbuilt W199, 1958) in Sunnyside Blvd. A fire hydrant is located approximately 20’ south of the property on 47th Ave. NE.
 - c. Storm – There is currently no stormwater covering the frontage along Sunnyside Blvd. A 12” stormwater main (Asbuilt SD12, 1982) exists in 47th Ave. NE.

If you have questions regarding these comments, please contact me at (360) 363-8218 or at amiller@ci.marysville.wa.us.

cc: Gloria Hirashima, Community Development Director
Kevin Nielsen, PE, City Engineer
John Cowling, PE, Engineering Services Manager
Shane Oden, Associate Engineer II

Parcel Sketch



From: Shane Oden
To: Holland, Chris
Date: 04/25/2007 3:53:16 PM
Subject: Re: Christianson/Details Follow Up

In response to your questions:

1. Ultimate ROW dedication will be 7.5'. This is to obtain the 75' of ROW being requested for 47th as it is classified as an arterial collector.
2. The applicant will not be required to make improvement or pay a fee in lieu of improvement.

Thank you,

Shane Oden
Associate Engineer II
City of Marysville
Community Development
80 Columbia Avenue
Marysville, WA 98270
(360) 363-8227
(360) 651-5099 - fax
soden@ci.marysville.wa.us

>>> Chris Holland 04/25/07 1:59 PM >>>
Shane-

Just a reminder that the two follow-up items that need to be addressed regarding the proposed Change-of-use located at 4716 Sunnyside/3rd/61st are:

1. What is the ultimate right-of-way section along 47th, and is the 5' dedication needed, as outlined in Anne's comments for the Comp Plan Map Amendment Request?
2. Will the applicant be required to make this improvement at the time of project action?

Thanks, Chris.

CC: Cowling, John; Hirashima, Gloria; Massie, Jeffrey; Miller, Anne; Nielsen, Kevin

City of Marysville
Community Development
80 Columbia Ave.
Marysville, WA 98270
(360) 363-8100

Request for Review

The City of Marysville Planning Department is reviewing this application and encourages other affected agencies, departments, community groups, and municipalities to respond. Your comments will assist the City's evaluation and are sincerely appreciated.

Responding Agency: Jeff Massie

File: PA 07001

Related File # PreApp 07021

Applicant: Wayne M. Christianson

Proposal: Non-project action amending the comprehensive plan map and concurrently rezone a 40 acre parcel of property from high density single family to mixed use

Location: 4716 - 61st St NE

Tax Account#: 30052800400100

SEC/TWN/RNG: 28/30/05

Please respond by: 4/11/2007

Comments/Recommendations:

Have already acquired right-of-way along frontage for 3rd St. / 47th Ave. acquisition. The property access should be via 47th Ave., the lower volume roadway.

Responding Agency's Signature



Date

4-3-07

For further information, please contact Chris Holland

CHolland@ci.marysville.wa.us

Please return this form and your comments, attachments may be discarded.

From: "Werdal, Debra" <debra.werdal@co.snohomish.wa.us>
To: <cholland@ci.marysville.wa.us>
Date: 04/05/2007 9:18:46 AM
Subject: Wayne M. Christianson PA 07-001

Chris,

The county has no comments or requirements for this proposed comprehensive plan amendment to allow Details Home Décor & Gifts to relocate within the City of Marysville. Thank you.

Deb Werdal

Land Development Analyst Assoc.

3000 Rockefeller, M/S 607

Everett WA 98201

(425) 388-3184 (phone)

(425) 388-6449 (fax)

debra.werdal@co.snohomish.wa.us

From: "Brad Cattle" <bcattle@AndersonHunterLaw.com>
To: <cholland@ci.marysville.wa.us>
Date: 02/18/2007 2:16:56 PM
Subject: Christianson Comp Plan Amendment

Chris: We represent Madeline Villa. Our client is concerned about compatability of adjacent uses. Please forward to me electronically, if possible, information concerning the proposal for the Wayne Christianson property at 4716 - 61st Street NE. I am interested in the proposed use as well as what other uses would be permitted in the Mixed Use designation.

Please call or e-mail if you need additional information. If there is a charge for any information, please advise and we will provide that to you. Thank you.

Brad Cattle

Bradford N.Cattle
Anderson Hunter Law Firm
2707 Colby Avenue, Suite 1001
Everett, WA 98201

Direct Line: (425) 303-3124

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CC: <ghirashima@ci.marysville.wa.us>

COPY FOR YOUR INFORMATION

ANDERSON HUNTER LAW FIRM, P.S.

2707 COLBY AVENUE, SUITE 1001
P.O. BOX 5397
EVERETT, WASHINGTON 98206-5397
(425) 252-5161
FAX: (425) 258-3345
www.andersonhunterlaw.com

AMY C. ALLISON
JEFFREY H. CAPELOTO
GLENN PAUL CARPENTER
BRADFORD N. CATTLE
THOMAS R. COLLINS
G. DOUGLAS FERGUSON
JOHN A. FOLLIS
G. GEOFFREY GIBBS
PATRICK F. HUSSEY

CHRISTOPHER J. KNAPP
C. MICHAEL KVISTAD
J. ROBERT LEACH
MEGAN OTIS MASONHOLDER
JO MARIE NOACK
VICKIE K. NORRIS
LAURIE UMMEL

O.D. ANDERSON (1892-1961)
JAMES P. HUNTER (1915-1988)

May 14, 2007

Planning Commission
City of Marysville
c/o Community Development Dept.
80 Columbia Avenue
Marysville, WA 98270

RECEIVED
MAY 15 2007
CITY OF MARYSVILLE
COMMUNITY DEVELOPMENT

Re: Christianson Comprehensive Plan Amendment
Property Location: 4716 61st Street NE
Proposed Land Use Designation: MU (mixed use)

Dear Commissioners:

By way of introduction, our office represents Madeleine Villa Healthcare Center, Inc., which is located adjacent to the Christianson property which is seeking a Comprehensive Plan Amendment from residential (R-6.5) to mixed use. As you may know, Madeleine Villa has operated within the City of Marysville since October 1965. It has been and continues to be an exemplary property in both its developed facilities and its operations. Because of the nature of Madeleine Villa's facility, primarily care for the elderly, incompatible adjacent property uses are of paramount concern.

The current Comprehensive Plan designation of residential use is far more consistent with the Madeleine Villas elderly healthcare facility use. The requested Mixed Use Comprehensive Plan designation would allow a vast array of uses that would likely be significantly incompatible with Madeleine Villa's use. While the Christianson proposal does not, in and of itself, raise a major "red flag", the Comprehensive Plan designation being sought by the Christianson proposed Amendment is not limited to the use which is recited as the justification for the Comprehensive Plan Amendment.

Clearly if the Commissioners look at the use matrix for the Mixed Use Comprehensive Plan category, the Commissioners will be able to see that action approving the Christianson Amendment will allow that vast array of incompatible uses to be authorized. A fundamental perspective for the Commissioners, it is submitted, should be that any change in the Comprehensive Plan needs to take very serious consideration of existing, valued property uses that may be affected by the proposed change. Clearly, Madeleine Villa is one of those valued uses. Its history as an exemplary property owner within the City of Marysville, should be given

Planning Commission

May 14, 2007

Page 2

significant weight in determining whether to recommend approval for any significant Comprehensive Plan change adjacent to that property.

Further to the compatibility evaluation is what, if any, impact the projected revisions to 3rd and 4th Streets will have to the amount of Christianson property remaining after those improvements are completed. To the extent that these street improvements may take portions of the property, it would seem less suitable for a more intense comprehensive plan designation.

On behalf of our client, Madeleine Villa Health Care Center, Inc., it is respectfully requested that the Commission should disapprove the Christianson Comprehensive Plan Amendment and protect a current, valued property owner in the City of Marysville.

Very truly yours,

ANDERSON HUNTER LAW FIRM P.S.



Bradford N. Cattle

BNC:kk

Enclosure

cc: Michael Downey
Gloria Hirashima, Community Development Director
✓Chris Holland, Senior Planner



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

DETERMINATION OF NONSIGNIFICANCE

File Number: PA 07001-1

Applicant: Wayne M. Christianson
10231 N. Davies Road
Lake Stevens, WA 98258
(425) 334-6137

Contact: same as applicant

Lead Agency: City of Marysville
Community Development Department

SEPA Contact: Chris Holland, Senior Planner
(360) 363-8100

Description of Proposal: A NON-PROJECT action requesting approval of a Comprehensive Plan Map Amendment and concurrent rezone to change the land use designation of approximately 0.40-acre parcel from High Density Single-family to Mixed Use in order to eventually propose a project action converting the existing single-family residence into a home décor & gift shop.

The High Density Single-family land use designation and implementing zoning designation of R-6.5, prohibits retail uses, as proposed by the applicant. Subsequently the Mixed Use land use designation and implementing zoning designation of MU, is a commercial classification, which permits retail uses such as a home décor & gift shop, as desired by the applicant.

A letter in opposition of the proposed amendment and concurrent rezone request was received from Anderson Hunter Law Firm, P.S., dated May 14, 2007. Anderson Hunter Law Firm, P.S. represents Madeleine Villa Healthcare Center, Inc., which provides primarily care for the elderly, and abuts the southern boundary of the amendment request site. The opposition letter states that the requested Mixed Use Comprehensive Plan designation would allow a vast array of uses that would likely be significantly incompatible with Madeleine Villa's use.

The Marysville Municipal Code provides protection of existing and proposed land uses through implementation of applicable development standards, addressing potential environmental impacts, including, but not limited to, land use, noise, landscaping, fencing, pedestrian access and building design standards. Specifically, Section 19.16.090 MMC, *Required landscape buffers*, requires a 10' semi-opaque landscape buffer plus a 6' sight-obscuring fence or wall to be provided between commercially designated properties (as proposed by the applicant) bordering multi-family designated properties (Madeleine Villa Healthcare Center, Inc.). The landscaping and fencing requirements, as well as all other applicable development standards outlined in the MMC, were adopted in order to address potential environmental impacts and provide adequate protection from existing and proposed land uses.

If the proposed Comprehensive Plan Map Amendment and concurrent Rezone request is approved, all future project action development proposals will be subject to the applicable Marysville Municipal Codes (MMC) and fees, as well as project level State Environmental Policy Act (SEPA) review, at time of application.

Location of Proposal: The proposed amendment request is site specific and located on the southeast corner of 47th Avenue NE & 3rd Street (aka Sunnyside Boulevard & 61st Street NE) at a site address of 4716 61st Street NE.

Threshold Determination: The lead agency has determined that this proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is NOT required under RCW 43.21C.030(2)(c). This decision was made after review by the City of Marysville of a completed environmental checklist and other information on file with this agency. This information is available for public review upon request.

Prepared by: *cl*

Reviewed by:

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date below. Comments must be submitted by the 3 day of

***July* , 2007.**

Responsible Official: Gloria Hirashima
Position: Community Development Director
Address: 80 Columbia Avenue
Marysville, WA 98270

Date: *6/18/07* **Signature:** *Gloria Hirashima*

The issuance of this Determination of Non-Significance should not be interpreted as acceptance or approval of the subject proposal as presented. The City of Marysville reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interests of the City and/or necessary to the general health, safety and welfare of the public to do so. For further information, contact the Marysville Community Development Department at (360) 363-8100.

Distribution:

Washington State Agencies:

Department of Ecology – Olympia SEPA Register
Office of Community Development

Tribal Government:

Tulalip Tribes

City Departments:

Community Development
Public Works

Interest Groups:

Wayne M. Christianson, applicant
Bradford N. Cattle, Anderson Hunter Law Firm, P.S.

News Media:

Marysville Globe

SEPA Appeal Procedures:

A fee of \$500.00 must accompany all SEPA appeals that require a separate public hearing.

19.22.070(3) Appeals.

- (a) Any agency or aggrieved person may appeal the procedures or substance of an environmental determination of the responsible official under SEPA as follows:
 - (i) A DNS. Written notice of such an appeal shall be filed with the responsible official within 15 days after the date of issuance of the DNS. The appeal hearing shall be consolidated with the hearing(s) on the merits of the governmental action for which the environmental determination was made.
 - (ii) A DS. Written notice of the appeal shall be filed with the responsible official within 15 days after the date of issuance of the DS. The appeal shall be heard by the city council within 30 days thereafter.
 - (iii) The Adequacy of an EIS. Written notice of appeal shall be filed with the responsible official within 15 days after the issuance of the final EIS. The appeal hearing shall be consolidated with the hearing(s) on the merits of the governmental action for which the EIS was issued.
 - (iv) Appeals of intermediate steps in the SEPA process shall not be allowed.
 - (v) For any appeal under this section, the city shall provide for a record that shall consist of the following:
 - (A) Findings and conclusions;
 - (B) Testimony under oath; and
 - (C) A taped or written transcript.
 - (vi) Determination by the responsible official shall carry substantial weight in any appeal proceeding.

**REQUEST FOR AMENDMENT
TO THE
CITY OF MARYSVILLE COMPREHENSIVE PLAN**
Citizen Initiated Amendment No. 2

The following is a review of a citizen initiated request for an amendment to the City of Marysville
Comprehensive Plan land use designation and associated rezone proposal.

File Number: PA 07001-2

Applicant: Joel Hylback & Ronald Young

Contact: Laurey Tobiason
Tobiason & Company, Inc.
506 NE 73rd Street, Suite 1A
Seattle, WA 98115
(206) 522-1024

Location of Proposal: Abutting the northern boundary of Gissberg “Twin Lakes” Park

Assessor’s Parcel No.: 31052900400900

Current Use: Vacant undeveloped land

Property size: Approximately 3.10-acres

Existing Land Use: General Commercial

Proposed Land Use: Mixed Use

Amendment Request: Comprehensive Plan Map Amendment and concurrent Rezone to change the land use designation from General Commercial to Mixed Use.

Staff Recommendation: Amend the Comprehensive Plan Map and concurrently Rezone the property from General Commercial to Mixed Use, subject to the condition outlined in Section III of this report.

I. EVALUATION

Request: A citizen initiated NON-PROJECT action requesting approval of a Comprehensive Plan Map Amendment and concurrent Rezone to change the land use designation of the west half of APN 31052900400900 totaling approximately 3.1-acres from General Commercial to Mixed Use. The map amendment request was proposed by the applicant in order to eventually submit a project action application consisting of a mix of commercial and townhouse style units (conceptual site plan attached). The applicant originally proposed including APN 31052900300100 as part of the amendment request, however, this request was withdrawn in a letter from Tobiason & Company, Inc., dated April 5, 2007.

The General Commercial land use designation and implementing zoning classification of GC, prohibits townhome or multi-family units to be located on the ground floor, as desired by the applicant, and relegates said units above ground floor commercial uses only. Subsequently, the Mixed Use land use designation and implementing zoning classification of MU, permits townhome or multi-family units to be located on the ground floor, as desired by the applicant.

Location of Proposal: The proposed amendment request is site specific, encompassing approximately 3.1-acres of the western half of APN 31052900400900 abutting the northern boundary of Gissberg "Twin Lakes" Park (see attached vicinity map).

Surrounding Uses: Surrounding properties to the north and east are currently zoned GC. The property immediately north and east of the proposed map amendment area is vacant undeveloped land. Further north, approximately 52-acres has recently been developed with a shopping center consisting of approximately 463,000 SF of retail space, housing anchor tenants Costco and Target.

Properties to the west are currently zoned R-12 (low density multi-family). The property immediately west of the proposed amendment area is vacant undeveloped land, continuing west is a 119-unit mobile home park known as Crystal Tree Village. The property immediately south of the proposed map amendment area is zoned Recreation and is home to Gissberg "Twin Lakes" Park, which is owned and operated by Snohomish County.

This proposed map amendment site is currently vacant undeveloped land, which the applicant is proposing to convert into a mix of commercial and townhouse style units.

Traffic & Circulation: A future road extension of 164th Street NE, east from Twin Lakes Avenue, would be required with a project action submittal. 164th Street NE is proposed as a minor arterial classified roadway providing intra-community travel for areas bounded by the principal arterial system. 164th Street NE would connect into a future roadway extension of 27th Avenue NE, just east of the proposed map amendment site, providing future access north to 172nd Street NE (SR 531) and south to 156th Street NE. 27th Avenue NE is proposed as a collector arterial. Collector arterials provide movement within a community, including connecting neighborhoods with small community centers, and providing connectivity to minor and principal arterials.

The applicant submitted a Preliminary Traffic Impact Analysis (TIA), prepared by Gibson Traffic Constants, dated January 31, 2007, in order to provide a preliminary trip generation and trip distribution information for a future project action. According to the TIA the proposed mixed use development is anticipated to generate 1,335 average daily trips (ADT) with 45 AM peak-hour trips and 116 PM peak-hour trips. A final TIA will be required to be prepared and submitted with a project action that provides recommended improvements to ensure the road network system operates at an acceptable level of service. Specifically, the TIA will need to address project specific trip generation, trip distribution and an analysis of critical intersections including but not limited to 27th Avenue NE & 172nd Street NE, 27th Avenue NE & 169th Street NE, 27th Avenue NE & 164th Street NE and Twin Lakes Avenue & 164th Street NE.

Public Comments: As of the date of this report, no comments had been received from the public or surrounding property owners. The application was routed to affected public agencies, and the comments received to date are attached hereto.

Staff Analysis: In reviewing a Comprehensive Plan Amendment application, Staff considers whether or not changed circumstances have occurred in the area to warrant said amendment request and if the proposed amendment request serves the communities interest as a whole, including a review of adjacent land uses, and whether or not the proposed amendment request is compatible with the surrounding established uses.

The MU land use designation requested by the applicant combines office uses with the highest density multi-family residential. This land use is typically assigned in areas with high vehicular and transit access and close proximity to services and employment. The purpose of the MU land use designation is to promote pedestrian character, in contrast to the GC land use designation that is automobile oriented rather than pedestrian.

Allowing a more pedestrian oriented land use, such as MU, could serve as a softening factor between the high intensity commercially designated properties located north and east of the site and the residentially designated properties located west and northwest of the site. Additionally, the park environment to the south could benefit from a development of townhouse style units fronting on the lake rather than the back of a large commercial retail store.

Conformance with State Environmental Policy Act: After evaluation of the applicant's environmental checklist, supporting documentation submitted with the application, and review of information on file with the City, a Determination of Non-Significance (DNS) was issued on June 18, 2007.

II. CONCLUSIONS

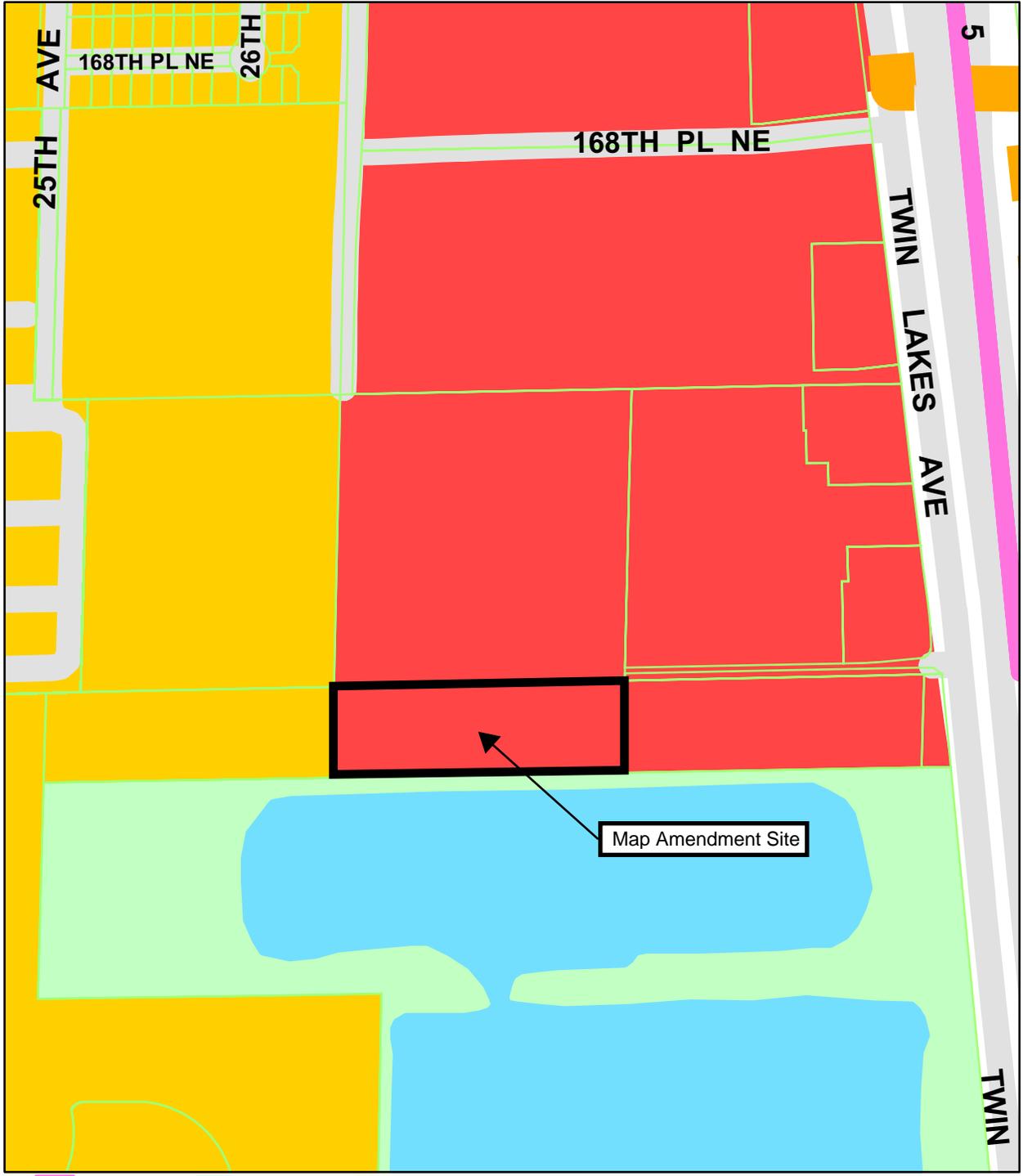
1. The applicant is requesting approval of a Comprehensive Plan Map Amendment and concurrent rezone to change the land use designation of an approximately 3.10-acre parcel from General Commercial to Mixed Use.
2. The proposed map amendment request is located on the western half of APN 31052900400900 abutting the northern boundary of Gissberg "Twin Lakes" Park.
3. Surrounding properties are currently zoned GC to the north and east, R-12 to the west and Recreation to the south.
4. This proposed map amendment site is currently vacant undeveloped land.
5. The proposed map amendment site would front along the future road extension of 164th Street NE, which is classified as a minor arterial.
6. As of the date of this report, no comments had been received from the public or surrounding property owners.
7. The MU land use designation could serve as a softening factor between the high intensity commercially designated properties located north and east of the site and the residentially designated properties located west and northwest of the site.
8. A Determination of Non-Significance (DNS) was issued on June 18, 2007.

III. STAFF RECOMMENDATION

Based on the above stated findings and conclusions CD recommends **APPROVAL** of the NON-PROJECT action request, amending the Comprehensive Plan Map and Concurrently Rezoning the approximately 3.10-

acre parcel of property located on the western half of APN 31052900400900 abutting the northern boundary of Gissberg “Twin Lakes” Park from General Commercial (GC) to Mixed Use (MU), subject to the following condition:

The applicant shall be required to dedicate the necessary right-of-way needed for future improvements of 164th Street NE and 27th Avenue NE, if adjacent to the future right-of-way extension of 27th Avenue NE, as recommended by the City Engineer, in accordance with Section 12.02A.110(1)(d) MMC, *Dedication of road right-of-way – Required setbacks.*



- | | | | | |
|----------------------|--------------------|-----------------------|---------------------------------|---------------------------|
| City limits | Recoveries - areas | Mixeduse overlay | Mixed Use | R6.5 Single Family High |
| Urban growth area | Recoveries - lines | Waterfront overlay | General Industrial | R4.5 Single Family Medium |
| Deferments | Road | General Commercial | Light Industrial | Public-Institutional |
| Annexation covenants | Sewer | Downtown Commercial | R28 Multi-Family High | Recreation |
| New language | Water | Community Business | R18 Multi-Family Medium | Open |
| FALSE | Main fees | Business Park | R12 Multi-Family Low | Undesignated |
| TRUE | Sewer | Neighborhood Business | R8 Single Family High Small Lot | |
| | Water | | | |

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COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue, Marysville, WA 98270
(360) 363-8100, (360) 651-5099 FAX

**APPLICATION FOR AMENDMENT TO
THE MARYSVILLE COMPREHENSIVE PLAN**

Section I

RECEIVED

(Please type or print legibly)

JAN 31 2007

MSVL PLNG/BLDG

Name of Proponent: **Joel Hylback**

Address: **P.O. Box 3249, Arlington, WA 98223**

Telephone:

Representative (if different from Proponent): **Laurey Tobiason
Tobiason and Company, Inc.**

Address: **506 NE 73rd Avenue, Suite 1A, Seattle, WA 98115**

Telephone: **206-522-1024**

Signature: *Joel Hylback*

Section II

A. Is the proposed amendment a change to:

Check one

1. Land Use Map designation only?

X

2. Text amendment only?

3. Both the text and Land Use Map _____

B. If a change of the written text is proposed, indicate which Element, section and policy numbers.

Not proposed.

C. Indicate the following:

1. Property location or description - **The subject site is directly north of the Twin Lakes Park. Please see the attached legal description and conceptual land use plan for further details.**

2. Size of property in acres - **6.22 acres**

3. Existing Land Use designation - **R-12 and GC**

4. Existing zoning of the property - **R-12 and GC**

5. Proposed Land Use designation - **MU – Mixed Use**

6. Proposed Zoning - **MU – Mixed Use**

7. Current and projected population density in the general area -

Unknown.

D. How does the Comprehensive Plan land use map designation you are seeking relate to the designation and use of surrounding properties? Provide a map with this information.

1. North a. Comprehensive Plan Land Use designation:

b. Current Zoning: **GC and R-12**

c. Current use of property: **Commercial (retail) Land Use and Undeveloped and Mobile Home Park.**

2. South a. Comprehensive Plan Land Use designation:

b. Current Zoning: **Recreation**

c. Current use of property: **Recreation**

3. East
- a. Comprehensive Plan Land Use designation:
 - b. Current Zoning: **GC**
 - c. Current use of property: **Proposed Commercial**

4. West
- a. Comprehensive Plan Land Use designation:
 - b. Current Zoning: **R-12**
 - c. Current use of property: **Undeveloped**

- E. Would the land use designation you desire for the subject property create the need or cause direct or indirect pressure for a change of land use designation on surrounding properties? Please explain.

The proposal for a Mixed Use designation is inherently compatible with all of the surrounding land use designations. It would allow this site to serve as a softening factor on the change of land use between the high intensity commercial land uses north and east of the site and the residential land uses to the west and northwest. The instant request would not necessitate a change in zoning or land use designation for any adjacent property.

- F. Describe in detail the circumstances that have changed since the adoption of the existing plan on April 1, 1996 that warrant the change to the Comprehensive Plan text which you are seeking.

Development of the area with large retail establishments make this site a prime opportunity to handle it's existing split land use and zoning designation by combining the allowed uses (multiple family and commercial) in a mixed use setting. Development of the site with a mixed use project will allow for a more human scale transition in land use.

- G. Explain the measures that would be necessary to assure compatibility between the subject property and surrounding uses.

Existing code requirements will provide for compatibility between land use on the site and surrounding uses. No extraordinary measures would be necessary in this case.

- H. Describe the detail why the proposed change in land use designation would be in the best long term interest of the community.

The proposed change to the Mixed Use designation and zoning would be in the best long term interest of the community in that it would provide a more natural and less severe transition between the existing and proposed "big box" retail land use and future residential land uses to the west. By allowing a "buffer" of mixed use to create a natural transition by softening the intensity of commercial land use and allowing a more broad range of residential land use the movement between these areas will appear more planned and appropriate. A well planned mixed use project adjacent to the Twin Lake Park could further enhance this community resource, by tying together a pedestrian/recreational opportunity with a live/work community. It is arguably in the public interest to locate a more residentially focused land use directly adjacent to Twin Lakes. The park environment would benefit from a development of townhouse style units fronting on the lake rather than the back of a large commercial retail store.

- I. Identify the quantity and location of vacant land zoned for the existing and proposed use in the City and within the Marysville Comprehensive Plan boundary.

Unknown.

- J. Attach to this application any site development plans which are proposed as part of this requested comprehensive plan amendment which will serve to illustrate the nature of the requested land use map change and which support the statements made in support of the requested change. Feel free to attach any other materials which support the land use map change you are requesting.

Attached to this application is a conceptual site plan and landscaping plan representing a potential option for future development of this site.

- K. How would the land use designation you desire effect the physical, economic and human environment?

To re-designate and rezone the subject site to MU will have the effect of softening the transition from the high intensity GC zones to the

north and east and the strictly residential zones to the west. The MU zone allows for “lighter” commercial land use and a broad range of residential use which will allow for a more gradual transition between these related land uses. This will effect the physical and human environments by creating a more gradual transition from the “big box” retail environment to the residential areas further west. Incorporating a mixed use project could result in a human scale development allowing residents to reside, work and shop in a pleasing community.

- L. What effect would it have upon open space, streams and other sensitive areas?

Open space and other sensitive areas will benefit from the same protections under Marysville Municipal Code whether the site is developed under existing zoning or the requested changed designation and zoning.

- M. What impacts will there be on community facilities including utilities, streets, public transportation, parks, recreation facilities and schools? What measures are proposed to mitigate such impacts?

Impacts to community facilities including utilities, streets, public transportation, parks, recreation facilities and schools will be essentially the same whether the site is developed under the existing land use designation and zoning or the proposed designation and zone. In both cases, some form of commercial and residential land use would likely be developed. It is possible, however, with the Mixed Use designation, that future residents might reside, work and shop in the same development. A development of this type would result in a less impact on the roadways and create a strong sense of community.

- N. Describe the proposal’s overall consistency with the 1996 Marysville Comprehensive Plan policies.

Marysville Integrated Comprehensive Plan language includes the following statements in the commercial land use description: “There is also the desire to improve the jobs-to-housing ratio” and “Providing businesses in neighborhoods, appropriately scaled and located, is necessary to reduce the number of automobile trips”. The requested mixed use land use designation and zoning is the most effective way to achieve these goals. It allows for a broader range of land uses, and includes standards that result in a well planned project.

This site is well suited for a mixed use designation as it is located near major commercial centers, it has convenient access to arterials and state highways, as well as access to public transit. The site is limited

to expansion by Twin Lakes to the south, existing commercial development to the east and the mobile home park to the northwest.

This requested change in designation will merely re-focus the “flavor” of an actual development application rather than result in any outstanding changes to the residential or commercial intensity. It will serve as a transition area between this related land uses.

Implementation of a mixed use proposal will broaden the types of housing opportunities available in this area. The adjacent M-12 and GC zones do not allow for the townhouse style of development. This site is uniquely qualified for such a project due to its direct connection to the Twin Lakes park. Should an attached townhouse style project be constructed, it would result in a strong sense of community and less “privatization” of the lake front. Correspondingly, development of typical retail land use would likely ignore the lakeside connection entirely. This is characterized by the existing land use proposal east of the subject site, where the development is designed to focus internally and sites backs of buildings along the lake front.

Adopted comprehensive plan policies clearly support this request. Again and again, the plan references a broad range of housing types, reduce reliance on automobiles, provide opportunity for residential housing above commercial land uses, buffer the transitions between land uses, protect and preserve public parks and facilities. All of this will be best accomplished on this site by granting the request for a mixed use designation and zoning.

Section III (Applies when a change to the text of the Comprehensive Plan is necessary to support the proposed change in land use designation and rezone)

- A. Indicate how the text of the Comprehensive Plan is proposed to be changed, including the language proposed to be added to and/or removed from the text:

Not Applicable

- B. Is the proposed change to the Comprehensive Plan text intended to be the basis for a change to existing City regulations, to create new regulations, or to eliminate existing regulations?

_____ Yes

_____ No

If yes, which existing regulations would be affected, or what type of new regulations would be proposed?

If yes, which existing regulations would be affected, or what type of new regulations would be proposed?

- C. Describe in detail the circumstances that have changed since the adoption of the existing plan on April 1, 1996 that warrant the change to the Comprehensive Plan text which you are seeking.

Not Applicable

- D. Please attach any other materials which support the change you are requesting.

EXHIBIT A
LEGAL DESCRIPTION

RECEIVED
JAN 31 2007
MSVL PLNG/BLDG

PARCEL A

That portion of the North 200.00 feet, as measured perpendicular to and parallel with the north line, of the Northwest Quarter of the Southeast Quarter of Section 29, Township 31 North, Range 5 East, W.M., lying westerly of the following described line:

Commencing at the northeast corner of said Northwest Quarter of the Southeast Quarter; thence westerly, along the north line of said subdivision, a distance of 632.60 feet to the true point of beginning of the line to be described; thence southerly, perpendicular to said north line, a distance of 200.00 feet, to the south line of said North 200.00 feet, and there terminating.

Containing 139,681 S.F.

PARCEL B

That portion of the North 200.00 feet, as measured perpendicular to and parallel with the north line, of the Northeast Quarter of the Southwest Quarter of Section 29, Township 31 North, Range 5 East, W.M., lying easterly of the following described line:

Commencing at the northwest corner of said Northeast Quarter of the Southwest Quarter; thence easterly, along the north line of said subdivision, a distance of 700.00 feet to the true point of beginning of the line to be described; thence southerly, parallel with the west line of said Northeast Quarter of the Southwest Quarter, a distance of 200.11 feet, to the south line of said North 200.00 feet, and there terminating.

Containing 131,419 S.F.

Combined Area = 271,100 S.F.

FOR AGENCY USE ONLY

DATE: _____

FILE NUMBER: _____

APPLICATION FEE: _____

CITY OF MARYSVILLE
 DEPARTMENT OF PLANNING AND BUILDING
 80 COLUMBIA AVENUE
 MARYSVILLE, WA 98270
 PHONE: (360) 363-8100

RECEIVED
 JAN 31 2007
 MSVL PLNG/BLDG

PLEASE TYPE

	Owner	Applicant	Contact Person (if different than owner or applicant)
Name:	Joel Hyllbeck / Ronald Young	same as owner	Laundry Tobiasson
Mailing Address:	P.O. Box 3249		Tobiasson & Co.
City, State, Zip:	Arlington WA 98223		506 NE 75 th Ave. Seattle
Phone/business:			Seattle, WA 98115
Phone/home:			206-522-1024

Relation of Applicant to property (check one):

Owner Contract Purchaser Lessee Other (specify) _____

Name, mailing address, and telephone number of property owner, if different from applicant: _____

see above

Address and general location of property (including nearest intersection): _____

164th Block of
 Twin Lakes Avenue, directly north of Twin Lakes
 Park.

Section 29 Township 31 Range 5

Legal description of property: See Attached

List all assessor's tax account numbers involved (all 14 digits):

31052900300100	31052900400900	

Approximate acreage: _____

Present use of property: Undeveloped

Present zoning: General Commercial / R2 Multi Family Low

Source of water supply, and name of water district, if any: City of Marysville

Method of sewage disposal, and name of sewer district, if any: City of Marysville

Permits needed from the City of Marysville (please check with staff):

- Rezone Shoreline Management Variance
- Preliminary Plat Shoreline Management Variance Plan Modification
- Conditional Use Shoreline Conditional Use Plat Modification
- Comprehensive Plan Amendment Preliminary Short Plat Other _____

Please explain your request or proposed use: The applicant is requesting a Comprehensive Plan Amendment and rezone to Mixed Use.

PLEASE FILL IN ALL APPROPRIATE SECTIONS

REZONE APPLICATIONS ONLY

Requested zoning: _____

Has anyone applied for a rezone of this property within the last five years? Yes No

If yes, who? _____

PLAT APPLICATIONS ONLY

Plat name: _____ Number of lots: _____

County Assessor verification [Completed by City] _____

SHORELINE MANAGEMENT PERMITS ONLY

Total cost or fair market value (whichever is higher) of project (please state total value of all construction and finishing work for which the permit will be issued, including all permanent equipment to be installed on the premises) :

\$ _____

Construction dates for which permit is requested (month and year) :

Begin: _____ and End: _____

Does this project require a shoreline/floodplain location? [] Yes [] No

If yes, please explain. _____

Water area and/or wetlands involved: _____

VARIANCES and SHORELINE MANAGEMENT VARIANCES ONLY

Code requirement involved: _____

ALL PERMITS

Please list any additional information not covered above which might help to clarify your request:

See attached package for more detail.

A notarized affidavit is required to filled out by all persons having an ownership interest

in the subject property, and the applicant, if different than the property owner(s).

FILE NUMBER: _____

APPLICATION FEE: _____

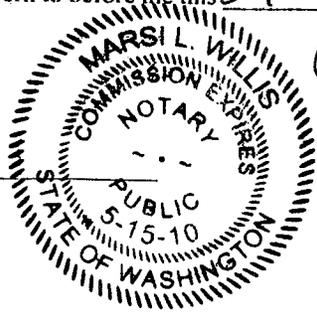
STATE OF WASHINGTON)

) ss

I (We) JOEL HYLBACK + RONALD YOUNG, being duly sworn, depose and say that I am (we are) the OWNER (s) of the property involved in this application, and that I (we) have familiarized myself (ourselves) with the rules and regulations with respect to preparing and filing this application and that the statements and information submitted herewith are in all respects true and correct to the best of my (our) knowledge and belief.

Signed Joel Hyback / Ronald Young
Property Owner

Subscribed and sworn to before me this 29th day of January, 20 07



Marsi Willis
Notary Public in and for the State of Washington,
residing at MARYSVILLE

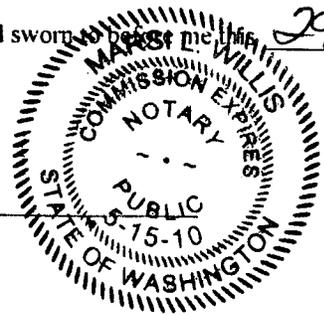
STATE OF WASHINGTON)

) ss

I (We) Joel Hyback, being duly sworn, depose and say that I am (we are) the APPLICANT(S) for this application, and that I (we) have familiarized myself (ourselves) with the rules and regulations with respect to preparing and filing this application and that the statements and information submitted herewith are in all respects true and correct to the best of my (our) knowledge and belief.

Signed Joel Hyback
Applicant

Subscribed and sworn to before me this 29th day of January, 20 07



Marsi Willis
Notary Public in and for the State of Washington,
residing at MARYSVILLE

FOR AGENCY USE ONLY

DATE: _____

CITY OF MARYSVILLE ENVIRONMENTAL CHECKLIST

BACKGROUND

1. Name of proposed project, if applicable: **Twin Lakes Comprehensive Plan amendment and rezone**
2. Name of applicant: **Joel Hylback**
3. Address and phone number of applicant and contract person:
Joel Hylback
P.O. Box 3249
Arlington, WA 98223

Contact Person: Laurey Tobiason
TOBIASON & COMPANY, Inc.
506 NE 73rd Street, Suite 1A
Seattle, WA 98115
206-522-1024
Fax: 206-522-1049
Laurey@Tobiason.Biz
4. Date checklist prepared: **January 30, 2007**
5. Agency requesting checklist: **City of Marysville Community Development**
6. Proposed timing or schedule (Including phasing, if applicable):
To be determined.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **The conceptual site plan and landscape plan submitted along with the subject comprehensive plan amendment and rezone request represents the applicants intention for future development of the site. The plan being presented is conceptual, and is subject to change.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **Traffic Analysis.**
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. **No.**
10. List any governmental approvals or permits that will be needed for your proposal, if known. **Comprehensive Plan Amendment, Rezone approval, Site Plan approval,**

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JAN 31 2007

MSVL PLNG/BLDG

Construction Plan approval, Building Permit, Right of Way Use Permit, Grading Permit.

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 applicant is requesting approval of a comprehensive plan amendment and rezone in order to change the designation and zoning of the subject property from R-12 and GC to MU.**
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.
The site address is 164xx Twin Lakes Avenue.

A. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): flat, rolling, hilly, steep slopes, mountainous, other _____
- b. What is the steepest slope on the site (approximate percent slope)? **5%**
- 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 prime farmland. **Marysville Sandy Loam.**
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **No.**
- e. Describe the purpose, type and approximate quantities of any filling or grading proposed. Indicate source of fill.
0 CY fill 0 CY cut
This comprehensive plan amendment/rezone request does not involve any site grading. Upon approval of the

comprehensive plan amendment/rezone, the applicant will prepare construction plans for the detailed site review at which time grading quantities will be determined.

Could erosion occur as a result of clearing construction, or use? If so, generally describe. **This non-project action will not result in any grading activity, therefore no erosion risk is present.**

- f. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **All requirements of Marysville Municipal Code will be fully complied with at the site review stage, including limits to impervious surfaces on the site.**
- g. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: **see f, above.**

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. **This non-project action will not result in any impacts to the air.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **None.**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
None.

3. Water

a. Surface

- 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. **Twin Lakes**
- 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. **The subject site is within 200 feet of Twin Lakes. At such time as the requested comprehensive**

plan amendment/rezone is granted, work will then be proposed within 200 feet of Twin Lakes.

- 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. **None.**
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose and approximate quantities if known. **No.**
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **No.**
- 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.

This non-project action does not involve any discharge to waters.

b. Ground

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose and approximate quantities if known. **No.**
- 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. **None.**

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) 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.

This non-project action does not create any storm water runoff.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. See 1, above.
- d. Proposed measures to reduce or control surface, ground and runoff water impacts, if any: **No measures are proposed at this time as the subject action is a comprehensive plan amendment and rezone.**

4. Plants

- a. Check or circle types of vegetation found on the site:
 - deciduous tree: alder, maple, aspen, other
 - evergreen tree: **fir, cedar, pine**, other
 - shrubs (ornamental)**
 - grass
 - pasture
 - crop or grain
 - wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
 - water plants: water lily, eelgrass, mil foil, other
 - other types of vegetation
- b. What kind and amount of vegetation will be removed or altered? **At the time of construction of a project, it is likely that the site will be completely cleared of vegetation. This proposal is a non-project action and therefore does not include any clearing.**
- c. List threatened or endangered species known to be on or near the site. **None.**
- d. Proposed landscaping, use of native plants, or other measure to preserve or enhance vegetation on the site, if any: **None.**

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:
 - Birds: hawk, heron, eagle, **songbirds**, other:
 - Mammals: deer, bear, elk, beaver, other:
 - Fish: bass, salmon, trout, herring, shellfish, other:

- b. List any threatened or endangered species known to be on or near the site: **None.**
- c. Is the site part of a migration route? If so, explain. **The city of Marysville is located within the Pacific Flyway.**
- d. Proposed measures to preserve or enhance wildlife, if any: **None.**

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. **Not applicable.**
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. **No.**
- 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: **Not applicable. This non-project action does not include any specific proposal for construction at this time.**

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. **No.**
 - 1) Describe special emergency services that might be required. **N/A**
 - 2) Proposed measures to reduce or control environmental health hazards, if any: **None.**
- b. Noise
 - 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, aircraft, other)? **None.**
 - 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.

The proposed comprehensive plan amendment and rezone will not change existing noise levels or patterns.

- 3) Proposed measures to reduce or control noise impacts, if any: **None.**

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? **The subject site is currently vacant land. Properties to the north and east are developed or are being developed as commercial land uses. The property south of the site is the Twin Lakes Park property. Properties to the west are undeveloped but zoned for multiple family land use.**
- b. Has the site been used for agriculture? If so, describe. **No.**
- c. Describe any structures on the site. **None.**
- d. Will any structures be demolished? If so, what? **No.**
- e. What is the current zoning classification of the site? **R-12/GC.**
- f. What is the current comprehensive plan designation of the site? **R-12/GC**
- g. If applicable, what is the current shoreline master program designation of the site? **N/A.**
- h. Has any part of the site been classified as an "environmentally sensitive area? If so, specify. **No.**
- i. Approximately how many people would reside or work in the completed project? **This comprehensive plan amendment and rezone request will not result directly in new residents moving to this site. At the time that the comprehensive plan amendment and rezone are approved, the applicant will**

submit a detailed project for further review and analysis.

- j. Approximately how many people would the completed project displace? **None.**
- k. Proposed measures to avoid or reduce displacement impacts, if any? **N/A.**
- l. Proposed measure to ensure the proposal is compatible with existing and projected land uses and plans, if any: **The request to change the comprehensive plan designation of the site from R-12/GC to MU is requested in order to provide greater compatibility between the existing and future land uses. The high intensity commercial land use that exists or is proposed on lands to the north and east of the site will be provided with a better transition to the multiple family land use designation west of this site by allowing the mixed use designation between them. This will allow for a combination of multiple family and lower intensity commercial land use to soften the transition to a fully residential land use west of the site.**

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing. **No units are specifically proposed at this time, however conceptual plans provided with this comprehensive plan amendment and rezone request contemplate 50 townhouse units for the site. This is subject to change.**
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle or low-income housing. **None.**
- c. Proposed measures to reduce or control housing impacts, if any: **N/A.**

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? **No structures are specifically proposed with this non-project action, but future proposals**

for construction will conform with all applicable Marysville Municipal Code requirements for building heights, etc.

- b. What views in the immediate vicinity would be altered or obstructed? **The proposed Mixed Use designation and zoning will soften the transition of land use and aesthetic appearance between the high intensity commercial lands and the multiple family residential lands to the west.**
- c. Proposed measures to reduce or control aesthetic impacts, if any: **This non-project action does not include any specific measures to mitigate aesthetic impacts at this time.**

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **This comprehensive plan amendment and rezone do not result in any new light and glare. It is likely that should the rezone and comprehensive plan amendment be approved that the resulting land use will be lower intensity commercial and therefore likely result in less light and glare impacts.**
- 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: **None.**

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? **Twin Lakes Park is immediately to the south of the site.**
- b. Would the proposed project displace any existing recreational uses? If so, describe. **No.**
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: **None at this time.**

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state or local preservation registers known to be on or next to the site? If so, generally describe. **None.**
- b. Generally describe any landmarks or evidence of historic, archaeological, scientific or cultural importance known to be on or next to the site. **None.**
- c. Proposed measures to reduce or control impacts, if any: **If artifacts are encountered, the proper authorities will be contacted for review purposes.**

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any: **The site is accessed from Twin Lake Avenue and 164th Street NE.**
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? **Yes, less than ¼ mile.**
- c. How many parking spaces would the completed project have? How many would the project eliminate? **This non-project action does not include parking. The conceptual plan provided and any future plan formally submitted for city review will fully comply with the parking requirements of code.**
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private). **This comprehensive plan amendment and rezone request will not result in the need for any new roads at this time. Future development of the property will result in public roadway improvements.**
- e. Will the project 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? If known, indicate when peak volumes would occur. **No traffic will be generated by the non-project comprehensive plan amendment/rezone action.**
- g. Proposed measures to reduce or control transportation impacts, if any: **None at this time.**

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. **The proposed change in land use designation will not result in an increased need for public services.**
- b. Proposed measures to reduce or control direct impacts on public services, if any. **None at this time.**

16. Utilities

- a. Circle utilities currently available at this site: **electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**
- 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. **No utility construction is proposed at this time.**

B. SIGNATURE

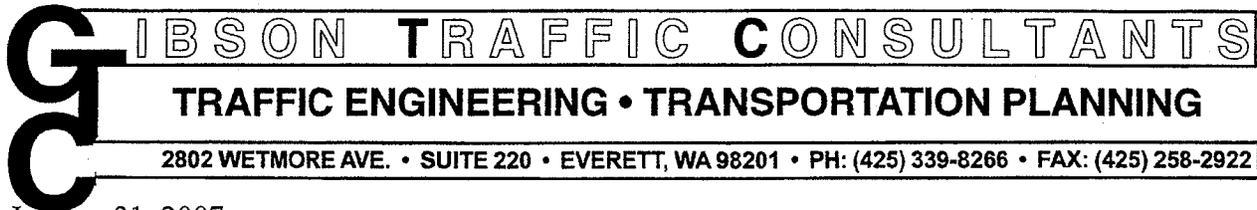
The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

[Handwritten Signature]

Date Submitted: _____

1-31-07



January 31, 2007

Mr. Jeff Massie, P.E.
City of Marysville
80 Columbia Avenue
Marysville, Washington 98270

RECEIVED
JAN 31 2007
MSVL PLNG/BLDG

Re: Twin Lakes Mixed Use – Residential, Retail and Office
Preliminary Traffic Analysis for the City of Marysville - GTC #07-050

Gibson Traffic Consultants (GTC) has been retained to provide a preliminary traffic analysis for the proposed Twin Lakes Mixed Use development. This report includes trip generation and trip distribution information for the proposed development.

PROPOSED SITE DEVELOPMENT AND ACCESS

The Twin Lakes Mixed Use development is proposed to consist of 50 condominium units and a combination of retail and office space totaling 42,000 square feet. An exact amount of retail and office space is not currently known. The proposed development will have access to 27th Avenue NE and 164th Street NE. The development is proposed to have two accesses, one to Market Place and one to 91st Avenue SE. A site vicinity map has been included in **Figure 1**.

TRIP GENERATION

Trip generation estimates are based on national statistics contained in the Institute of Transportation Engineers' (ITE) *Trip Generation, 7th Edition (2003)*. The trip generation calculations for the development are based on ITE Land Use Code 230, residential condominium/townhouse, and ITE Land Use Code 820, shopping center. The shopping center land use has been used since the current sizes of retail and office are not known. The shopping center use incorporates both of these uses. The ITE Land Use Code descriptions have been included with this report.

The average trip generation rates have been used for the trip generation calculations. ITE has established pass-by reductions for the commercial portion of the development in the *TE Trip Generation Handbook, 2nd Edition (2004)*. The pass-by rate for ITE Land Use Code 820 is 34% for the PM peak-hour. ITE has not published pass-by rates for the daily or AM peak-hour. The PM peak-hour pass-by rate of 34% has therefore been applied to the daily and AM peak-hour trip generation calculations.

In addition to pass-by reductions, the internal crossover reduction has been calculated for the development. The internal crossover percentage has been calculated to be 10% for the daily trip generation and 11% for the AM and PM peak-hour trip generation. The internal crossover calculations have been performed using the ITE methodology.

The Twin Lakes Mixed Use development is anticipated to generate **1,335 average daily trips (ADT)** with **45 AM peak-hour trips (19 inbound/26 outbound)** and **116 PM peak-hour trips (60 inbound/56 outbound)**. A summary of the development's trip generation has been included in **Table 1**. The trip generation calculations have been included in the attachments.

TRIP DISTRIBUTION

Trip distribution and traffic assignments for the development are based on previous traffic studies conducted in the site vicinity. The residential and commercial portions of the development will have slightly different trip generation patterns. All of the development's trips will travel along 27th Avenue NE to and from the north.

Residential

It is estimated that 52% of the residential trips will travel along Interstate-5, forty-percent to and from the south and twelve percent to and from the north. Approximately 20% of the trips will travel to and from the City of Arlington. It is anticipated that 18% of the development's trips will travel to and from the west along SR-531. The remaining 10% of the development trips will travel to and from the recently completed commercial development at the intersection of 27th Avenue NE at SR-531.

Commercial

It is anticipated that 60% of the commercial trips will travel along Interstate-5, split evenly between the north and south. An estimated 20% of the commercial trips will travel to and from the City of Arlington. The remaining 20% of the trips will be split between trips traveling to and from the west, fifteen percent, and trips travel to local destinations, five percent.

Detailed trip distributions are included in **Figure 2A** and **Figure 2B** for the residential and commercial portions of the development during the AM peak-hour, respectively. The detailed PM peak-hour trips distributions have been included in **Figure 3A** and **Figure 3B** for the residential and commercial portions of the development, respectively. The combined trip distribution for the AM peak-hour has been shown in **Figure 4A** and the PM peak-hour distribution has been shown in **Figure 4B**.

Mr. Jeff Massie, PE
January 31, 2007
Page 3

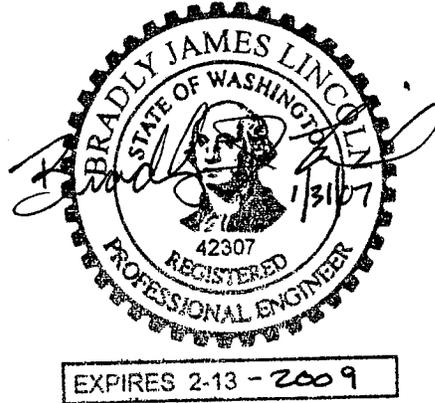
GTC trusts that the trip generation and distribution adequately address the preliminary traffic impacts of the Twin Lakes Mixed Use development. Please feel free to contact GTC at (425) 339-8266 if there are any questions or comments concerning this analysis.

Sincerely,

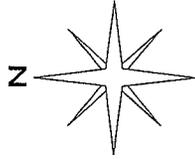
GIBSON TRAFFIC CONSULTANTS, INC.

Bradly J. Lincoln, PE
Traffic Engineer

Attachments



GIBSON
TRAFFIC
CONSULTANTS



01/29/2007

51ST AVE NE

531

43RD AVE NE

152ND ST NE

SMOKEY POINT BLVD

5

TWIN LAKES AVE

SPRING LANE AVE

27TH AVE NE

169TH PL NE



SITE

25TH AVE NE

23RD AVE NE

19TH AVE NE

19TH DR NE

19TH AVE NE

156TH ST NE

11TH AVE NE

11TH AVE NE

FORTY FIVE RD

3RD AVE NE

531

MCRAE RD NE

TRAFFIC IMPACT STUDY
GTC #07-050

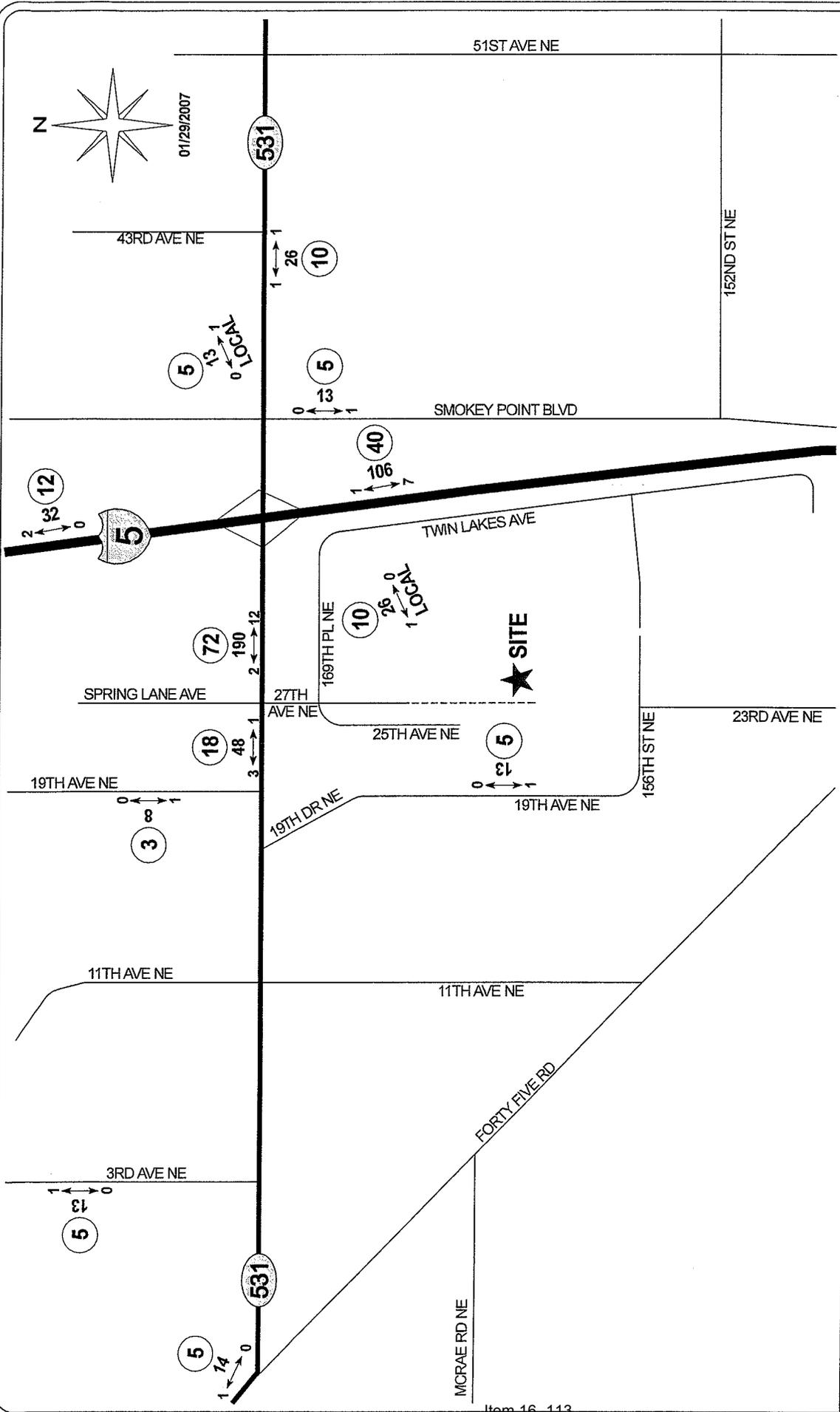
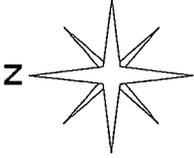
FIGURE 1
SITE VICINITY
MAP

GIBSON TRAFFIC CONSULTANTS

LEGEND
★ PROJECT SITE

TWIN LAKES MIXED USE

CITY OF MARYSVILLE



TRAFFIC IMPACT STUDY
GTC #07-050

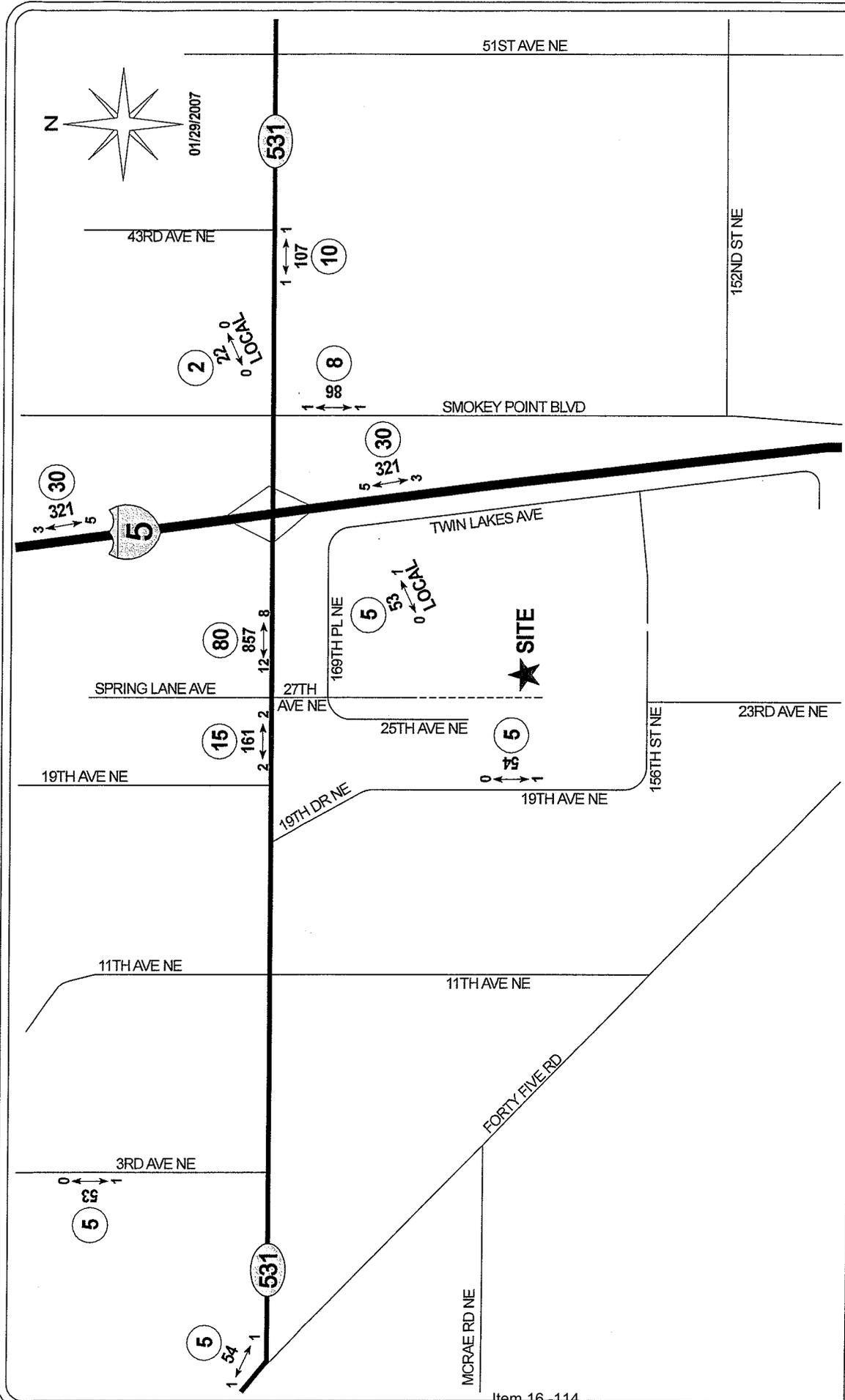
FIGURE 2A
RESIDENTIAL
TRIP DISTRIBUTION
AM PEAK-HOUR

GIBSON TRAFFIC CONSULTANTS

LEGEND
 AMVDT → PEAK
 ← AM
 NEW SITE TRAFFIC (DAILY/PEAK HOUR)
 TRIP DISTRIBUTION %
 (25)

TWIN LAKES MIXED USE

CITY OF MARYSVILLE



TRAFFIC IMPACT STUDY
GTC #07-050

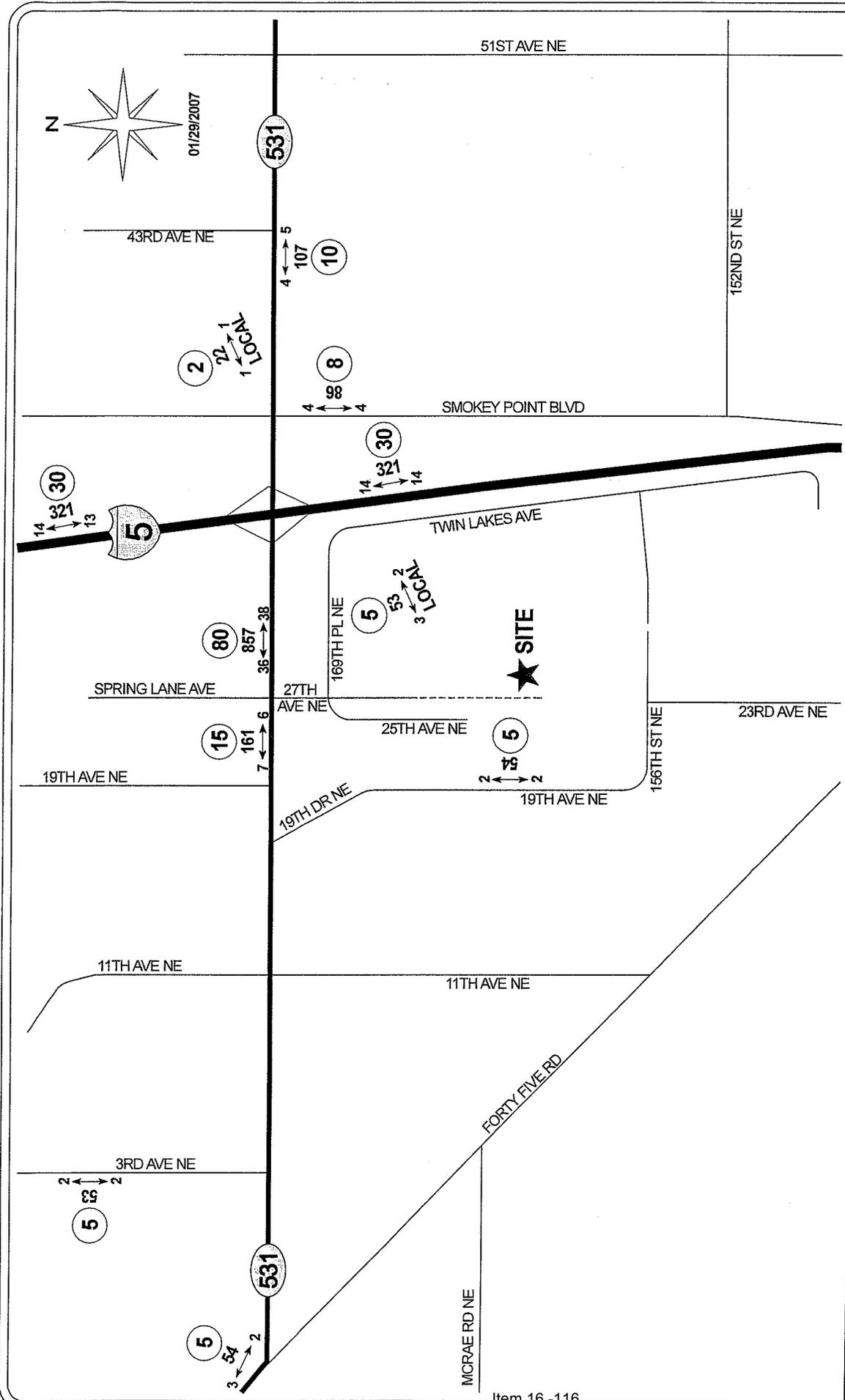
FIGURE 2B
COMMERCIAL
TRIP DISTRIBUTION
AM PEAK-HOUR

GIBSON TRAFFIC CONSULTANTS

LEGEND
AW/DT
AM ← → PEAK
NEW SITE TRAFFIC
(DAILY/PEAK HOUR)
TRIP DISTRIBUTION %
(25)

TWIN LAKES MIXED USE

CITY OF MARYSVILLE



TRAFFIC IMPACT STUDY
GTC #07-050

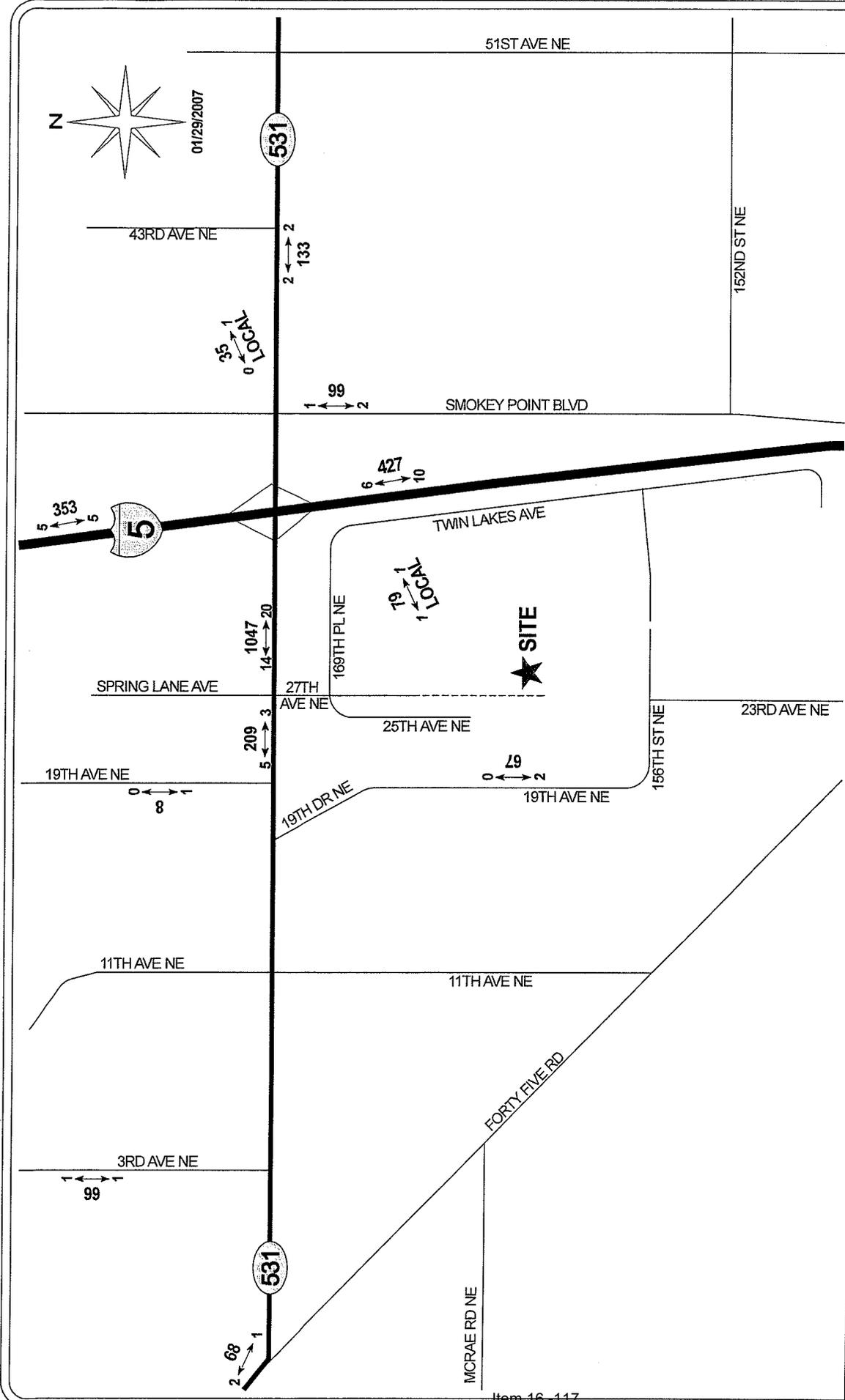
FIGURE 3B
COMMERCIAL
TRIP DISTRIBUTION
PM PEAK-HOUR

GIBSON TRAFFIC CONSULTANTS

LEGEND
AWDT → PEAK
PM ←
NEW SITE TRAFFIC
(DAILY/PEAK HOUR)
TRIP DISTRIBUTION %
(25)

TWIN LAKES MIXED USE

CITY OF MARYSVILLE



TRAFFIC IMPACT STUDY
GTC #07-050

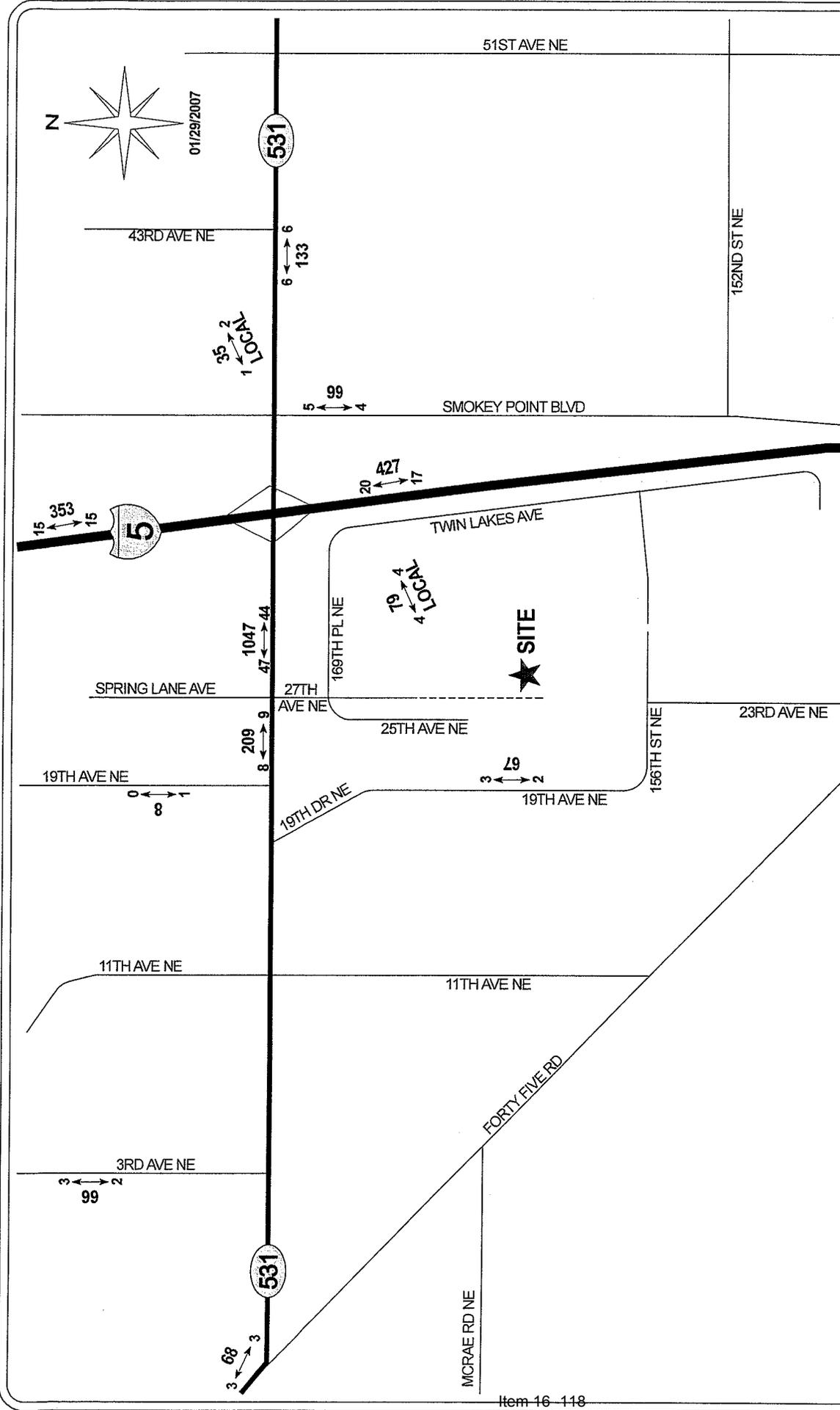
GIBSON TRAFFIC CONSULTANTS

LEGEND
 NEW SITE TRAFFIC
 (DAILY/PEAK HOUR)
 AMVDT → PEAK
 ← AM

TWIN LAKES MIXED USE

FIGURE 4A
 COMBINED
 TRIP DISTRIBUTION
 AM PEAK-HOUR

CITY OF MARYSVILLE



TRAFFIC IMPACT STUDY
GTC #07-050

GIBSON TRAFFIC CONSULTANTS

FIGURE 4B
COMBINED
TRIP DISTRIBUTION
PM PEAK-HOUR

LEGEND
AWDT → PEAK
← PM
NEW SITE TRAFFIC
(DAILY/PEAK HOUR)

TWIN LAKES MIXED USE

CITY OF MARYSVILLE

TABLE 1
TRIP GENERATION SUMMARY

Proposed Land Use	Size	Average Daily Trips	AM Peak-Hour Trips		PM Peak-Hour Trips			
			Total	Inbound	Outbound	Total	Inbound	Outbound
Condominium	50 Units	263.70	19.58	3.33	16.25	23.14	15.50	7.64
Shopping Center	42,000 SF	1,071.27	25.41	15.50	9.91	92.51	44.40	48.11
TOTAL		1,334.97	44.99	18.83	26.16	115.65	59.90	55.75

Land Use: 230

Residential Condominium/Townhouse

Description

Residential condominiums/townhouses are defined as ownership units that have at least one other owned unit within the same building structure. **Both condominiums and townhouses are included in this land use.** The studies in this land use did not identify whether the condominiums/townhouses were low-rise or high-rise. Low-rise residential condominium/townhouse (Land Use 231), high-rise residential condominium/townhouse (Land Use 232) and luxury condominium/townhouse (Land Use 233) are related land uses.

Additional Data

The number of vehicles and the number of residents had a high correlation with average weekday vehicle trip ends. The use of these variables was limited, however, because the number of vehicles and residents was often difficult to obtain or predict. The number of dwelling units was generally used as the independent variable of choice because it is usually readily available, easy to project and had a high correlation with average weekday vehicle trip ends.

The peak hour of the generator typically coincided with the peak hour of the adjacent street traffic.

The sites were surveyed from the mid-1970s to the 2000s throughout the United States and Canada.

Source Numbers

4, 92, 94, 95, 97, 100, 105, 106, 114, 168, 186, 204, 237, 253, 293, 319, 320, 321, 390, 412, 418, 561, 562, 583

Land Use: 820

Shopping Center

Description

A shopping center is an integrated group of commercial establishments that is planned, developed, owned and managed as a unit. A shopping center's composition is related to its market area in terms of size, location and type of store. A shopping center also provides on-site parking facilities sufficient to serve its own parking demands. Specialty retail center (Land Use 814) and factory outlet center (Land Use 823) are related uses.

Additional Data

Shopping centers, including neighborhood centers, community centers, regional centers and super regional centers, were surveyed for this land use. Some of these centers contained non-merchandising facilities, such as office buildings, movie theaters, restaurants, post offices, banks, health clubs and recreational facilities (for example, ice skating rinks or indoor miniature golf courses). The centers ranged in size from 1,700 to 2.2 million square feet of gross leasable area (GLA). The centers studied were located in suburban areas throughout the United States and therefore represent typical U.S. suburban conditions.

Many shopping centers, in addition to the integrated unit of shops in one building or enclosed around a mall, include outparcels (peripheral buildings or pads located on the perimeter of the center adjacent to the streets and major access points). These buildings are typically drive-in banks, retail stores, restaurants, or small offices. Although the data herein do not indicate which of the centers studied included peripheral buildings, it can be assumed that some of the data show their effect.

The vehicle trips generated at a shopping center are based upon the GLA of the center. In cases of smaller centers without an enclosed mall or peripheral buildings, the GLA could be the same as the gross floor area of the building.

Separate equations have been developed for shopping centers during the Christmas shopping season. Plots were included for the weekday peak hour of adjacent street traffic and the Saturday peak hour of the generator.

Information on approximate hourly, monthly and daily variation in shopping center traffic is shown in Tables 1-4. It should be noted, however, that the information contained in these tables is based on a limited sample size. Therefore, caution should be exercised when applying the data. Also, some information provided in the tables may conflict with the results obtained by applying the average rate or regression equations. When this occurs, it is suggested that the results from the average rate or regression equations be used, as they are based on a larger number of studies.

Twin Lakes Mixed Use
 GTC #07-050

**Trip Generation for: Weekday, Peak Hour of Adjacent Street Traffic, One Hour between 7 and 9 AM
 (a.k.a.): Weekday AM Peak Hour**

LAND USES	VARIABLE	ITE LU code	Gross Trips				Internal Crossover		NET EXTERNAL TRIPS BY TYPE							
			Trip Rate	% IN	% OUT	In+Out (Total)	% of Gross Trips	Trips In+Out (Total)	IN BOTH DIRECTIONS		DIRECTIONAL ASSIGNMENTS					
									TOTAL	PASS-BY	DIVERTED LINK	NEW	PASS-BY	DIVERTED LINK	NEW	
Condominium	50 units	230	0.44	17%	83%	22.00	11%	2	% of Ext. Trips	In+Out (Total)	In	Out	In	Out	In	Out
Shopping Center	42,000 ksqft	820	1.03	61%	39%	43.26	11%	5	0%	13	0	5	0	5	15.50	9.91
Totals						65.26		7		13	0	8	5	0	18.83	26.16

Twin Lakes Mixed Use
 GTC #07-050

**Trip Generation for: Weekday, Peak Hour of Adjacent Street Traffic, One Hour between 4 and 6 PM
 (a.k.a.): Weekday PM Peak Hour**

Item	NET EXTERNAL TRIPS BY TYPE															
	IN BOTH DIRECTIONS							DIRECTIONAL ASSIGNMENTS								
	TOTAL	PASS-BY		DIVERTED LINK		NEW	PASS-BY		DIVERTED LINK		NEW					
LAN USES	ITE LU code	VARIABLE	Trip Rate	% IN	% OUT	In+Out (Total)	% of Gross Trips	Internal Crossover	% of Ext. Trips	In+Out (Total)	% of Ext. Trips	In+Out (Total)	In	Out	In	Out
Condominium	230	50 units	0.52	67%	33%	26.00	11%	3	0%	0	0%	23.14	0	0	15.50	7.64
Shopping Center	820	42,000 ksqft	3.75	48%	52%	157.50	11%	17	34%	48	0%	92.51	23	25	44.40	48.11
Totals						183.50		20		48		115.65	23	25	59.90	55.75

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Residential Portion - AM Peak-Hour

%	New ADT	New AM Peak Hour Trips		
		In	Out	Total
100%	264	3.33	16.25	19.58
1%	2.64	0.03	0.16	0.20
2%	5.27	0.07	0.33	0.39
3%	7.91	0.10	0.49	0.59
4%	10.55	0.13	0.65	0.78
5%	13.19	0.17	0.81	0.98
6%	15.82	0.20	0.98	1.17
7%	18.46	0.23	1.14	1.37
8%	21.10	0.27	1.30	1.57
9%	23.73	0.30	1.46	1.76
10%	26.37	0.33	1.63	1.96
11%	29.01	0.37	1.79	2.15
12%	31.64	0.40	1.95	2.35
13%	34.28	0.43	2.11	2.55
14%	36.92	0.47	2.28	2.74
15%	39.56	0.50	2.44	2.94
16%	42.19	0.53	2.60	3.13
17%	44.83	0.57	2.76	3.33
18%	47.47	0.60	2.93	3.52
19%	50.10	0.63	3.09	3.72
20%	52.74	0.67	3.25	3.92
21%	55.38	0.70	3.41	4.11
22%	58.01	0.73	3.58	4.31
23%	60.65	0.77	3.74	4.50
24%	63.29	0.80	3.90	4.70
25%	65.93	0.83	4.06	4.90
26%	68.56	0.87	4.23	5.09
27%	71.20	0.90	4.39	5.29
28%	73.84	0.93	4.55	5.48
29%	76.47	0.97	4.71	5.68
30%	79.11	1.00	4.88	5.87
31%	81.75	1.03	5.04	6.07
32%	84.38	1.07	5.20	6.27
33%	87.02	1.10	5.36	6.46
34%	89.66	1.13	5.53	6.66
35%	92.30	1.17	5.69	6.85
36%	94.93	1.20	5.85	7.05
37%	97.57	1.23	6.01	7.24
38%	100.21	1.27	6.18	7.44
39%	102.84	1.30	6.34	7.64
40%	105.48	1.33	6.50	7.83
41%	108.12	1.37	6.66	8.03
42%	110.75	1.40	6.83	8.22
43%	113.39	1.43	6.99	8.42
44%	116.03	1.47	7.15	8.62
45%	118.67	1.50	7.31	8.81
46%	121.30	1.53	7.48	9.01
47%	123.94	1.57	7.64	9.20
48%	126.58	1.60	7.80	9.40
49%	129.21	1.63	7.96	9.59
50%	131.85	1.67	8.13	9.79
51%	134.49	1.70	8.29	9.99
52%	137.12	1.73	8.45	10.18
53%	139.76	1.76	8.61	10.38
54%	142.40	1.80	8.78	10.57
55%	145.04	1.83	8.94	10.77
56%	147.67	1.86	9.10	10.96
57%	150.31	1.90	9.26	11.16
58%	152.95	1.93	9.43	11.36
59%	155.58	1.96	9.59	11.55
60%	158.22	2.00	9.75	11.75
61%	160.86	2.03	9.91	11.94
62%	163.49	2.06	10.08	12.14
63%	166.13	2.10	10.24	12.34
64%	168.77	2.13	10.40	12.53
65%	171.41	2.16	10.56	12.73
66%	174.04	2.20	10.73	12.92
67%	176.68	2.23	10.89	13.12
68%	179.32	2.26	11.05	13.31
69%	181.95	2.30	11.21	13.51
70%	184.59	2.33	11.38	13.71
71%	187.23	2.36	11.54	13.90
72%	189.86	2.40	11.70	14.10
73%	192.50	2.43	11.86	14.29
74%	195.14	2.46	12.03	14.49
75%	197.78	2.50	12.19	14.69
76%	200.41	2.53	12.35	14.88
77%	203.05	2.56	12.51	15.08
78%	205.69	2.60	12.68	15.27
79%	208.32	2.63	12.84	15.47
80%	210.96	2.66	13.00	15.66
81%	213.60	2.70	13.16	15.86
82%	216.23	2.73	13.33	16.06
83%	218.87	2.76	13.49	16.25
84%	221.51	2.80	13.65	16.45
85%	224.15	2.83	13.81	16.64
86%	226.78	2.86	13.98	16.84
87%	229.42	2.90	14.14	17.03
88%	232.06	2.93	14.30	17.23
89%	234.69	2.96	14.46	17.43
90%	237.33	3.00	14.63	17.62
91%	239.97	3.03	14.79	17.82
92%	242.60	3.06	14.95	18.01
93%	245.24	3.10	15.11	18.21
94%	247.88	3.13	15.28	18.41
95%	250.52	3.16	15.44	18.60
96%	253.15	3.20	15.60	18.80
97%	255.79	3.23	15.76	18.99
98%	258.43	3.26	15.93	19.19
99%	261.06	3.30	16.09	19.38
100%	263.70	3.33	16.25	19.58

Twin Lakes Mixed Use
GTC #07-050

Residential Portion - PM Peak-Hour

%	New ADT	New PM Peak Hour Trips		
		In	Out	Total
100%	264	15.50	7.64	23.14
1%	2.64	0.16	0.08	0.23
2%	5.27	0.31	0.15	0.46
3%	7.91	0.47	0.23	0.69
4%	10.55	0.62	0.31	0.93
5%	13.19	0.78	0.38	1.16
6%	15.82	0.93	0.46	1.39
7%	18.46	1.09	0.53	1.62
8%	21.10	1.24	0.61	1.85
9%	23.73	1.40	0.69	2.08
10%	26.37	1.55	0.76	2.31
11%	29.01	1.71	0.84	2.55
12%	31.64	1.86	0.92	2.78
13%	34.28	2.02	0.99	3.01
14%	36.92	2.17	1.07	3.24
15%	39.56	2.33	1.15	3.47
16%	42.19	2.48	1.22	3.70
17%	44.83	2.64	1.30	3.93
18%	47.47	2.79	1.38	4.17
19%	50.10	2.95	1.45	4.40
20%	52.74	3.10	1.53	4.63
21%	55.38	3.26	1.60	4.86
22%	58.01	3.41	1.68	5.09
23%	60.65	3.57	1.76	5.32
24%	63.29	3.72	1.83	5.55
25%	65.93	3.88	1.91	5.79
26%	68.56	4.03	1.99	6.02
27%	71.20	4.19	2.06	6.25
28%	73.84	4.34	2.14	6.48
29%	76.47	4.50	2.22	6.71
30%	79.11	4.65	2.29	6.94
31%	81.75	4.81	2.37	7.17
32%	84.38	4.96	2.44	7.40
33%	87.02	5.12	2.52	7.64
34%	89.66	5.27	2.60	7.87
35%	92.30	5.43	2.67	8.10
36%	94.93	5.58	2.75	8.33
37%	97.57	5.74	2.83	8.56
38%	100.21	5.89	2.90	8.79
39%	102.84	6.05	2.98	9.02
40%	105.48	6.20	3.06	9.26
41%	108.12	6.36	3.13	9.49
42%	110.75	6.51	3.21	9.72
43%	113.39	6.67	3.29	9.95
44%	116.03	6.82	3.36	10.18
45%	118.67	6.98	3.44	10.41
46%	121.30	7.13	3.51	10.64
47%	123.94	7.29	3.59	10.88
48%	126.58	7.44	3.67	11.11
49%	129.21	7.60	3.74	11.34
50%	131.85	7.75	3.82	11.57
51%	134.49	7.91	3.90	11.80
52%	137.12	8.06	3.97	12.03
53%	139.76	8.22	4.05	12.26
54%	142.40	8.37	4.13	12.50
55%	145.04	8.53	4.20	12.73
56%	147.67	8.68	4.28	12.96
57%	150.31	8.84	4.35	13.19
58%	152.95	8.99	4.43	13.42
59%	155.58	9.15	4.51	13.65
60%	158.22	9.30	4.58	13.88
61%	160.86	9.46	4.66	14.12
62%	163.49	9.61	4.74	14.35
63%	166.13	9.77	4.81	14.58
64%	168.77	9.92	4.89	14.81
65%	171.41	10.08	4.97	15.04
66%	174.04	10.23	5.04	15.27
67%	176.68	10.39	5.12	15.50
68%	179.32	10.54	5.20	15.74
69%	181.95	10.70	5.27	15.97
70%	184.59	10.85	5.35	16.20
71%	187.23	11.01	5.42	16.43
72%	189.86	11.16	5.50	16.66
73%	192.50	11.32	5.58	16.89
74%	195.14	11.47	5.65	17.12
75%	197.78	11.63	5.73	17.36
76%	200.41	11.78	5.81	17.59
77%	203.05	11.94	5.88	17.82
78%	205.69	12.09	5.96	18.05
79%	208.32	12.25	6.04	18.28
80%	210.96	12.40	6.11	18.51
81%	213.60	12.56	6.19	18.74
82%	216.23	12.71	6.26	18.97
83%	218.87	12.87	6.34	19.21
84%	221.51	13.02	6.42	19.44
85%	224.15	13.18	6.49	19.67
86%	226.78	13.33	6.57	19.90
87%	229.42	13.49	6.65	20.13
88%	232.06	13.64	6.72	20.36
89%	234.69	13.80	6.80	20.59
90%	237.33	13.95	6.88	20.83
91%	239.97	14.11	6.95	21.06
92%	242.60	14.26	7.03	21.29
93%	245.24	14.42	7.11	21.52
94%	247.88	14.57	7.18	21.75
95%	250.52	14.73	7.26	21.98
96%	253.15	14.88	7.33	22.21
97%	255.79	15.04	7.41	22.45
98%	258.43	15.19	7.49	22.68
99%	261.06	15.35	7.56	22.91
100%	263.70	15.50	7.64	23.14

Twin Lakes Mixed Use
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Commercial Portion - AM Peak-Hour

%	New ADT	New AM Peak Hour Trips		
		In	Out	Total
100%	1071	15.50	9.91	25.41
1%	10.71	0.16	0.10	0.25
2%	21.43	0.31	0.20	0.51
3%	32.14	0.47	0.30	0.76
4%	42.85	0.62	0.40	1.02
5%	53.56	0.78	0.50	1.27
6%	64.28	0.93	0.59	1.52
7%	74.99	1.09	0.69	1.78
8%	85.70	1.24	0.79	2.03
9%	96.41	1.40	0.89	2.29
10%	107.13	1.55	0.99	2.54
11%	117.84	1.71	1.09	2.80
12%	128.55	1.86	1.19	3.05
13%	139.27	2.02	1.29	3.30
14%	149.98	2.17	1.39	3.56
15%	160.69	2.33	1.49	3.81
16%	171.40	2.48	1.59	4.07
17%	182.12	2.64	1.68	4.32
18%	192.83	2.79	1.78	4.57
19%	203.54	2.95	1.88	4.83
20%	214.25	3.10	1.98	5.08
21%	224.97	3.26	2.08	5.34
22%	235.68	3.41	2.18	5.59
23%	246.39	3.57	2.28	5.84
24%	257.10	3.72	2.38	6.10
25%	267.82	3.88	2.48	6.35
26%	278.53	4.03	2.58	6.61
27%	289.24	4.19	2.68	6.86
28%	299.96	4.34	2.77	7.11
29%	310.67	4.50	2.87	7.37
30%	321.38	4.65	2.97	7.62
31%	332.09	4.81	3.07	7.88
32%	342.81	4.96	3.17	8.13
33%	353.52	5.12	3.27	8.39
34%	364.23	5.27	3.37	8.64
35%	374.94	5.43	3.47	8.89
36%	385.66	5.58	3.57	9.15
37%	396.37	5.74	3.67	9.40
38%	407.08	5.89	3.77	9.66
39%	417.80	6.05	3.86	9.91
40%	428.51	6.20	3.96	10.16
41%	439.22	6.36	4.06	10.42
42%	449.93	6.51	4.16	10.67
43%	460.65	6.67	4.26	10.93
44%	471.36	6.82	4.36	11.18
45%	482.07	6.98	4.46	11.43
46%	492.78	7.13	4.56	11.69
47%	503.50	7.29	4.66	11.94
48%	514.21	7.44	4.76	12.20
49%	524.92	7.60	4.86	12.45
50%	535.64	7.75	4.96	12.71
51%	546.35	7.91	5.05	12.96
52%	557.06	8.06	5.15	13.21
53%	567.77	8.22	5.25	13.47
54%	578.49	8.37	5.35	13.72
55%	589.20	8.53	5.45	13.98
56%	599.91	8.68	5.55	14.23
57%	610.62	8.84	5.65	14.48
58%	621.34	8.99	5.75	14.74
59%	632.05	9.15	5.85	14.99
60%	642.76	9.30	5.95	15.25
61%	653.47	9.46	6.05	15.50
62%	664.19	9.61	6.14	15.75
63%	674.90	9.77	6.24	16.01
64%	685.61	9.92	6.34	16.26
65%	696.33	10.08	6.44	16.52
66%	707.04	10.23	6.54	16.77
67%	717.75	10.39	6.64	17.02
68%	728.46	10.54	6.74	17.28
69%	739.18	10.70	6.84	17.53
70%	749.89	10.85	6.94	17.79
71%	760.60	11.01	7.04	18.04
72%	771.31	11.16	7.14	18.30
73%	782.03	11.32	7.23	18.55
74%	792.74	11.47	7.33	18.80
75%	803.45	11.63	7.43	19.06
76%	814.17	11.78	7.53	19.31
77%	824.88	11.94	7.63	19.57
78%	835.59	12.09	7.73	19.82
79%	846.30	12.25	7.83	20.07
80%	857.02	12.40	7.93	20.33
81%	867.73	12.56	8.03	20.58
82%	878.44	12.71	8.13	20.84
83%	889.15	12.87	8.23	21.09
84%	899.87	13.02	8.32	21.34
85%	910.58	13.18	8.42	21.60
86%	921.29	13.33	8.52	21.85
87%	932.00	13.49	8.62	22.11
88%	942.72	13.64	8.72	22.36
89%	953.43	13.80	8.82	22.61
90%	964.14	13.95	8.92	22.87
91%	974.86	14.11	9.02	23.12
92%	985.57	14.26	9.12	23.38
93%	996.28	14.42	9.22	23.63
94%	1006.99	14.57	9.32	23.89
95%	1017.71	14.73	9.41	24.14
96%	1028.42	14.88	9.51	24.39
97%	1039.13	15.04	9.61	24.65
98%	1049.84	15.19	9.71	24.90
99%	1060.56	15.35	9.81	25.16
100%	1071.27	15.50	9.91	25.41

Twin Lakes Mixed Use
GTC #07-050

Commercial Portion - PM Peak-Hour

%	New ADT	New PM Peak Hour Trips		
		In	Out	Total
100%	1071	44.40	48.11	92.51
1%	10.71	0.44	0.48	0.93
2%	21.43	0.89	0.96	1.85
3%	32.14	1.33	1.44	2.78
4%	42.85	1.78	1.92	3.70
5%	53.56	2.22	2.41	4.63
6%	64.28	2.66	2.89	5.55
7%	74.99	3.11	3.37	6.48
8%	85.70	3.55	3.85	7.40
9%	96.41	4.00	4.33	8.33
10%	107.13	4.44	4.81	9.25
11%	117.84	4.88	5.29	10.18
12%	128.55	5.33	5.77	11.10
13%	139.27	5.77	6.25	12.03
14%	149.98	6.22	6.74	12.95
15%	160.69	6.66	7.22	13.88
16%	171.40	7.10	7.70	14.80
17%	182.12	7.55	8.18	15.73
18%	192.83	7.99	8.66	16.65
19%	203.54	8.44	9.14	17.58
20%	214.25	8.88	9.62	18.50
21%	224.97	9.32	10.10	19.43
22%	235.68	9.77	10.58	20.35
23%	246.39	10.21	11.07	21.28
24%	257.10	10.66	11.55	22.20
25%	267.82	11.10	12.03	23.13
26%	278.53	11.54	12.51	24.05
27%	289.24	11.99	12.99	24.98
28%	299.96	12.43	13.47	25.90
29%	310.67	12.88	13.95	26.83
30%	321.38	13.32	14.43	27.75
31%	332.09	13.76	14.91	28.68
32%	342.81	14.21	15.40	29.60
33%	353.52	14.65	15.88	30.53
34%	364.23	15.10	16.36	31.45
35%	374.94	15.54	16.84	32.38
36%	385.66	15.98	17.32	33.30
37%	396.37	16.43	17.80	34.23
38%	407.08	16.87	18.28	35.15
39%	417.80	17.32	18.76	36.08
40%	428.51	17.76	19.24	37.00
41%	439.22	18.20	19.73	37.93
42%	449.93	18.65	20.21	38.85
43%	460.65	19.09	20.69	39.78
44%	471.36	19.54	21.17	40.70
45%	482.07	19.98	21.65	41.63
46%	492.78	20.42	22.13	42.55
47%	503.50	20.87	22.61	43.48
48%	514.21	21.31	23.09	44.40
49%	524.92	21.76	23.57	45.33
50%	535.64	22.20	24.06	46.26
51%	546.35	22.64	24.54	47.18
52%	557.06	23.09	25.02	48.11
53%	567.77	23.53	25.50	49.03
54%	578.49	23.98	25.98	49.96
55%	589.20	24.42	26.46	50.88
56%	599.91	24.86	26.94	51.81
57%	610.62	25.31	27.42	52.73
58%	621.34	25.75	27.90	53.66
59%	632.05	26.20	28.38	54.58
60%	642.76	26.64	28.87	55.51
61%	653.47	27.08	29.35	56.43
62%	664.19	27.53	29.83	57.36
63%	674.90	27.97	30.31	58.28
64%	685.61	28.42	30.79	59.21
65%	696.33	28.86	31.27	60.13
66%	707.04	29.30	31.75	61.06
67%	717.75	29.75	32.23	61.98
68%	728.46	30.19	32.71	62.91
69%	739.18	30.64	33.20	63.83
70%	749.89	31.08	33.68	64.76
71%	760.60	31.52	34.16	65.68
72%	771.31	31.97	34.64	66.61
73%	782.03	32.41	35.12	67.53
74%	792.74	32.86	35.60	68.46
75%	803.45	33.30	36.08	69.38
76%	814.17	33.74	36.56	70.31
77%	824.88	34.19	37.04	71.23
78%	835.59	34.63	37.53	72.16
79%	846.30	35.08	38.01	73.08
80%	857.02	35.52	38.49	74.01
81%	867.73	35.96	38.97	74.93
82%	878.44	36.41	39.45	75.86
83%	889.15	36.85	39.93	76.78
84%	899.87	37.30	40.41	77.71
85%	910.58	37.74	40.89	78.63
86%	921.29	38.18	41.37	79.56
87%	932.00	38.63	41.86	80.48
88%	942.72	39.07	42.34	81.41
89%	953.43	39.52	42.82	82.33
90%	964.14	39.96	43.30	83.26
91%	974.86	40.40	43.78	84.18
92%	985.57	40.85	44.26	85.11
93%	996.28	41.29	44.74	86.03
94%	1006.99	41.74	45.22	86.96
95%	1017.71	42.18	45.70	87.88
96%	1028.42	42.62	46.19	88.81
97%	1039.13	43.07	46.67	89.73
98%	1049.84	43.51	47.15	90.66
99%	1060.56	43.96	47.63	91.58
100%	1071.27	44.40	48.11	92.51

**MULTI-USE DEVELOPMENT
TRIP GENERATION AND INTERNAL CAPTURE SUMMARY**

Analyst: BJL Time Period: Daily

Date: 1/26/2007
Project: Twin Lakes Mixed Use

		Land Use A		Residential Condominium	
		ITE LU Code		Size	
		50			
Exit to Ext		Total	Internal	External	
	90.5	147	48	98.5	
Ent from Ext		Exit	56	90.5	
	98.5	Total	104	189	
		%	35%	65%	

38%	56	33%	48	56	38%	48	33%
	Demand		Demand	Demand		Demand	
0		0		56		48	
	Balanced		Balanced	Balanced		Balanced	
9%	0	11%	0			99	11%
	Demand		Demand			Demand	

		Land Use B		Retail	
		ITE LU Code		Size	
Exit to Ext		Total	Internal	External	
	0	0	0	0	
Ent from Ext		Exit	0	0	
	0	Total	0	0	
		%	100%	#DIV/0!	#DIV/0!

		Land Use C		Retail Shopping Center	
		ITE LU Code		Size	
		42000			
Exit to Ext		Total	Internal	External	
	845.74	902	56	845.74	
Ent from Ext		Exit	48	853.74	
	853.74	Total	104	1699.48	
		%	6%	94%	

Net External Trips for Multi-Use Development				
Land Use A	Land Use B	Land Use C	Total	
Enter	0	845.74	944.24	
Exit	0	853.74	944.24	
Total	0	1699.48	1888.48	Internal Capture
Single-Use Trip Gen. Est.	0	1803.48	2096.48	10%

**MULTI-USE DEVELOPMENT
TRIP GENERATION AND INTERNAL CAPTURE SUMMARY**

Analyst: BJL Time Period: PM Peak Hour of Adj. St
 Date: 1/26/2007
 Project: Twin Lakes Mixed Use

		Land Use A		Residential Condominium	
		ITE LU Code		Size	
		50			
Exit to Ext		Total	Internal	External	
	3.58	17	5	12.42	
Ent from Ext		Exit	5	3.58	
	12.42	Total	10	16	
		%	100%	38%	62%

53%	5	31%	5	53%	5	31%
	Demand		Demand		Demand	
0		0		5		5
	Balanced		Balanced			Balanced
9%	0	12%	0		7	9%
	Demand		Demand		Demand	
					10	12%
					Demand	

		Land Use B		Retail	
		ITE LU Code		Size	
		42000			
Exit to Ext		Total	Internal	External	
	0	0	0	0	
Ent from Ext		Exit	0	0	
	0	Total	0	0	
		%	100%	#DIV/0!	#DIV/0!

		Land Use C		Retail Shopping Center	
		ITE LU Code		Size	
		42000			
Exit to Ext		Total	Internal	External	
	70.6	76	5	70.6	
Ent from Ext		Exit	5	76.9	
	76.9	Total	10	147.5	
		%	100%	6%	94%

Net External Trips for Multi-Use Development			
	Land Use A	Land Use B	Land Use C
Enter	12.42	0	70.6
Exit	3.58	0	76.9
Total	16	0	147.5
Single-Use Trip Gen. Est.	26	0	183.5
Internal Capture			11%

City of Marysville
Community Development
80 Columbia Ave.
Marysville, WA 98270
(360) 363-8100

Request for Review

The City of Marysville Planning Department is reviewing this application and encourages other affected agencies, departments, community groups, and municipalities to respond. Your comments will assist the City's evaluation and are sincerely appreciated.

Responding Agency: John Cowling

File: PA 07001

Related File # _____

Applicant: Joel Hylback

Proposal: Non-project action proposing to amend the comp plan map and concurrently rezone approx 6.22 acres from low density multi-family & general commercial to mixed use abutting the northern boundary of Gissberg

Location: Twin Lakes Park

Tax Account#: 31052900300100 & 31052900400900

SEC/TWN/RNG: 29/31/05

Please respond by: 4/11/2007

Comments/Recommendations:

Comments are attached.

Responding Agency's Signature Anne Miller **Date** 4/11/07

For further information, please contact Chris Holland

CHolland@ci.marysville.wa.us

Please return this form and your comments, attachments may be discarded.



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

MEMORANDUM

DATE: April 11, 2007
TO: Chris Holland, Senior Planner
FROM: Anne Miller, Associate Engineer II *AM*
RE: PA 07-001 Comp Plan Amendment
Twin Lakes Ave. - Hylback

The following comments are offered after review of the above referenced application.

The following comments are offered after review of the above referenced application for *general land development technical issues*.

1. Pre-application comments were provided by Shane Oden, Associate Engineer II on December 13, 2006.
2. Right of way dedication:
 - a. Twin Lakes Ave.: The total build out right of way width is 60'. Based on the Assessor map, I can't see where I-5 right of way ends and Twin Lakes Ave. right of way begins. Dedication may be necessary of this project to obtain the full 60' necessary for the minor arterial.
 - b. 164th St. NE: The total build out right of way width is 60'. It appears that this project is required to dedicate 30' of right of way obtain the full 60' necessary for the minor arterial.
 - c. Intersection right of way: Sufficient right of way for radius and possible signalization is also to be provided. Guidance from the engineering department will be necessary for more information.
3. Access:
 - a. An access variance was conditionally approved by John Cowling, PE, Development Services Manager - Land Development on March 2, 2007. The variance allows three accesses onto 164th St. NE. The locations of the driveways are to be as shown on the site plan submitted with the variance request dated February 21, 2007.
 - b. No access is permitted onto Twin Lakes Ave. per Engineering Design and Development Standards 3-301 bullet 5.
 - c. Per Engineering Design and Development Standards 3-303 (4), driveway widths shall be 30 feet minimum and 40 feet maximum for commercial/industrial driveways.

4. Frontage improvements are required per MMC 12.02A.090 when development occurs. Frontage improvements are described as curbs, gutters, and sidewalks; underground storm drainage facilities; patching the street from its preexisting edge to the new curb line; and overlayment of the existing public street to its centerline. Frontage improvements:
 - a. Twin Lakes Ave.: Full build out is a minor arterial with three lanes, and streetscape.
 - b. 164th St. NE: Full build out is a minor arterial with three lanes and streetscape.

5. The following comments are being provided to address *stormwater drainage issues* associated with the proposed site plan. Completion of the project will generate more than 5,000 square feet of new and/or redeveloped impervious surface. Projects above the 5,000 square feet threshold must comply with requirements stipulated in Volume I, Chapter 2 of the Stormwater Management Manual for Western Washington. Please be aware that the city is no longer accepting the interim method as described in the 2001 Stormwater Management Manual for Western Washington. The requirements include, but are not limited to, the following components:
 - Minimum Requirement #1: Preparation of Stormwater Site Plans
 - Minimum Requirement #2: Construction Stormwater Pollution Prevention (SWPP) to include all 12 elements.
 - Minimum Requirement #3: Source Control of Pollution
 - Minimum Requirement #4: Preservation of Natural Drainage Systems and Outfalls
 - Minimum Requirement #5: On-site Stormwater Management
 - Minimum Requirement #6: Runoff Treatment
 - Minimum Requirement #7: Flow Control (Interim method is not acceptable)
 - Minimum Requirement #8: Wetlands Protection
 - Minimum Requirement #9: Basin/Watershed Planning
 - Minimum Requirement #10: Operation and Maintenance

6. Existing utilities:
 - a. Sewer: There is a 15" PVC sanitary sewer main (Asbuilt S726, 2006) in Twin Lakes Ave.
 - b. Water: There is an 8" water main in 164th St. NE. No asbuilts are available at this time.
 - c. Storm: Stormwater does not currently service the property.

7. Per MMC 14.03.300 extension of sanitary sewer shall be required to cover the property frontage on 164th St. NE.

If you have questions regarding these comments, please contact me at (360) 363-8218 or at amiller@ci.marysville.wa.us.

cc: Gloria Hirashima, Community Development Director
Kevin Nielsen, PE, City Engineer
John Cowling, PE, Engineering Services Manager
Shane Oden, Associate Engineer II



Providing quality water, power and service at a competitive price that our customers value

April 6, 2007

Chris Holland
City of Marysville
80 Columbia Avenue
Marysville, WA 98270

RECEIVED
APR 11 2007
CITY OF MARYSVILLE
COMMUNITY DEVELOPMENT

Reference Number: PA 07001 Joel Hylback

District DR Number: 07-168

Dear Chris:

The District presently has sufficient electric system capacity to serve the proposed development. However, the existing District facilities in the local area may require upgrading.

Cost of any work, new or upgrade, to existing facilities that is required to connect this proposed development to the District electric system shall be in accordance with the applicable District policy. The developer will be required to supply the District with suitable locations/easements upon their property for any underground electrical facilities that must be installed to serve the proposed development. Contact with the District is recommended prior to design of the proposed project.

For information about specific electric service requirements, please call the District's Arlington office at 360-435-7504 to contact a Customer Engineer.

Sincerely,


Dean Saksena
Senior Manager
Distribution Engineering Services



Snohomish County
Public Works

Aaron Reardon
County Executive

3000 Rockefeller Ave., M/S 607
Everett, WA 98201-4046

(425) 388-3488
FAX (425) 388-6449

April 4, 2006

Mr. Chris Holland
Community Development Dept.
City of Marysville
80 Columbia Avenue
Marysville, WA 98270

Dear Mr. Holland:

**RE: JOEL HYLBACK – CITY OF MARYSVILLE FILE NO. PA 07-001
TAX PARCEL #31052900300100 & 3105290400900**

The Snohomish County Department of Public Works received the above-referenced application for review under the county/city interlocal agreement for reciprocal transportation impacts. The following comments are offered as a result of our review.

The proposal consists of 50 condominiums and a 42,000 square foot shopping center. The development is located on the north side of Twin Lakes. There are two options for determining the development's proportionate share mitigation under the interlocal agreement. The applicant may:

- 1) Prepare a comprehensive traffic study to determine the development's proportionate share impact to county adopted capacity improvements or,
- 2) The applicant may have its proportionate share impact mitigation based on its average impact to county facilities as described in exhibit 2 of the interlocal agreement.

The county concurs with the conclusions contained in the traffic study dated January 31, 2007, with regard to the trip generation. If Option 2 is the chosen method of mitigation the amount is calculated at \$12,763.08 for the residential portion (263.70 ADT x \$242 X 20%) and \$44,136.32 for the commercial portion (1071.27 ADT x \$206 X 20%). If Option 1 is chosen, then a comprehensive traffic study is needed to determine the development's impacts to county capacity improvements.

Mr. Chris Holland, City of Marysville
Joel Hylback – PA 07-001
April 4, 2007
Page 2 of 2

The county requests mitigation based on either of the two options identified above. A written offer from the applicant for this mitigation is required. The county understands that the city will obtain the signed offer.

Thank you for the opportunity to review this application. If you have any questions, please call me at (425) 388-3184.

Sincerely,



Debra J. Werdal
LAND DEVELOPMENT ANALYST ASSOC.

DJW:fh

From: "Chambers, George" <ChambGW@WSDOT.WA.GOV>
To: <CHolland@ci.marysville.wa.us>
Date: 04/02/2007 1:41:11 PM
Subject: Twin Lakes Mix Use, Joel Hylback, PA-7001

Chris Holland
Community Development
City of Marysville

Subject: Request for Review, Twin Lakes Mix Use, Joel Hylback, PA07001

WSDOT would like to review this proposed development when it applies to the City of Marysville as it will be generating 1,335 ADT and 116 PM peak-hour trips, thus impacting both SR-531 and SR-5. Prior developments (Costco and Target) have contributed to the SR-5/SR-531 interchange project.

Thanks,
George Chambers
WSDOT-Northwest Region
Senior Development Services/
Local Agency Engineer
Phone: 206-440-4912
Fax: 206-440-4806
15700 Dayton Avenue North, MS: NB82-240
PO Box 330310, Seattle, WA 98133-9710

RECEIVED
APR 02 2007
CITY OF MARYSVILLE
COMMUNITY DEVELOPMENT

City of Marysville
Community Development
80 Columbia Ave.
Marysville, WA 98270
(360) 363-8100

Request for Review

The City of Marysville Planning Department is reviewing this application and encourages other affected agencies, departments, community groups, and municipalities to respond. Your comments will assist the City's evaluation and are sincerely appreciated.

Responding Agency: Jeff Massie

File: PA 07001

Related File # _____

Applicant: Joel Hylback

Proposal: Non-project action proposing to amend the comp plan map and concurrently rezone approx 6.22 acres from low density multi-family & general commercial to mixed use abutting the northern boundary of Gissberg

Location: Twin Lakes Park

Tax Account#: 31052900300100 & 31052900400900

SEC/TWN/RNG: 29/31/05

Please respond by: 4/11/2007

Comments/Recommendations:

Analysis of critical intersections (27th/172nd & 169th/27th) will need to be performed in consideration of exist. & pipeline projects to determine if concurrency is maintained.

Responding Agency's Signature



Date 4-11-07

For further information, please contact Chris Holland

CHolland@ci.marysville.wa.us

Please return this form and your comments, attachments may be discarded.

From: "Chambers, George" <ChambGW@WSDOT.WA.GOV>
To: <CHolland@ci.marysville.wa.us>
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Chris Holland
Community Development
City of Marysville

Subject: Request for Review, Twin Lakes Mix Use, Joel Hylback, PA07001

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Thanks,
George Chambers
WSDOT-Northwest Region
Senior Development Services/
Local Agency Engineer
Phone: 206-440-4912
Fax: 206-440-4806
15700 Dayton Avenue North, MS: NB82-240
PO Box 330310, Seattle, WA 98133-9710

Tobiason & Company, Inc.

Land Use Consulting / Landscape Architecture

April 5, 2007

Chris Holland
City of Marysville
80 Columbia Avenue
Marysville, WA 98270

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MAY 07 2007
CITY OF MARYSVILLE
COMMUNITY DEVELOPMENT

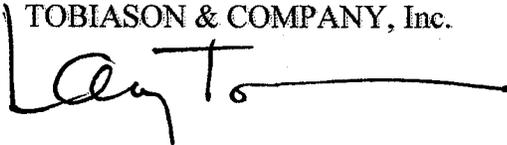
**Subject: Comprehensive Plan Map Amendment No. 2 (north end of Twin Lakes)
Revision of Request**

Dear Mr. Holland:

Your "staff comments" indicated that staff is recommending approval of a change in the designation of the GC portion of the site to MU, but that the western portion of the site should remain R-12. Joel and I met with you following issuance of those comments, to discuss the proposal. At that time, you agreed that if the site plan were revised to provide an internal transition between the higher intensity uses on one side of the project, and the residential uses on the other, the requested rezone would probably be approvable. Such a transition would involve excluding commercial uses from the borders of the project which abut residentially zoned property. At that time, we had decided to prepare such a revised plan, but have since changed our minds.

We now recognize that plans for infrastructure in the vicinity are in flux, and will affect the best use of our property. For the time being, we therefore are in agreement with your original rezone approach, leaving the western portion of the site R-12. It is highly likely, however, that next year answers to certain known unknowns will be known, at which time our original request may become very appropriate. We therefore request that you hold our request for amending the R-12 portion of the site to MU for now, but that our request be reentered onto the agenda next year, and that the fees paid, and the energy given to this request would continue to apply to that effort.

Sincerely,
TOBIASON & COMPANY, Inc.



Laurey Tobiason, President
Principal Planner/Landscape Architect Cert. #305

Cc: Joel Hylback



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

DETERMINATION OF NONSIGNIFICANCE

File Number: PA 07001-2

Applicant: Joel Hylback & Ronald Young

Contact: Laurey Tobiason
Tobiason & Company, Inc.
506 NE 73rd Street, Suite 1A
Seattle, WA 98115
(206) 522-1024

Lead Agency: City of Marysville
Community Development Department

SEPA Contact: Chris Holland, Senior Planner
(360) 363-8100

Description of Proposal: A NON-PROJECT action requesting approval of a Comprehensive Plan Map Amendment and concurrent rezone to change the land use designation of the west half of APN 31052900400900 totaling approximately 3.1-acres from General Commercial to Mixed Use in order to eventually propose a project action consisting of a mix of commercial and townhouse style unit fronting the north boundary of Gissberg "Twin Lakes" Park. The applicant originally proposed including APN 31052900300100 as part of the amendment request, however, this request was withdrawn in a letter from Laurey Tobiason, Tobiason & Company, Inc., dated April 5, 2007, and was not evaluated for potential environmental impacts.

The General Commercial land use designation and implementing zoning designation of GC, prohibits townhome or multi-family units to be located on the ground floor, as proposed by the applicant, and relegates said units above ground floor commercial uses only. Subsequently, the Mixed Use land use designation and implementing zoning designation of MU, permits townhome or multi-family units to be located on the ground floor, as desired by the applicant.

If the proposed Comprehensive Plan Map Amendment and concurrent Rezone request is approved, all future project action development proposals will be subject to the applicable Marysville Municipal Codes (MMC) and fees, as well as project level State Environmental Policy Act (SEPA) review, at time of application.

Location of Proposal: The proposed amendment request is site specific, encompassing approximately 3.1-acres of the western half of APN 31052900400900 abutting the northern boundary of Gissberg "Twin Lakes" Park.

Threshold Determination: The lead agency has determined that this proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is NOT required under RCW 43.21C.030(2)(c). This decision was made after review by the City of Marysville of a

completed environmental checklist and other information on file with this agency. This information is available for public review upon request.

Prepared by: Ch

Reviewed by: _____

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date below. Comments must be submitted by the 3 day of

July, 2007.

Responsible Official: Gloria Hirashima
Position: Community Development Director
Address: 80 Columbia Avenue
Marysville, WA 98270

Date: 6/18/07 **Signature:** [Handwritten Signature]

The issuance of this Determination of Non-Significance should not be interpreted as acceptance or approval of the subject proposal as presented. The City of Marysville reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interests of the City and/or necessary to the general health, safety and welfare of the public to do so. For further information, contact the Marysville Community Development Department at (360) 363-8100.

Distribution:

Washington State Agencies:

Department of Ecology – Olympia SEPA Register
Office of Community Development

Tribal Government:

Tulalip Tribes

City Departments:

Community Development
Public Works

Interest Groups:

Joel Hylback & Ronald Young, applicant
Laurey Tobiason, Tobiason & Company, Inc.

News Media:

Marysville Globe

SEPA Appeal Procedures:

A fee of \$500.00 must accompany all SEPA appeals that require a separate public hearing.

19.22.070(3) Appeals.

- (a) Any agency or aggrieved person may appeal the procedures or substance of an environmental determination of the responsible official under SEPA as follows:

- (i) A DNS. Written notice of such an appeal shall be filed with the responsible official within 15 days after the date of issuance of the DNS. The appeal hearing shall be consolidated with the hearing(s) on the merits of the governmental action for which the environmental determination was made.
- (ii) A DS. Written notice of the appeal shall be filed with the responsible official within 15 days after the date of issuance of the DS. The appeal shall be heard by the city council within 30 days thereafter.
- (iii) The Adequacy of an EIS. Written notice of appeal shall be filed with the responsible official within 15 days after the issuance of the final EIS. The appeal hearing shall be consolidated with the hearing(s) on the merits of the governmental action for which the EIS was issued.
- (iv) Appeals of intermediate steps in the SEPA process shall not be allowed.
- (v) For any appeal under this section, the city shall provide for a record that shall consist of the following:
 - (A) Findings and conclusions;
 - (B) Testimony under oath; and
 - (C) A taped or written transcript.
- (vi) Determination by the responsible official shall carry substantial weight in any appeal proceeding.

**PLANNING STAFF REPORT ON
REQUEST FOR AMENDMENT
TO THE
CITY OF MARYSVILLE COMPREHENSIVE PLAN
CITY INITIATED AMENDMENT REQUEST #1**

The following is a review of a City Council-initiated request for an amendment to the City of Marysville Comprehensive Plan.

File No.: PA 07043

Date of Report: 7/13/07

Nature of Request: Comprehensive plan amendment to repeal Ordinance 2487 which allows a master site plan over sixty acres to designate twenty percent of the gross site area for residential uses and infrastructure.

Applicant: City of Marysville (City Council-directed)

Owner(s): Multiple

Location: Smokey Point Subarea Plan boundary (east of Interstate 5, west of Hayho Creek, north of 152nd Street NE and south of the city of Arlington.

Current Zoning: General Commercial

I. EVALUATION:

A. Request

The City Council passed Ordinance No. 2691 (Exhibit 1) on March 19, 2007 establishing a moratorium on the filing and receipt of new applications in the Smokey Point Subarea which include the 20% residential component allowed in the plan. The Council directed staff to initiate review of the repeal of these provisions during the 2007 comprehensive plan amendment cycle.

The Smokey Point subarea plan adopted by Ordinance 2487 (Exhibit 2) allowed projects greater than sixty acres in size to submit for master plan approval with a 20% residential allowance. After approving the initial submittal under this section, the Council became concerned that additional detached single family residential development would occur in the Smokey Point Subarea to the area's detriment. Ordinance 2691 provided for a moratorium to prevent the filing of new applications for such uses.

The properties are currently zoned General Commercial. The initial master plan reviewed by the City proposed a project size of greater than sixty acres and demonstrated a residential and commercial project mix for the project assembly. Following master plan approval, the proponent released options for the commercial portions and retained the residential component of the master plan. The residential portion has been submitted for subdivision review and approvals. The commercial portion is under multiple ownerships with a lack of central control.

The intent of the master plan process and residential allowance was to promote larger integrated mixed use developments. It was also hoped that the residential approval would generate sufficient interest to enable concurrent development of the commercial site. While the master plan approval did accomplish certain controls over site planning, the disintegration of the project assembly has complicated future project approvals as there is no longer unified property control.

The provision for 20% residential was the primary motivation behind the Smokey Point subarea plan (area west of Hayho Creek). The subarea plan is only utilized in the master plan review process. Therefore repeal of the subarea plan is appropriate to disable this provision.

B. Conformance with SEPA

The comprehensive plan amendment request is reviewed and processed in accordance with Title 18, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA).

REVIEW & ANALYSIS:

- 1) The subarea plan provision for residential is not resulting in anticipated project readiness for commercial and residential development.
- 2) The unified property control envisioned through a master plan process has not materialized.
- 3) Allowance for additional single family residential uses within the General Commercial areas of Smokey Point area is not consistent with the City of Marysville Comprehensive Plan.

RECOMMENDATION:

Repeal the Smokey Point Subarea Plan adopted by Ordinance 2487.

cc: Com New
Code Pub
MRSC
orig. file

CITY OF MARYSVILLE

ORDINANCE NO. 2691

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, ESTABLISHING A MORATORIUM ON THE FILING AND RECEIPT OF APPLICATIONS WITHIN THE SMOKEY POINT SUBAREA WHICH INCLUDE THE 20% RESIDENTIAL COMPONENT AS REFERENCED IN SECTION III OF APPENDIX "A" TO ORDINANCE NO. 2487, PROVIDING FOR SEVERABILITY, DECLARING AN EMERGENCY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to the State Growth Management Act, Ch. 36.70A RCW, and the State Subdivision Act, Ch. 58.17 RCW, the City of Marysville has adopted a Comprehensive Plan and associated zoning, subdivision and development regulations, which are set forth in Titles 19 and 20 of the Marysville Municipal Code, respectively; and

WHEREAS, on August 25, 2003 the Marysville City Council adopted Ordinance No. 2487 amending Ordinance 2068 relating to the Marysville Growth Management Comprehensive Plan; and

WHEREAS, Section III of Ordinance No. 2487 provided for the adoption of development regulations applying to the Smokey Point Subarea Plan, said Development Regulations being attached as Appendix A; and

WHEREAS, Section III of said Appendix A Development Regulations relating to permitted uses and standards allows for projects exceeding sixty acres to submit a master site plan for mixed uses – a mix of commercial and residential uses, including areas where twenty percent of the gross site area may be utilized for residential uses and infrastructure; and

WHEREAS, the Marysville City Council finds that the Smokey Point Subarea is not suitable for residential uses and that a mix of residential uses with commercial development would create inconsistencies and conflicts with the City's long term plans and vision for the Smokey Point Subarea; and

WHEREAS, applications for master site plans utilizing the development regulations of Section III of Appendix A to Ordinance No. 2487 have not resulted in the desired mix of uses for the Smokey Point Subarea; and

WHEREAS, the City Council finds that additional time is necessary to carefully consider and adopt the appropriate regulation(s) that will avoid the above

described results caused by the City's development regulations in Section III of Appendix A to Ordinance 2487; and

WHEREAS, RCW 35.63.200 and RCW 36.70A.390 authorize the Council to enact moratoria on land use matters to preserve the status quo while new plans or development standards and regulations are considered and prepared; and

WHEREAS, absent the adoption of a moratorium, further detached single family residential development without the associated commercial or industrial mix may occur in the Smokey Point Subarea to the further detriment of the City, which may result in undesirable effects as described above; and,

WHEREAS, the City Council finds that protection of the public health, safety, and welfare supports the adoption of a moratorium on applications for certain types of Master Site Plan developments which utilize the 20% Residential Component in Appendix A to Ordinance 2487; and,

WHEREAS, the City Council also desires to insure adequate time to conduct research on appropriate regulations and adequate time to receive public input on proposed revisions to the Smokey Point Subarea Plan Component of the Comprehensive Plan; and,

WHEREAS, the City desires to preserve the status quo for the protection of health, safety and welfare of the City residents, as it relates to development in the Smokey Point Subarea until these matters are more fully considered;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The above "Whereas" paragraphs are hereby adopted by reference as the City Council's Findings of Fact, as if fully set forth herein.

Section 2. Moratorium Established. A moratorium is hereby established upon the filing and receipt of any master site plan, permit application or development plan application which includes any component of residential development referenced in Section III of Appendix A to Ordinance 2487 relating to master site plans for projects exceeding sixty acres for mixed uses – a mix of commercial and residential uses, including areas where twenty percent of the gross site area may be utilized for residential uses and infrastructure. Provided, however, master site plan applications which do not contain residential uses and infrastructure shall not be subject to this moratorium ordinance.

No such new permit, master site plan or development plan application as described in the preceding paragraph shall be accepted during the effective period of this moratorium; provided, however, that this moratorium shall not affect

vested rights, if any, applicable to any such previously submitted and fully completed applications.

Section 3. Emergency declared and Effective Date/Period of Moratorium. This Ordinance and the moratorium is a public emergency measure necessary for the protection of the public health, safety, and welfare and shall be effective immediately upon adoption and shall continue in effect for six months from the date of adoption, unless earlier repealed, renewed or modified by the City Council as provided by state law.

Section 4. Public Hearing to be Held. A public hearing on the issue of the moratorium shall be held no later than sixty (60) days after the effective date herein.

Section 5. Work Plan. In order for the moratorium established herein to be effective for up to one year from the date of adoption, the City shall allocate the necessary staffing resources to prepare a work plan to address the issues in this Ordinance, and the City shall implement such a work plan which shall include a Comprehensive Plan docket revision which shall come before the Marysville Planning Commission in due course with other matters docketed for Comprehensive Plan revisions in 2007.

Section 6. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such a decision or pre-emption shall not affect the validity or constitutionality of the remaining portions of this Ordinance or its application to any other persons or circumstances.

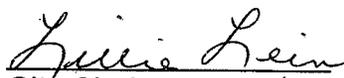
Passed by the City Council of the City of Marysville, Washington, on this 19th day of March, 2007.

CITY OF MARYSVILLE



MAYOR, DENNIS KENDALL

Attest:



City Clerk (Deputy)

Approved as to form:

Grant K. Weed
City Attorney

EFFECTIVE DATE: March 19, 2007

CC: Com Dev
Code Pub.
MRSC

orig. file

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. 2487

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON AMENDING ORDINANCE NO. 2068 RELATING TO THE MARYSVILLE GROWTH MANAGEMENT COMPREHENSIVE PLAN; APPROVING THE RECOMMENDATIONS OF THE MARYSVILLE PLANNING COMMISSION FOR TEXT AND MAP REVISIONS ENTITLED THE "SMOKEY POINT SUBAREA PLAN" PURSUANT TO THE CITY'S ANNUAL AMENDMENT AND UPDATE PROCESS; APPROVING THE AREA WIDE REZONE IMPLEMENTING THE PREFERRED LAND USE ALTERNATIVE RECOMMENDED BY THE PLANNING COMMISSION, AND ADOPTING DEVELOPMENT REGULATIONS SET FORTH IN THE SMOKEY POINT SUBAREA PLAN AS APPENDIX A.

WHEREAS, on April 1, 1996, the Marysville City Council enacted Ordinance No. 2068 adopting a Growth Management Comprehensive Plan for the City of Marysville; and

WHEREAS, the Growth Management Act allows jurisdictions to amend comprehensive plans once per year, except in emergency situations; and

WHEREAS, on May 20, 2002 the Marysville City Council adopted Resolution No. 2406, adding Chapter 18.10 of the Marysville Municipal Code (MMC) entitled "Procedures for Legislative Actions" which establishes procedures for processing and review of legislative actions relating to amendments or revisions to the City's Growth Management Comprehensive Plan and development regulations; and

WHEREAS, pursuant to the procedures set forth in Resolution No. 2406, the City initiated amendments and areawide rezones on its own accord; and

WHEREAS, the Marysville Planning Commission, after review of the proposed Comprehensive Plan amendments at public workshops on June 10, 2003 and July 8, 2003, held a public hearing on July 22, 2003 and received testimony from property owners, staff and other interested parties following public notice; and

WHEREAS, on August 11, 2003 the Marysville City Council reviewed the Planning Commission's recommendations relating to the proposed Comprehensive Plan amendments, area wide rezones, and development regulations applying to the subject

area;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts, in its entirety, the recommendation of the Marysville Planning Commission relating to the proposed 2003 amendment to the Marysville Growth Management Comprehensive Plan. A copy of the Comprehensive Plan amendment, entitled the Smokey Point Subarea Plan, is hereby incorporated by this reference.

Section 2. The City Council hereby approves the area wide rezones implementing the preferred land use alternative as recommended by the Marysville Planning Commission as referenced in the Smokey Point Subarea Plan dated August 2003.

Section 3. The City Council hereby adopts the development regulations applying to the Smokey Point Subarea Plan, contained within the plan document as Appendix A.

Section 4. The Marysville Community Development Department is hereby directed to amend the text and maps of the Marysville Growth Management Comprehensive Plan consistent with the Marysville Planning Commission recommendation.

Section 5. Except as provided herein, all other provisions of the Marysville Growth Management Comprehensive Plan as adopted by Ordinance No. 2068 shall remain in full force and effect, unchanged.

PASSED by the City Council and APPROVED by the Mayor this 25th day of August, 2003.

CITY OF MARYSVILLE

By

David Weiser

MAYOR

ATTEST:

By

Perry Becker
CITY CLERK

Approved as to form:

wpf/mv/ord.comp plan amend

By Scott K. Weed
CITY ATTORNEY

Date of Publication: 8-27-03

Effective Date (5 days after publication): 9-1-03

**CITY OF MARYSVILLE
ENVIRONMENTAL CHECKLIST
RCW 197-11-960**

**Staff Initiated Comp Plan Amendment No. 1
Repeal Ordinance No. 2487**

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicant:

This environmental checklist asks you to decide some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply". In addition, complete the *Supplemental Sheet for Non-Project Action (part D)*.

For non-project actions, the references in the checklist to the words "project", "applicant", and "property or site" should be read as "proposal", "proposer", and "affected geographic area", respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Staff Initiated Comprehensive Plan Amendment No. 1 – Repeal Ordinance No. 2487

2. Name of applicant:

City of Marysville

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

**Gloria Hirashima, CD Director
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270
(360) 363-8100**

4. Date checklist prepared:

June 18, 2007

5. Agency requesting checklist:

City of Marysville

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

2007 Marysville Comprehensive Plan Amendment cycle

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

N/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.

Environmental documentation regarding the Marysville Comprehensive Plan includes the following:

- **Draft Environmental Impact Statement dated January 13, 2005**
- **Final Environmental Impact Statement dated April 2005**
- **Snohomish County “Final Environmental Impact Statement for the 10 Year Update”**
- **Snohomish County “Draft Environmental Impact Statement for the 10 Year Update”**

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.

None known

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

Marysville City Council approval of a Comprehensive Plan Amendment

11. Give brief, complete description of your proposal, including all 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 Smokey Point subarea plan adopted by Ordinance 2487 allowed projects greater than 60-acres in size to submit for master plan approval with a 20% residential allowance. After approving the initial submittal under this section, the Council became concerned that additional detached single family residential development would occur in the Smokey Point Subarea to the area's detriment.

The City Council passed Ordinance No. 2691 on March 19, 2007 establishing a moratorium on the filing and receipt of new applications in the Smokey Point Subarea which include the 20% residential component allowed in the plan. The Council directed staff to initiate review of the repeal of these provisions during the 2007 Comprehensive Plan Amendment cycle.

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 topography 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 to this checklist.

The proposed Comprehensive Plan Amendment includes multiple parcels generally located within the Smokey Point Subareas Plan Boundary, east of I-5, west of Hayho Creek, north of 152nd Street NE and south of the MUGA boundary (approximately 16400 Block).

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (*bold/italic*): *Flat*, rolling, hilly, steep slopes, mountainous, other.
- b. What is the steepest slope on the site (approximate percent slope)?

The Smokey Point Subarea is relatively flat with maximum slopes approaching 5%

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of the agricultural soils, specify them and note any prime farmland.

According to the Soil Survey of Snohomish County the Smokey Point Subarea is mainly comprised of Custer fine sandy loam soils.

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

None known

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A – Non-project action

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

N/A – Non-project action

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

N/A – Non-project action

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

N/A – Non-project action

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

N/A – Non-project action

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

N/A – Non-project action

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

N/A – Non-project action

3. WATER

- a. Surface:

- 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.

Yes, Hayho Creek is located along the east boundary of the Smokey Point Subarea Plan.

- 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.

N/A – Non-project action

- 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.

N/A – Non-project action

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

N/A – Non-project action

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

No

- 6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A – Non-project action

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground waters? Give general description, purpose, and approximate quantities if known.

N/A – Non-project action

- 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.

N/A – Non-project action

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) 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.

N/A – Non-project action

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

N/A – Non-project action

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

Future project actions will require compliance with Marysville Municipal Codes and Department of Ecology Standards as applicable.

4. PLANTS

a. Check or circle types of vegetation found on the site (*bold/italic*): **N/A**

- . deciduous tree: alder, maple, aspen, other
- . evergreen tree: fir, cedar, pine, other
- . shrubs
- . grass
- . pasture
- . crop or grain
- . wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- . water plants: water lily, eelgrass, milfoil, other
- . other types of vegetation

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

N/A – Non-project action

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

None known

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

N/A – Non-project action

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site (***bold/italic***): **N/A**

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

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

No threatened or endangered animal species are known to exist on or in the vicinity of the proposed comprehensive plan amendment boundary.

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

The City of Marysville is located within the “Pacific Flyway.”

- d. Proposed measure to preserve or enhance wildlife, if any:

N/A – Non-project action

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.

N/A – Non-project action

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

N/A – Non-project action

- 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.

N/A – Non-project action

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.

No

- 1) Describe special emergency services that might be required.

N/A – Non-project action

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

N/A – Non-project action

b. Noise

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

N/A – Non-project action

- 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.

N/A – Non-project action

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

N/A – Non-project action

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

The Smokey Point Subarea is largely undeveloped, except along Smokey Point Boulevard, and the area near the intersection of I-5 17nd Street NE. Smokey Point Boulevard is intermittently lined with single family homes, automobile oriented commercial uses, and some industrial businesses. Though much of the undeveloped land is zoned for commercial uses, it is currently being farmed. A mobile home park is located on the north and south sides of 152nd Street NE, east of Smokey Point Boulevard.

- b. Has the site been used for agriculture? If so, describe.

Agricultural activities and farms are present within the Smokey Point Subarea.

- c. Describe any structures on the site.

The Smokey Point Subarea, includes single family homes, automobile oriented commercial uses, and some industrial businesses. Though much of the undeveloped land is zoned for commercial uses, it is currently being farmed. A mobile home park is located on the north and south sides of 152nd Street NE, east of Smokey Point Boulevard.

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

N/A – Non-project action

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

General Commercial

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

General Commercial

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

The site does not contain nor is it near any designated shorelines within the City of Marysville Shoreline Management Master Program.

- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.

Hayho Creek is located along the east boundary of the Smokey Point Subarea. Hayho Creek is a Type F Stream requiring a 150’ undisturbed buffer in accordance with Chapter 19.24 MMC, *Critical Areas Management*.

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

N/A – Non-project action

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

N/A – Non-project action

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

N/A – Non-project action

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

N/A – Non-project action

9. Housing

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

Not known. The proposed amendment would eliminate the ability to construct single-family homes within the Smokey Point Subarea and relegate housing to multi-family units located a above a ground floor commercial use.

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

N/A – Non-project action

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

N/A – Non-project action

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?

The City of Marysville development regulations allow a maximum base height of 35 feet in the GC zone.

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

N/A – Non-project action

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

N/A – Non-project action

11. Light and Glare

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

N/A – Non-project action

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A – Non-project action

- c. What existing off-site sources of light or glare may affect your proposal?

N/A – Non-project action

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

N/A – Non-project action

12. Recreation

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

A City owned park known as Strawberry Fields is located on the south side of 152nd Street NE, just east of the Smokey Point Subarea. This 72-acre site provides active recreation comprised of two soccer fields and lighting as well as a natural setting among open space, trails, and the Quilceda Creek system.

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

N/A – Non-project action

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

N/A – Non-project action

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be or next to the site? If so, generally describe.

There are no places or objects listed on, or proposed for local, state or federal preservation registers on or near the Smokey Point Subarea.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

To the best knowledge of the applicant, no landmarks or evidence of historic, archeological scientific or cultural importance exist on or near the Smokey Point Subarea.

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

N/A – Non-project action

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Existing public streets and highways that currently serve properties within the Smokey Point Subarea include:

North/South

- . I-5
- . Smokey Point Boulevard
- . Several local access streets

East/West

- . 152nd Street NE
- . 156th Street NE
- . Several local access streets

- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes, Community Transit has an active service along Smokey Point Boulevard & 152nd Street NE.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A – Non-project action

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

N/A – Non-project action

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A – Non-project action

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A – Non-project action

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A – Non-project action

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

N/A – Non-project action

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

N/A – Non-project action

16. Utilities

- a. Bold/italic utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other. **N/A – Non-project Action**

- 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.

N/A – Non-project action

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:  Date: 6/18/07

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not 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 environment.

When answering these questions, be aware of the extent of 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 proposal is a non-project action. Therefore, the proposal in and of itself will not increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise.

Proposed measures to avoid or reduce such increases are:

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to stormwater discharge, emissions, toxins and noise regulations.

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

This proposal is a non-project action. Therefore, the proposal in and of itself will not affect plants, animals, fish or marine life.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to the protection of plants, animals, fish or marine life.

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

This proposal is non-project action. Therefore, the proposal in and of itself will not deplete energy or natural resources.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to energy and natural resource protection.

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?

This proposal is a non-project action. Therefore, the proposal in and of itself will not affect environmentally sensitive areas or areas designated for government protection.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to environmentally sensitive areas or areas designated for governmental protection.

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?

The Smokey Point Subarea is not located near a shoreline. Repealing Ordinance No. 2487 would eliminate the possibility of ground floor single-family residential uses being allowed within the subarea. Residential uses would be relegated to multi-family located above ground floor commercial uses only.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to shoreline and land use impacts.

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

This proposal is a non-project action. Therefore, the proposal in and of itself will not increase demands on transportation or public services and utilities.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to transportation, public services and utilities.

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

No known conflict. The Growth Management Act requires that development regulations be consistent with adopted GMA comprehensive plans.

**PLANNING STAFF REPORT ON
REQUEST FOR AMENDMENT
TO THE
CITY OF MARYSVILLE COMPREHENSIVE PLAN
CITY INITIATED AMENDMENT REQUEST #2**

The following is a review of a staff-initiated request for an amendment to the City of Marysville
Comprehensive Plan.

File No.: PA 07043

Date of Report: 7/13/07

Nature of Request: Comprehensive plan text amendment to Page 4-6 of the Comprehensive Plan regarding rezones to bordering zones.

I. EVALUATION:

A. Request

Page 4-6 of the City of Marysville Comprehensive Plan states “Properties at the edges of land use districts can make application to rezone property for the bordering zone, without applying for a comprehensive plan amendment. However the burden of proof is on the applicant to demonstrate the basis for the rezone. The factors for a zone reclassification are identified in Marysville Municipal Code.”

Planning staff had recommended this language contemplating situations where land use edges were indistinct and felt that this provision could be used in minor cases where an edge could be shifted due to ownership, topography or access. To date, the provision has been used consistent with this intent. This allows property owners to address these corrections outside of the normal comprehensive plan amendment cycle.

However, as awareness of this provision has grown, staff has received more inquiries where the edge rezones would represent large adjustments of land use districts on an edge, not just the edge itself as contemplated. Large scale adjustments of land use districts should occur through the amendment cycle as presumed and required under the state Growth Management Act. The currently phrased text provision has become a concern as it could subvert the City’s comprehensive plan process for public review which enables a comprehensive analysis of land use changes in the overall plan context.

Staff is recommending revising the text to narrow the use of this provision to limit size and scope of rezones along edges outside a comprehensive plan amendment process. The language would be as follows:

“Property at the edges of land use districts can make application to rezone property to the bordering zone without applying for a comprehensive plan amendment if the proponent can demonstrate:

- 1) The proposed land use district will provide a more effective transition point and edge for the proposed land use district than strict application of the comprehensive plan map would provide due to neighboring land uses, topography, access, parcel lines or other property characteristics; and
- 2) The proposed land use district supports and implements the goals, objectives, policies and text of the comprehensive plan more effectively than strict application of the comprehensive plan map; and
- 3) The proposed land use change will not affect an area greater than 10 acres, exclusive of critical areas.”

B. Conformance with SEPA

The comprehensive plan amendment request was reviewed and processed in accordance with Title 18, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA).

REVIEW & ANALYSIS:

- 1) The proposed text will provide guidance for rezones consistent with the intent of the City’s comprehensive plan map and policies.
- 2) The proposed text will require larger proposals to be submitted under the comprehensive plan amendment process and enable analysis of land use changes in the context of the comprehensive plan land use analysis, and its goals and policies.
- 3) The text will continue to allow site rezones outside the annual amendment or update process if it is limited in size and scope and demonstrates a more effective land use edge for the designation.

RECOMMENDATION:

Revise the plan text as proposed above.

**CITY OF MARYSVILLE
ENVIRONMENTAL CHECKLIST
RCW 197-11-960**

**Staff Initiated Comp Plan Amendment No. 2
Text Amendment – Rezone Provisions**

Purpose of Checklist

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicant

This environmental checklist asks you to decide some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write “do not know” or “does not apply”. Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals, even though questions may be answered “does not apply”. In addition, complete the *Supplemental Sheet for Non-Project Action (part D)*.

For non-project actions, the references in the checklist to the words “project”, “applicant”, and “property or site” should be read as “proposal”, “proposer”, and “affected geographic area”, respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Staff Initiated Comprehensive Plan Amendment No. 2 –Text Amendment regarding Rezones

2. Name of applicant:

City of Marysville

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

**Gloria Hirashima, CD Director
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270
(360) 363-8100**

4. Date checklist prepared:

June 18, 2007

5. Agency requesting checklist:

City of Marysville

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

2007 Marysville Comprehensive Plan Amendment cycle

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

N/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.

Environmental documentation regarding the Marysville Comprehensive Plan includes the following:

- **Draft Environmental Impact Statement dated January 13, 2005**
- **Final Environmental Impact Statement dated April 2005**
- **Snohomish County “Final Environmental Impact Statement for the 10 Year Update”**
- **Snohomish County “Draft Environmental Impact Statement for the 10 Year Update”**

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.

None known

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

Marysville City Council approval of a Comprehensive Plan Amendment

11. Give brief, complete description of your proposal, including all 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.)

Pages 4 – 6 of the Marysville Comprehensive Plan states:

“Properties at the edges of land use districts can make application to rezone property for the bordering zone, without applying for a comprehensive plan amendment. However, the burden of proof is on the applicant to demonstrate the basis for the rezone. The factors for a zone reclassification are identified in the Marysville Municipal Code.”

The intent of this provision was to allow a minor adjustment where land uses edges were indistinct and allowing adjustments due to ownership, topography or access. To date, the provision has been used consistent with this intent.

However, as awareness of this provision has grown, staff has received more inquiries where the edge rezones would represent large adjustments of land use districts on an edge, not just the edge itself as contemplated. Large scale adjustment of land use districts should occur through the amendment cycle as presumed and required under the state Growth Management Act. The currently phased text provision has become a concern as it could subvert the City Comprehensive Plan process for public review which enables a comprehensive analysis of land use changes in the overall plan context.

In order to narrow the use of this provision to limit size and scope of rezones along edges outside a Comprehensive Plan amendment process, the following text amendment is proposed:

“Property at the edges of and use districts can make application to rezone property to the bordering zone without applying for a comprehensive plan amendment if the proponent can demonstrate:

- 1) The proposed land use district will provide a more effective transition point and edge for the proposed land use district than strict application of the comprehensive plan map would provide due to neighboring land uses, topography, access or other property characteristics; and**
- 2) The proposed land use district supports and implements the goals, objectives and policies of the comprehensive plan more effectively than strict application of the comprehensive plan map; and**
- 3) The proposed land use change will not affect an area greater than 10-acres.”**

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 topography 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 to this checklist.

The proposal is a Comprehensive Plan Text Amendment. The proposed text amendment is not site specific, however, implementation of the text amendment would afford all property owners located within the City of Marysville Urban Growth Area (MUGA), to utilize the rezone provisions, as outlined in No. 11 above.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (***bold/italic***): Flat, rolling, hilly, steep slopes, mountainous, other.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of the agricultural soils, specify them and note any prime farmland.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

3. WATER

a. Surface:

- 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.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- 6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground waters? Give general description, purpose, and approximate quantities if known.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) 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.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- d. Proposed measure to reduce or control surface, ground and runoff water impacts, if any:

N/A – Non-project text amendment of the Maryville Comprehensive Plan

4. PLANTS

- a. Check or circle types of vegetation found on the site (***bold/italic***): **N/A**

- . deciduous tree: alder, maple, aspen, other
- . evergreen tree: fir, cedar, pine, other
- . shrubs
- . grass
- . pasture
- . crop or grain
- . wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- . water plants: water lily, eelgrass, milfoil, other
- . other types of vegetation

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site (***bold/italic***): **N/A**

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- d. Proposed measure to preserve or enhance wildlife, if any:

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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.

No

- 1) Describe special emergency services that might be required.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- b. Noise

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- b. Has the site been used for agriculture? If so, describe.
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- c. Describe any structures on the site.
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- d. Will any structures be demolished? If so, what?
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- e. What is the current zoning classification of the site?
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- f. What is the current comprehensive plan designation of the site?
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- g. If applicable, what is the current shoreline master program designation for the site?
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- i. Approximately how many people would reside or work in the completed project?
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- j. Approximately how many people would the completed project displace?
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- k. Proposed measures to avoid or reduce displacement impacts, if any:
N/A – Non-project text amendment of the Maryville Comprehensive Plan
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
N/A – Non-project text amendment of the Maryville Comprehensive Plan

9. Housing

- a. Approximately how many housing units would be provided, if any? Indicate whether high, middle, or low-income housing.
N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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?

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

11. Light and Glare

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- c. What existing off-site sources of light or glare may affect your proposal?

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

12. Recreation

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A – Non-project text amendment of the Maryville Comprehensive Plan

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

N/A – Non-project text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not 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 environment.

When answering these questions, be aware of the extent of 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 proposal is a non-project text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise.

Proposed measures to avoid or reduce such increases are:

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to stormwater discharge, emissions, toxins and noise regulations.

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

The proposal is a non-project text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect plants, animals, fish or marine life.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to the protection of plants, animals, fish or marine life.

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

The proposal is a non-project text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not deplete energy or natural resources.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to energy and natural resource protection.

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 proposal is a non-project text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect environmentally sensitive areas or areas designated for government protection.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to environmentally sensitive areas or areas designated for governmental protection.

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?

The proposal is a non-project text amendment of the Marysville Comprehensive Plan. Future project actions may propose a change in land use through the rezone provisions outlined in the MMC.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to shoreline and land use impacts.

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

This proposal is a non-project action. Therefore, the proposal in and of itself will not increase demands on transportation or public services and utilities.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to transportation, public services and utilities.

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

No known conflict. The Growth Management Act requires that development regulations be consistent with adopted GMA comprehensive plans.

sent
7/24/07



July 18, 2007

Marysville Planning Commission
80 Columbia Avenue
Marysville, WA 98270

RE: Comments to Proposed Comprehensive Plan and Development Code Amendments

Dear Commissioners:

On behalf of Barclays North, Inc., I am writing to submit our comments regarding the proposed amendments to the city's Comprehensive Plan and proposed Development Code Revisions the Planning Commission will consider July 24.

Comprehensive Plan Amendments

- Amendment #2: We oppose this amendment as being overly restrictive. Marysville Municipal Code (MMC) 19.54.070 sets a sufficiently strict, yet fair, four-pronged test for applicants who desire a zone reclassification and should remain city policy. The proposed amendment unnecessarily burdens applicants, particularly those with limited knowledge of land use policy code and regulations.

Development Regulation Revisions

- Code Amendment 4: This amendment, which supplants building coverage requirements with impervious surface and setback controls, is very troublesome to us. We believe this provision will impact us negatively because we will have to include structures such as driveways in our impervious surface calculations, therefore decreasing structure size. If the goal of the city is to encourage the use of pervious surfaces where possible, it should consider the use of incentives without accompanying restrictions.
- Code Amendment 5: We support this amendment which relates to setbacks for townhomes built on individual lots. This increases our ability to utilize the different development tools available.



- Code Amendment 6: We are opposed to this amendment, which reduces the maximum height of buildings in certain zones. This reduces our ability to offer a product demanded by the marketplace.
- Code Amendment 13: We support this amendment, which allows for a fee in lieu of open space in certain zones. This is a good tool for urban infill development and an example of the type of innovative flexibility we encourage the city to implement more often.
- Code Amendment 15: We do not agree with the provisions of this amendment that eliminate the use of tandem parking. This practice is used nationwide and we disagree with the notion that it causes problems with overall parking in developments. Further, tandem parking is an important tool used in successful urban infill development. Removing this as an option is effectively a step back from the increased flexibility provided by such proposals as Code Amendment 13.

We hope that the Planning Commission will carefully consider our comments. When doing so we encourage you to keep in mind that increased flexibility and additional tools are what enable our industry to provide the types of development the city of Marysville desires for its future. Should you have questions, please do not hesitate to contact me at any time. Thank you for your time.

Sincerely,

A handwritten signature in dark ink, appearing to read "Chris Bandoli", written in a cursive style.

Chris Bandoli
Government Affairs Manager

cc: Honorable Mayor Kendall
Ms. Gloria Hirashima, Director of Community Development
Marysville City Council

**PLANNING AND ENGINEERING STAFF REPORT ON
REQUEST FOR AMENDMENT**

TO THE

CITY OF MARYSVILLE COMPREHENSIVE PLAN

CITY INITIATED AMENDMENT REQUEST #3

The following is a review of a staff-initiated request for an amendment to the City of Marysville Comprehensive Plan.

File No.: PA 07043

Date of Report: 7/13/07

Nature of Request: Comprehensive plan map amendment to Lakewood and Smokey Point neighborhood maps depicting road connections. Map amendment would affect Figures 4-87 and 4-91 of the City of Marysville Comprehensive Plan neighborhood maps. Amend Figures 8-4 and 8-7 of the Transportation Element proposed road connector map and 20-year Transportation Improvements. Amend Page 8-56 description of 156th Street NE in Appendix A Recommended 20 year Transportation Plan Improvement Projects.

I. EVALUATION:

A. Request

The City of Marysville has conducted a Lakewood Triangle Access Study to review proposed arterial connections and access to the Lakewood Areas. (Exhibit 1, Lakewood/Smokey Point Arterial Streets). The Study has resulted in recommendations to construct new arterial connections within the Lakewood neighborhood as well as new arterial connections between the Lakewood and Smokey Point neighborhoods.

The attached map depicts the proposed connections. This will alter the current connection plan in several figures of the City's Comprehensive Plan. The arterial depicted in the Lakewood area (27th Avenue NE) is a 3-lane minor arterial standard. 156th Street NE is currently proposed as an overcrossing of Interstate 5, linking the Lakewood and Smokey Point neighborhoods. The classification proposed is "principal arterial", constructed as a 5-lane standard. The City of Marysville is also considering potential of this corridor for a future interchange at 156th Street NE and Interstate 5. The interchange will require review and permit approvals through the Washington State Department of Transportation and Federal Highway Administration.

B. Conformance with SEPA

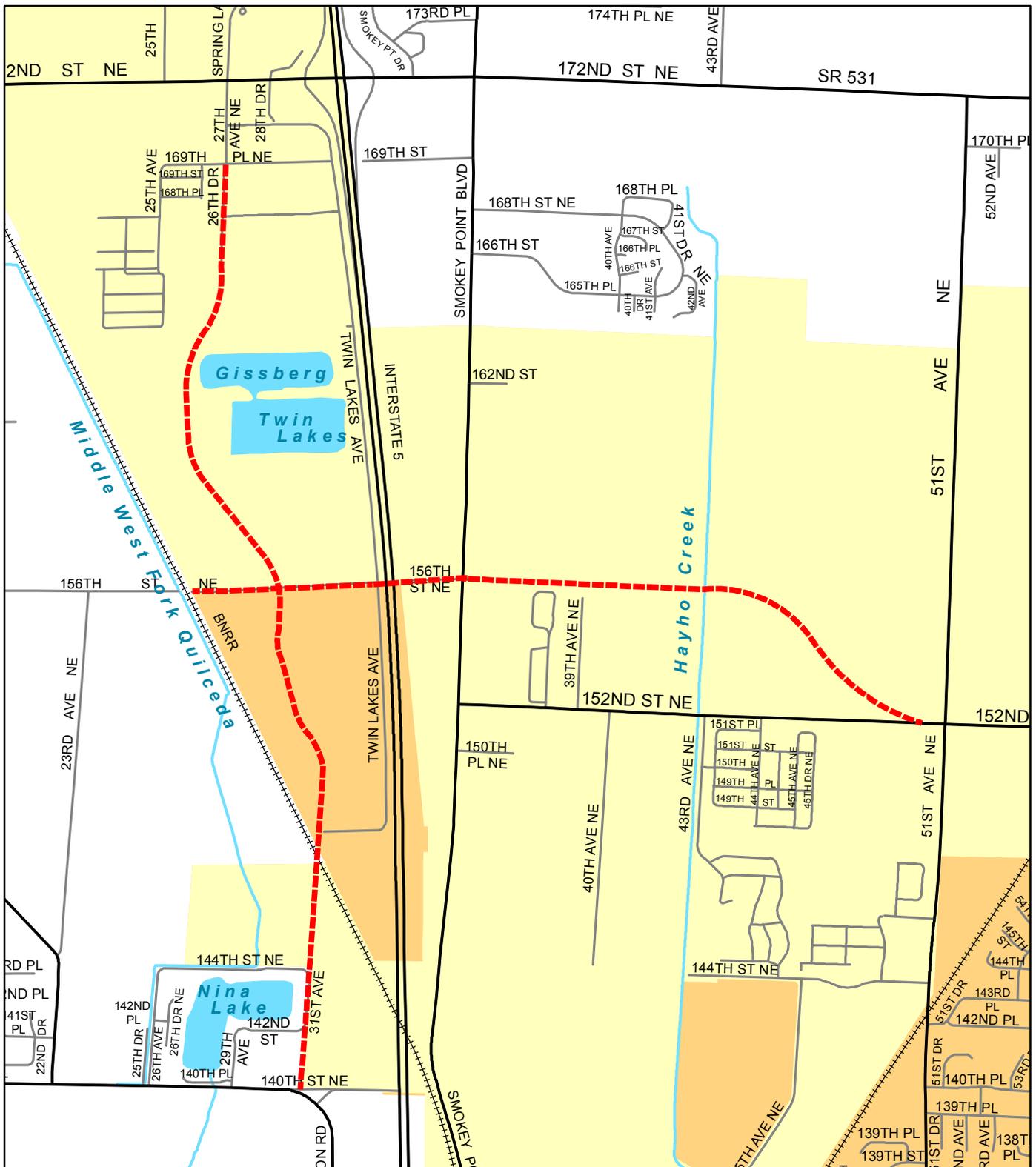
The comprehensive plan amendment request is reviewed and processed in accordance with Title 18, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA). Addendum #11 to the City of Marysville Comprehensive plan update Final Environmental Impact Statement (DEIS) and previously issued addenda was issued by the City on July 2, 2007.

REVIEW & ANALYSIS:

- 1) The map corrections will provide current guidance for development within these neighborhoods.
- 2) The map corrections will provide for connectivity between the Smokey Point and Lakewood neighborhoods.
- 3) The map corrections will be integrated into future City capital project planning and funding efforts.

RECOMMENDATION:

Revise the comprehensive plan to reflect the arterial connections depicted in the attached maps.

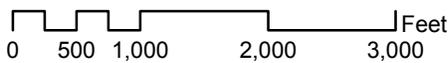


2007 Marysville Comprehensive Plan Amendments

Amendment #3



- - - - - Proposed Arterials
- City limits
- Urban growth area



**CITY OF MARYSVILLE
ENVIRONMENTAL CHECKLIST
RCW 197-11-960**

**Staff Initiated Comp Plan Amendment No. 3
Lakewood & Smokey Point Neighborhood Road Connections**

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicant:

This environmental checklist asks you to decide some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply". In addition, complete the *Supplemental Sheet for Non-Project Action (part D)*.

For non-project actions, the references in the checklist to the words "project", "applicant", and "property or site" should be read as "proposal", "proposer", and "affected geographic area", respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

**Staff Initiated Comprehensive Plan Amendment No. 3 – Lakewood & Smokey Point
Neighborhoods Road Connection Maps**

2. Name of applicant:

City of Marysville

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

**Gloria Hirashima, CD Director
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270
(360) 363-8100**

4. Date checklist prepared:

June 18, 2007

5. Agency requesting checklist:

City of Marysville

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

2007 Marysville Comprehensive Plan Amendment cycle

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

N/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.

Lakewood Triangle Access Study

Environmental documentation regarding the Marysville Comprehensive Plan includes the following:

- **Draft Environmental Impact Statement dated January 13, 2005**
- **Final Environmental Impact Statement dated April 2005**
- **Snohomish County “Final Environmental Impact Statement for the 10 Year Update”**
- **Snohomish County “Draft Environmental Impact Statement for the 10 Year Update”**

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.

None known

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

Marysville City Council approval of a Comprehensive Plan Amendment

11. Give brief, complete description of your proposal, including all 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.)

A non-project action amending Marysville Comprehensive Plan maps and text in relation to the Lakewood and Smokey Point neighborhood road connections. The City of Marysville conducted a "Lakewood Triangle Access Study" to review proposed arterial connections and access to the Lakewood area. The study has resulted in recommendations to construct new arterial connections within the Lakewood neighborhood as well as new arterial connections between the Lakewood and Smokey Point neighborhoods. The attached map depicts the proposed connections.

The proposed amendment would affect the following figures and text:

- **Figures 4-87 and 4-91 of the Marysville Comprehensive Plan neighborhood maps**
- **Figures 8-4 and 8-7 of the Transportation Element proposed road connector map and 20-year Transportation Improvements**
- **Page 8-56 description of 156th Street NE in Appendix A Recommended 20 Year Transportation Plan Improvement Projects.**

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 topography 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 to this checklist.

The proposal is a Comprehensive Plan map and text amendment, affecting arterial connections within the Lakewood neighborhood as well as new arterial connections between the Lakewood and Smokey Point neighborhoods. These neighborhoods are located in the northern portion of Marysville's Urban Growth Area (MUGA), west and east of I-5 (see attached map).

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (*bold/italic*): Flat, rolling, hilly, steep slopes, mountainous, other.

Both the Lakewood and Smokey Point neighborhoods are relatively flat.

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

5% is the steepest slope in the Lakewood and Smokey Point neighborhoods

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of the agricultural soils, specify them and note any prime farmland.

According to the United States Department of Agriculture – Soil Conservation Service, Soil Survey of Snohomish County the Lakewood and Smokey Point neighborhoods are mainly comprised with Custer Fine Sandy Loam soils.

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

3. WATER

- a. Surface:

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground waters? Give general description, purpose, and approximate quantities if known.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

4. PLANTS

- a. Check or circle types of vegetation found on the site (***bold/italic***): **N/A**

- . deciduous tree: alder, maple, aspen, other
- . evergreen tree: fir, cedar, pine, other
- . shrubs
- . grass
- . pasture
- . crop or grain
- . wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- . water plants: water lily, eelgrass, milfoil, other
- . other types of vegetation

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site (***bold/italic***): **N/A**

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- d. Proposed measure to preserve or enhance wildlife, if any:

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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.

No

- 1) Describe special emergency services that might be required.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

b. Noise

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

The Lakewood and Smokey Point neighborhoods consist of both residential and commercial land uses. The commercial uses are located along the main arterial routes of Smokey Point Boulevard, Twin Lakes Avenue & 172nd Street NE.

- b. Has the site been used for agriculture? If so, describe.

Yes, the undeveloped parcels within the Lakewood and Smokey Point neighborhoods have historically been used for agricultural and farming purposes.

c. Describe any structures on the site.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

The Lakewood and Smokey Point neighborhoods are comprised of both commercial and residentially zoned property, including GC (General Commercial), CB (Community Business), BP (Business Park), MU (Mixed Use), R-8 (single-family high density, small lot) and R-12 (multi-family low density).

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

The Lakewood and Smokey Point neighborhoods are comprised of both commercial and residentially designated properties, including General Commercial, Community Business, Business Park, Mixed Use, Single-family high density and Multi-family low density.

g. If applicable, what is the current shoreline master program designation for the site?

N/A – The Lakewood and Smokey Point neighborhoods are not located within a shoreline jurisdiction

h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

9. Housing

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

11. Light and Glare

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- c. What existing off-site sources of light or glare may affect your proposal?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

12. Recreation

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be or next to the site? If so, generally describe.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The attached maps depict existing and future public streets within the Lakewood and Smokey Point neighborhoods.

- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

The Lakewood and Smokey Point neighborhoods are served by Community Transit bus service along Smokey Point Boulevard & 172nd Street NE.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

16. Utilities

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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:  Date: 6/18/07

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not 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 environment.

When answering these questions, be aware of the extent of 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 proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise.

Proposed measures to avoid or reduce such increases are:

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to stormwater discharge, emissions, toxins and noise regulations.

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

The proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect plants, animals, fish or marine life.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to the protection of plants, animals, fish or marine life.

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

The proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not deplete energy or natural resources.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to energy and natural resource protection.

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 proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect environmentally sensitive areas or areas designated for government protection.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to environmentally sensitive areas or areas designated for governmental protection.

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?

The proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Future project actions may propose a change in land use through the rezone provisions outlined in the MMC.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to shoreline and land use impacts.

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

This proposal is a non-project action. Therefore, the proposal in and of itself will not increase demands on transportation or public services and utilities. The map and text amendments are proposed based on a Triangle Access Study, which provided recommendations for the construction of new arterial connections within the Lakewood neighborhood as well as new arterial connections between the Lakewood and Smokey Point neighborhoods.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to transportation, public services and utilities.

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

No known conflict. The Growth Management Act requires that development regulations be consistent with adopted GMA comprehensive plans.

TO: Marysville City Planning Commission

**RE: City Initiated Map & Text Amendment #3
Lakewood/Smokey Point Future Road Connections**

DATE: July 24, 2007

Good Evening.

My name is Jerald Osterman and I reside at 2605 169th Street NE, Marysville, WA. 98271. I am President of and represent Lakewood Meadow Plat which is located on the Southwest corner of 169th Place NE and 27th Avenue NE. While we recognize that traffic relief is much needed Southbound out of the Lakewood Crossing Center Development, we feel that the "Arterial" traffic should be directed along Twin Lakes Avenue to 156th Street NE or 152nd Street NE for a future I-5 overcrossing and appropriate railroad crossing. A southbound "slip-ramp" to I-5 would also provide great traffic relief at minimal cost. Attachment "A" depicts a city proposed "Arterial" connection from 156th Street NE to 27th Avenue NE which we oppose. Attachment "B" depicts the recently adopted Lakewood Master Plan for transportation to support our position. The proposed connector roads within "our neighborhood" were considered for neighborhood collector streets.....NOT AN ARTERIAL next to our homes. Attachment "C" depicts our plat of Lakewood Meadow.

We request that you reject proposed Comprehensive Plan Amendment #3.

Respectfully submitted for your consideration,



**Jerald L. (Jerry) Osterman, President
Lakewood Meadow Owners Association
2605 169th Street NE
Marysville, Washington 98271
(360-654-0144)**

Attachments

**c: Boardmember/Treasurer Bob Larkin
Boardmember/Secretary Mark Smale**

NOTICE OF HEARING

Before the Planning Commission

Notice is hereby given that a Public Hearing will be held at City Council Chambers, located at 1049 State Avenue, on Tuesday, July 24, 2007, at 7:00 PM, to consider the following NON-PROJECT City initiated Comprehensive Plan Amendments:

OK CITY INITIATED TEXT AMENDMENT No. 1

Request: Repeal Ordinance No. 2487 with allows a master site plan over 60-acres to designate 20% of the gross site area for residential uses and infrastructure.

Location: Smokey Point Subarea Plan boundary (east of I-5, west of Hayho Creek, north of 152nd Street NE and south of the Marysville city limits).

? CITY INITIATED TEXT AMENDMENT No. 2

Request: Amend the language on Page 4-6 of the Comp Plan regarding rezones to narrow the use of this provision and limit size and scope of rezones along edges outside a comprehensive plan amendment process.

Location: The proposed text amendment would affect properties located within Marysville Urban Growth Area.

CITY INITIATED MAP & TEXT AMENDMENT No. 3

Request: Amend the Lakewood and Smokey Point neighborhood maps depicting future road connections and amend the Transportation Element proposed road connector map and 20-year Transportation Improvements text amendment.

Location: The proposed map and text amendment would affect properties located within the Lakewood and Smokey Point neighborhoods.

OK CITY INITIATED MAP AMENDMENT No. 4

Request: Amend the Downtown neighborhood maps depicting a future road (alley) extension of Delta Avenue between 10th Street and Grove Street.

Location: The proposed map amendment would affect properties within the Downtown neighborhood abutting the eastern BNSF right-of-way from 10th Street to Grove Street.

OK CITY INITIATED MAP & TEXT AMENDMENT No. 5

Request: Amend the future road connection maps for 67th/71st Avenues NE between 40th and 44th Streets NE and amend the 20-year Transportation Improvements text, as remanded to the Planning Commission for further consideration in regard to the final East Sunnyside – Whiskey Ridge Subarea Plan.

Location: The proposed map and text amendment would affect properties within the East Sunnyside – Whiskey Ridge Subarea Plan adjacent to the future road alignment connecting 67th Avenue NE with 71st Avenue NE between 40th & 44th Streets NE.

OK CITY INITIATED MAP & TEXT AMENDMENT No. 6

Request: Amend the future road connection maps for 40th Street NE west of 87th Avenue NE and amend the 20-year Transportation Improvements text, as remanded to the Planning Commission for further consideration in regard to the final East Sunnyside – Whiskey Ridge Subarea Plan.

Location: The proposed map and text amendment would affect properties within the East Sunnyside – Whiskey Ridge Subarea Plan adjacent to the future road alignment connections for 40th Street NE west of 87th Avenue NE.

? CITY INITIATED MAP AMENDMENT No. 7

Request: Amend the Comp Plan Map designation and concurrently rezone residentially designated property located north of 156th Street NE and east of BNSF railway, within the Lakewood neighborhood, from Low Density Multi-family (R-12) to Community Business (CB).

Location: The proposed map and text amendment would affect the residentially designated properties located north of 156th Street NE, east of BNSF railway in the Lakewood neighborhood.

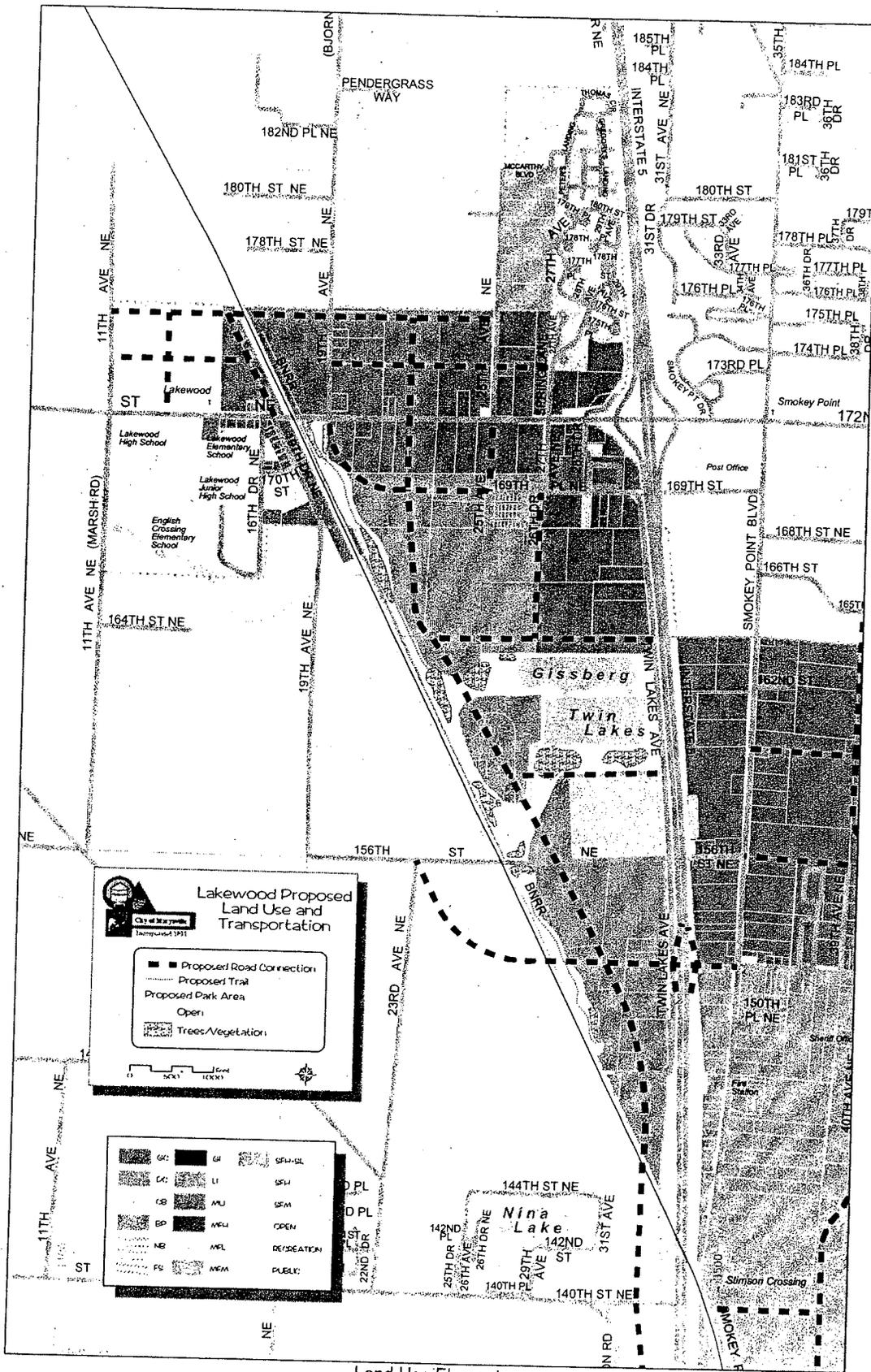
OK CITY INITIATED MAP AMENDMENT No. 8

Request: Amend the Comp Plan Map designation and concurrently rezone commercially designated property, as a map correction for properties that were short platted and developed with duplexes in 2001, from General Commercial (GC) to Medium Density Multi-family (R-18).

Location: 8106, 8110, 8114, 8204 & 8207 43rd Avenue NE.

Any person may appear at the hearing and be heard ^{Item 16 -205} in support of, or in opposition to this proposal. Additional information may be obtained at the City of Marysville Community Development Department

Figure 4-91 Lakewood Master Plan



Land Use Element
4-180

**FIRST AMENDMENT
LAKEWOOD MEADOW CONDOMINIUM**

SECTION 26, TOWNSHIP 21 NORTH, RANGE 8 EAST, N.W. 1/4
NORTH 1/4 CORNER SEC. 21



AMENDMENT IS PER FLAT OF
LAKEWOOD MEADOW, CENTERLINE
OF 169TH ST NE BEARS S84°23'55\"/>

JOHNSON TRACTS, P. 17
VOL. 12 OF PLATS, P. 17

UNIT NO.	AREA (SQ. FT.)	AREA (SQ. M.)
UNIT 01	1,400	129.03
UNIT 02	1,400	129.03
UNIT 03	1,400	129.03
UNIT 04	1,400	129.03
UNIT 05	1,400	129.03
UNIT 06	1,400	129.03
UNIT 07	1,400	129.03
UNIT 08	1,400	129.03
UNIT 09	1,400	129.03
UNIT 10	1,400	129.03
UNIT 11	1,400	129.03
UNIT 12	1,400	129.03
UNIT 13	1,400	129.03
UNIT 14	1,400	129.03
UNIT 15	1,400	129.03
UNIT 16	1,400	129.03
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UNIT 93	1,400	129.03
UNIT 94	1,400	129.03
UNIT 95	1,400	129.03
UNIT 96	1,400	129.03
UNIT 97	1,400	129.03
UNIT 98	1,400	129.03
UNIT 99	1,400	129.03
UNIT 100	1,400	129.03

UNPLATTED

169TH PL. NE

25TH AV NE

UNPLATTED

ATF# 200410015199

FIRST AMENDMENT

LAKEWOOD MEADOW CONDOMINIUM

SECTION 26, TOWNSHIP 21 NORTH, RANGE 8 EAST, N.W. 1/4
SHEET 3 OF 3
HARISEN & ASSOC. INC.
1000 10TH AV. N.E.
SUITE 100
BOZEMAN, MT. 59717
PHONE: (406) 552-1111 / (406) 552-1112
FAX: (406) 552-1113
JOB: 04-033



THIS MAP IS AN AMENDMENT TO LAKEWOOD CONDOMINIUM RECORDED UNDER A.T. NO. 20011275008. NO FIELD WORK WAS PERFORMED FOR THIS AMENDMENT.

UNPLATTED

12' BY 24' TEMPORARY TURN-AROUND EASEMENT

UNRECORDED WORK © 2004 BY HARISEN & ASSOCIATES INC.

From: "T.C. Richmond" <trichmond@GordonDerr.com>
To: "Hirashima, Gloria" <ghirashima@ci.marysville.wa.us>
Date: 07/24/2007 4:36:25 PM
Subject: City Initiated Comp Plan Amendment #3

Gloria: Thanks for discussing the amendments with me a few weeks ago. I wanted to make one brief comment on City Council Initiated Amendment #3.

The proposed amendment clarifies the depiction of the arterial and the future 156th overpass and interchange. I have one suggestion: since Perteet is still conducting its transportation analysis for the North Marysville Area, can the Amendment be changed to retain the flexibility east of Hayho Creek so that the arterial might flow directly east, to curve north or curve south? Perhaps this could be addressed by adding a footnote to the map indicating that the exact location of arterial east of Hayho Creek is subject to further study.

Thanks for the opportunity to comment.

T.C.

Terese (TC) Richmond
GordonDerr LLP
2025 First Ave, Suite 500
Seattle, Washington 98121-3140
(206) 382-9540 FAX (206) 626-0675
trichmond@GordonDerr.com; <http://www.GordonDerr.com/>

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CC: "Brent Carson" <bcarson@GordonDerr.com>, "Tosti, James" <jetosti@msn.com>, "Markley, David" <davidm@tsinw.com>

**PLANNING AND ENGINEERING STAFF REPORT ON
REQUEST FOR AMENDMENT**

TO THE

CITY OF MARYSVILLE COMPREHENSIVE PLAN

CITY INITIATED AMENDMENT REQUEST #4

The following is a review of a staff-initiated request for an amendment to the City of Marysville
Comprehensive Plan.

File No.: PA 07043

Date of Report: 7/13/07

Nature of Request: Comprehensive plan map amendment to Downtown neighborhood map and associated maps depicting road connections. Map amendment would affect Figure 8-4 of the City of Marysville Comprehensive Plan Transportation proposed connector map.

I. EVALUATION:

A. Request

The City has studied extension of Delta Avenue between 10th Street and Grove Street. The City of Marysville owns a strip of land along the east edge of the BNR tracks along several of these properties as depicted in the attached map. An alley paralleling State Avenue would provide an alternate point of access to properties along State Avenue. The alley width proposed is twenty two (22) feet in width. This would provide internal connectivity along the west side of State Avenue.

The attached map depicts the proposed connections. This will alter the current connection plan in Figure 8-4 of the City's Comprehensive Plan.

B. Conformance with SEPA

The comprehensive plan amendment request was reviewed and processed in accordance with Title 18, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA). Addendum #11 to the City of Marysville Comprehensive plan update Final Environmental Impact Statement (DEIS) and previously issued addenda was issued by the City on July 2, 2007.

REVIEW & ANALYSIS:

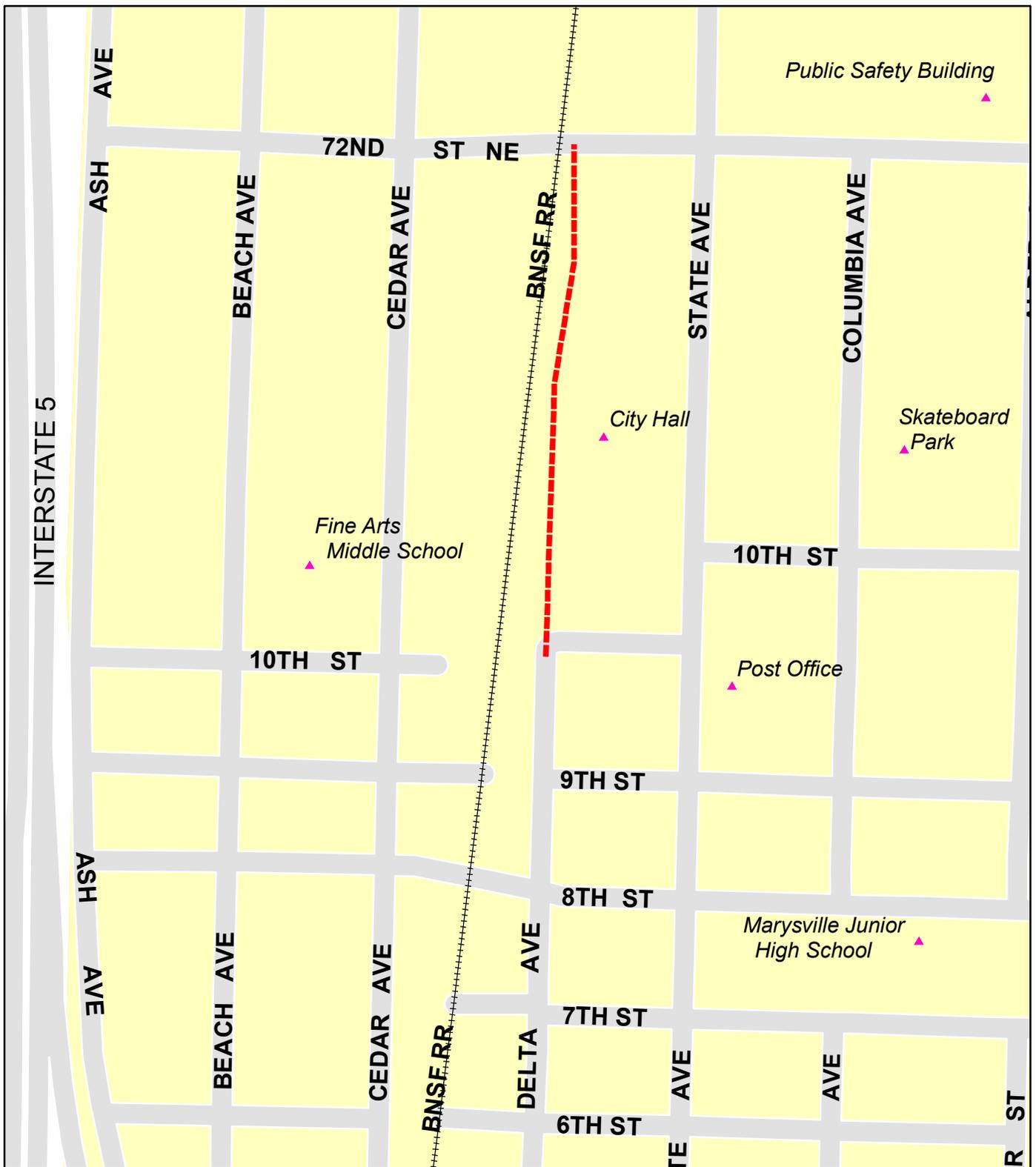
- 1) The map corrections will provide for connectivity along the west side of State Avenue.

- 2) The proposed connection will reduce trips on the arterial and provide an alternative route of travel between properties on the west side of State Avenue where access controls have been limited and single access driveways are common.
- 3) Engineering analysis is attached and incorporated as Attachment A of this report.

RECOMMENDATION:

Revise the plan maps and text to provide for a 22' paved section in a 30' right of way, north from the current end of Delta Avenue right of way, terminating in a right-in, right-out intersection at Delta and Grove Street.

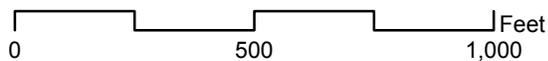
Optional northern treatment: Provided there is two way width at the south property line to the parcel abutting Grove, property impact could be reduced and the creation of control at the Grove intersection simplified if the right of way across the last parcel is 20 feet with 20 feet paved one way north only as alleys on to State (see photo 7 & 8 of Attachment A).



2007 Marysville Comprehensive Plan Amendments
Amendment #4



- - - Proposed connector street/alley
- City limits





PUBLIC WORKS DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 651-5100 ♦ (360) 651-5099 FAX

MEMORANDUM

DATE: July 9, 2007
TO: Gloria Hirashima, City Planner
FROM: John Tatum, Traffic Engineer
RE: Delta Extension Review
CC: Kevin Nielsen , City Engineer

The intersection of Delta and 4th Street is too closely spaced to adjacent signalized intersections to be considered for signalization. In the near future, the existing left turn from 4th on to Delta will need to be closed off and the space dedicated to left turn storage for the 4th at State intersection (see attached photo 2). The intersection of Delta at 4th Street would function as right turn in and right turn out.

An extension of Delta to Grove places that intersection immediately adjacent to the railroad tracks at a controlled crossing (see photo 3). Any allowance of movement out of Delta across the tracks will trigger railroad involvement and risk regulatory involvement. Therefore any connection of Delta to Grove should consider turning restrictions for safety and simplicity.

With turning restrictions at both ends of the proposed route probable and an adjacent route (Cedar) intended to take State Street bypass traffic, volumes on the proposed new connection are expected to remain low. Both one way and two way scenarios have been proposed for evaluation. Current alley standards call for 20 feet of pavement and a 20 foot right of way (see photo 6). Alleys tend to function as one lane facilities. The next road way standard up from alley is local access street paved widths are 24' or 28' with respective right of way widths of 40' and 50' respectively. In determining right of way width required, consideration of function should be made. All the parcels to be served have parking, pedestrian walkway, and utility service. There would be no need to provide these functions along the proposed connector. The connector is primarily (if not solely) intended for vehicular access and circulation, therefore a right of way width need only provide for paved width and any drainage to serve the intended function. The alley concept of right of way is the more appropriate choice for the connector. However, for a small addition in paved width, the 20 foot alley will provide for two way circulation. The local access concept for width appears to be the more useful for the proposed purpose.

Recommendation: extending a 22' paved section in a 30' right of way north from the current end of Delta right of way (see photo 5) to form a right in, right out intersection at Grove.

Optional northern treatment: provide there is two way width at the south property line to the parcel abutting Grove, property impact could be reduced and the creation of control

Attachment A

at the Grove intersection simplified if the right of way across the last parcel is 20 feet with 20 feet paved one way north only as alleys on to State (see photo 7 & 8).



1) The north end of 9th appears to be just above current standards for an alley and less than a current local access road.



2) Left turn storage at the 4th and State intersection backing out of its current lane. Lengthening the storage for this movement can be expected to take priority over the continued left turn from 4th on to Delta.



3) The new connector alignment at Grove requires consideration of the at grade railroad crossing.



4) Similar Cedar approach to the rail crossing showing flashing light display for Cedar during rail use.



5) Delta north of 9th Street appears to be 22+/- foot paved in 30+/- foot right of way.



6) Twenty foot alley with zero set back.



7) Twenty foot alley with "Do Not Enter"



8) Twenty foot alley "Right Turn Only"

**CITY OF MARYSVILLE
ENVIRONMENTAL CHECKLIST
RCW 197-11-960**

**Staff Initiated Comp Plan Amendment No. 4
Downtown Neighborhood Road Connections**

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicant:

This environmental checklist asks you to decide some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply". In addition, complete the *Supplemental Sheet for Non-Project Action (part D)*.

For non-project actions, the references in the checklist to the words "project", "applicant", and "property or site" should be read as "proposal", "proposer", and "affected geographic area", respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Staff Initiated Comprehensive Plan Amendment No. 4 – Downtown Neighborhood Road Connection Maps

2. Name of applicant:

City of Marysville

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

**Gloria Hirashima, CD Director
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270
(360) 363-8100**

4. Date checklist prepared:

June 18, 2007

5. Agency requesting checklist:

City of Marysville

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

2007 Marysville Comprehensive Plan Amendment cycle

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

N/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.

Environmental documentation regarding the Marysville Comprehensive Plan includes the following:

- **Draft Environmental Impact Statement dated January 13, 2005**
- **Final Environmental Impact Statement dated April 2005**
- **Snohomish County “Final Environmental Impact Statement for the 10 Year Update”**
- **Snohomish County “Draft Environmental Impact Statement for the 10 Year Update”**

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.

None known

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

Marysville City Council approval of a Comprehensive Plan Amendment

11. Give brief, complete description of your proposal, including all 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.)

A non-project action amending Marysville Comprehensive Plan maps in relation to the Downtown neighborhood road connections. The City of Marysville has studied extending Delta Avenue between 10th Street & Grove Street. A strip of land is owned by the city along the east edge of the BNSF railway, abutting the western boundary of the properties from 10th Street to Grove Street (see attached map).

An alley paralleling State Avenue would provide an alternate point of access to properties along State Avenue. The alley width should be between 20 – 30' in width. This would provide internal connectivity along the west side of State Avenue, potentially reducing the total number ingress/egress movements on State Avenue.

The proposed amendment would affect Figure 8-4 of the City's Comprehensive Plan.

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 topography 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 to this checklist.

The proposal is a Comprehensive Plan map amendment, affecting road network connections within the Downtown neighborhood. Generally, the road connection is located along the eastern edge of BNSF railway from 10th Street to Grove Street, acting as an extension of Delta Avenue (see attached map).

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (*bold/italic*): Flat, rolling, hilly, steep slopes, mountainous, other.

The Downtown neighborhood is relatively flat.

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

5% is the steepest slope in the Downtown neighborhood

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of the agricultural soils, specify them and note any prime farmland.

According to the United States Department of Agriculture – Soil Conservation Service, Soil Survey of Snohomish County the Downtown neighborhood is mainly comprised with Ragner Fine Sandy Loam soils.

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

3. WATER

- a. Surface:

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground waters? Give general description, purpose, and approximate quantities if known.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

4. PLANTS

- a. Check or circle types of vegetation found on the site (***bold/italic***): **N/A**
- . deciduous tree: alder, maple, aspen, other
 - . evergreen tree: fir, cedar, pine, other
 - . shrubs
 - . grass

- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site (***bold/italic***): **N/A**

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other:

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

d. Proposed measure to preserve or enhance wildlife, if any:

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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.

No

- 1) Describe special emergency services that might be required.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

b. Noise

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

The Downtown neighborhood in the vicinity of the proposed road connection area is commercially zoned property consisting of office, retail and restaurant businesses.

- b. Has the site been used for agriculture? If so, describe.

No

- c. Describe any structures on the site.

No structures are located within the proposed road connection area. Properties adjacent to the proposed road connection area are developed with existing commercial uses consisting of office, retail and restaurants.

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

DC (Downtown Commercial)

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

Downtown Commercial

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

N/A – The proposed road connection area is not located within a shoreline jurisdiction

- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

9. Housing

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

11. Light and Glare

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- c. What existing off-site sources of light or glare may affect your proposal?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

12. Recreation

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be or next to the site? If so, generally describe.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The attached maps depict existing and future road connections within the Downtown neighborhood.

- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

The Downtown neighborhood is served by Community Transit bus service along State Avenue, Cedar Avenue, Ash Avenue, 4th Street & Grove Street.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A – Non-project map amendment of the Maryville Comprehensive Plan

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

16. Utilities

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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:  Date: 6/18/07

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not 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 environment.

When answering these questions, be aware of the extent of 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 proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise.

Proposed measures to avoid or reduce such increases are:

None proposed. Future project level review will require compliance with the applicable Federal, State and Marysville Municipal Codes related to stormwater discharge, emissions, toxins and noise regulations.

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

The proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect plants, animals, fish or marine life.

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

None proposed. Future project level review will require compliance with the applicable Federal, State and Marysville Municipal Codes related to the protection of plants, animals, fish or marine life.

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

The proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not deplete energy or natural resources.

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

None proposed. Future project level review will require compliance with the applicable Federal, State and Marysville Municipal Codes related to energy and natural resource protection.

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 proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect environmentally sensitive areas or areas designated for government protection.

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

None proposed. Future project level review will require compliance with the applicable Federal, State and Marysville Municipal Codes related to environmentally sensitive areas or areas designated for governmental protection.

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?

The proposal is a non-project map amendment of the Marysville Comprehensive Plan. Future project actions may propose a change in land use through the rezone provisions outlined in the MMC.

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

None proposed. Future project level review will require compliance with the applicable Federal, State and Marysville Municipal Codes related to shoreline and land use impacts.

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

This proposal is a non-project action. Therefore, the proposal in and of itself will not increase demands on transportation or public services and utilities. The map amendment is proposed to provide a future alternate point of access to the commercially developed properties located along the west side of Smokey Point Boulevard and potentially reduce the total number of ingress/egress trips on State Avenue.

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

None proposed. Future project level review will require compliance with the applicable Federal, State and Marysville Municipal Codes related to transportation, public services and utilities.

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

No known conflict. The Growth Management Act requires that development regulations be consistent with adopted GMA comprehensive plans.

**PLANNING AND ENGINEERING STAFF REPORT ON
REQUEST FOR AMENDMENT**

TO THE

**CITY OF MARYSVILLE COMPREHENSIVE PLAN
CITY INITIATED AMENDMENT REQUEST #5**

The following is a review of a Council-initiated request for an amendment to the City of Marysville Comprehensive Plan.

File No.: PA 07043

Date of Report: 7/13/07

Applicant: City of Marysville (Council Remand from East Sunnyside/Whiskey Ridge master plan hearings.)

Owner(s): Multiple

Nature of Request: Comprehensive plan map amendment to Figure 8-4 City of Marysville Comprehensive Plan Transportation Element "Proposed Connections" map depicting road connections for 67th/71st Avenue connector between 40th and 44th Streets NE. Amend Page Appendix A of the 20 year Transportation Plan Improvement Projects.

The alignment of this road was remanded to the Planning Commission during final ordinance review for the Whiskey Ridge Subarea Plan action.

I. EVALUATION:

A. Request and Background

During review of the Whiskey Ridge Subarea Plan, City staff analyzed existing road connections in the East Sunnyside/Whiskey Ridge neighborhood and made recommendations for a new alignment on 67th Avenue between 40th Street NE and 44th Street NE. The Planning Commission held public hearings on December 11, 2006 and January 23, 2007 and recommended an alignment. The City Council held a public hearing on April 23, 2007. The City Council remanded the decision on alignment to the Planning Commission for additional review with the 2007 Comprehensive Plan amendment review.

The City of Marysville Comprehensive Plan depicts 67th Avenue NE as a minor arterial to Soper Hill Road. 67th Avenue NE was included as a minor arterial improvement in the City's 2005 Comprehensive Plan and Transportation Element. Development of the area south of 40th Street

NE occurred in unincorporated Snohomish County. Although the City of Marysville and Snohomish County had a 1999 interlocal agreement concerning roads for this area, which depicted the 67th Avenue NE connection, Snohomish County failed to require developments to incorporate the roadway in their subdivision plans and therefore the road right of way was not obtained, required or constructed. These decisions and development approvals have resulted in future transportation deficiencies in area road planning. The City of Marysville reviewed the area more closely while updating its comprehensive plan to adopt a subarea plan for the East Sunnyside/Whiskey Ridge area. In reviewing future road needs and transportation plans, the City identified that an additional east-west arterial, 40th Street NE, and completing a north-south arterial from 67th Avenue NE, could address roadway needs for future growth planned in the subarea.

The road corridor study represents a transportation planning level analysis. It is a non-project proposal. This road concept depicts a proposed connection to provide transportation connectivity in the southeast Sunnyside area. Perteet, Inc provided engineering analysis for the East Sunnyside/Whiskey Ridge plan and produced a document entitled “East Sunnyside Whiskey Ridge Transportation Needs Evaluation” which is incorporated into the staff report as **Exhibit A**. Transportation modeling for the southeast Sunnyside area identifies that roads are not currently sized and improved at standards sufficient to carry long-term transportation volumes forecasted over the next twenty years. At a comprehensive plan level, this necessitates planning for future corridors and access for arterials as well as access roads. The comprehensive plan maps, text and policies support long-term transportation planning.

Perteet, Inc. also provided a memo dated June 6, 2007, entitled “East Sunnyside -Whiskey Ridge Comprehensive Plan Amendments Review of the 67th Avenue to 71st Avenue Arterial Corridor Connection”. This memo provides an analysis of the corridor connection and is incorporated within the staff report as **Exhibit B**.

The City anticipates construction of the proposed road connection by developer extension, as opposed to a City capital project. In either case, at the time the proposed road advances to a funded project – through developer financing or City financing – there would be additional site specific review and analysis of the exact location and design of the roadway. The area is composed of larger parcels that have additional lot development capacity. As a result, developments will be required to conform with the city’s plans and standards for streets, access and connectivity. The City’s comprehensive plan and engineering development & design standards supports a system of connected roads as opposed to a pattern of private dead-end access stubs and culdesacs. As a result, during its comprehensive plan review, the City endeavors to depict planned new roads, road extensions and potential access streets in developing areas. This provides greater predictability and information to developers and property owners during the entitlement process. While this area is currently developed at rural densities, the area is planned and zoned at urban densities of 6.5 dwelling units per acre. The corridor depiction is a planning level review based on topography and standard engineering design review for road planning. Further site specific analysis would be conducted at a project-level when an application for development is submitted for the properties or in the event the City designated the project as a funded capital project.

The attached map, Exhibit C, depicts the proposed connections and alternatives. Four alternatives were analyzed in Exhibit C. During Planning Commission workshop, the Commission also requested that a fifth alternative, widening of Sunnyside Blvd, be considered in the analysis

The City will also be expanding capacity of existing rights of way, including Sunnyside Blvd., which is a planned 3-lane minor arterial, as reflected in the City's Transportation Element.

B. Conformance with SEPA

The comprehensive plan amendment request was reviewed and processed in accordance with Title 18, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA). Addendum #11 to the City of Marysville Comprehensive plan update Final Environmental Impact Statement (DEIS) and previously issued addenda was issued by the City on July 2, 2007.

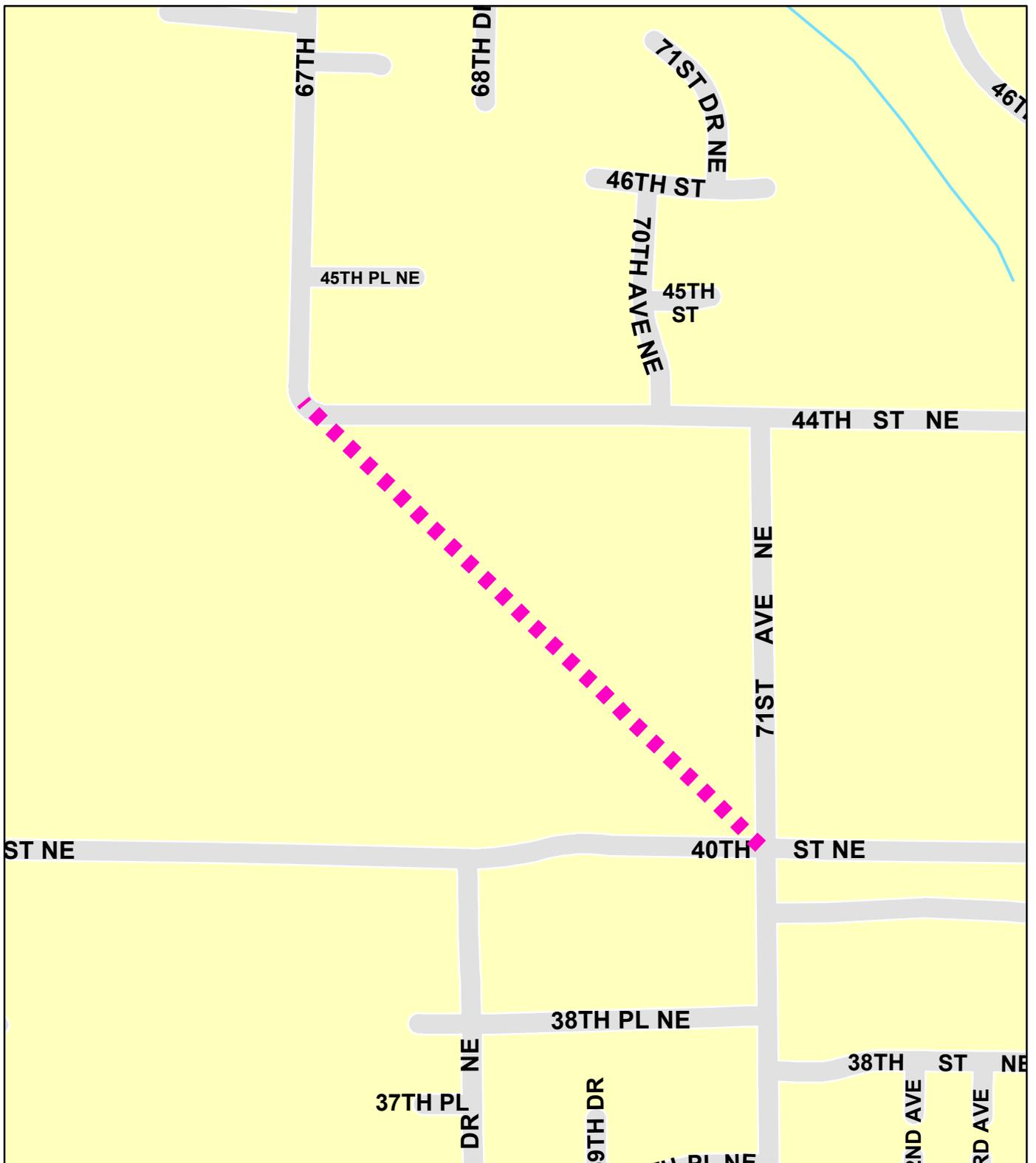
REVIEW & ANALYSIS:

- 1) Perteet Inc. and the City Engineering Department staff have reviewed five alternative alignments. Four alternatives are depicted in Exhibit C. A fifth alternative, widening of Sunnyside Blvd was also considered.
- 2) Alignment 1 -The City Comprehensive Plan map depicts extension of 67th Avenue NE south of 44th Street NE, straight to 40th Street NE. 67th Avenue NE would terminate at 40th Street NE. This alternative (Alignment 1) was also reconsidered in the Perteet Inc. analysis. While this alignment is also feasible and does not impact existing structures, it does not provide the long term transportation benefit that a direct connection to 71st Avenue would provide, as it splits traffic volumes between Sunnyside Blvd and 71st Avenue, which results in additional lane widening needs for Sunnyside Blvd. Therefore this alternative is not recommended.
- 3) Alignment 2 – This alternative provides for a through connection of 67th Avenue NE to 71st Avenue NE. As referenced in the attached Perteet Inc. analysis, this connection provides the maximum benefit to future transportation needs in the Sunnyside/Whiskey Ridge area. This roadway connection has been estimated to cost \$19 million.
- 4) Alignment 3, which proposes road improvements along the existing right of way, would require significant realignment of the intersections to alleviate existing traffic safety problems at the intersection of 44th Street & 67th Avenue NE and at the intersection of 44th Street NE and 71st Avenue NE. This would result in greater impact to existing structures than Alignment 2. Alternative 3 was removed from further consideration due to alignment impacts and cost.
- 5) Alignment 4 is essentially a modified Alignment 2, using roundabouts to provide tighter turning radius at the intersections of 67th Avenue extension to 71st Avenue NE. Due to the roundabouts, this alignment may require more right of way than Alignment 2. Due to the topography, this may ultimately be more costly to construct.
- 6) Alignment 5 would involve widening of Sunnyside Blvd. Perteet Inc. and the City Engineering Division have completed additional analysis of roadway improvements needed

to support area growth. The ultimate design of Sunnyside Boulevard was forecasted based on traffic volumes for the year 2025. Though the analysis, various roadway configurations were modeled with recommended roadway improvements. It was determined that Sunnyside Boulevard could be constructed to a three lane cross section from 52nd Street NE south to Soper Hill Blvd if a connection is provided between 67th Avenue NE and 71st Avenue NE. If 67th Avenue NE is not connected to 71st Avenue NE, Sunnyside Boulevard needs to be constructed to a 5 lane cross section in the amount of \$37 million. An evaluation is still ongoing to determine if Sunnyside Boulevard can be constructed to a three lane section to support the 2025 traffic volumes from 47th Avenue NE to 52nd Avenue NE with the connection of 67th to 71st Avenue NE . This will further decrease the current anticipated cost of improvements for Sunnyside Boulevard. Hence, the cost of Alternative 5 is at least \$18,000,000 more than a connection between 67th Avenue NE and 71st Avenue NE (Alternatives 1-4).

RECOMMENDATION:

Approve Alignment 2.



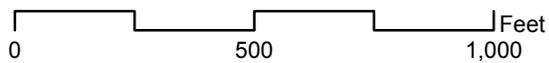
2007 Marysville Comprehensive Plan Amendments

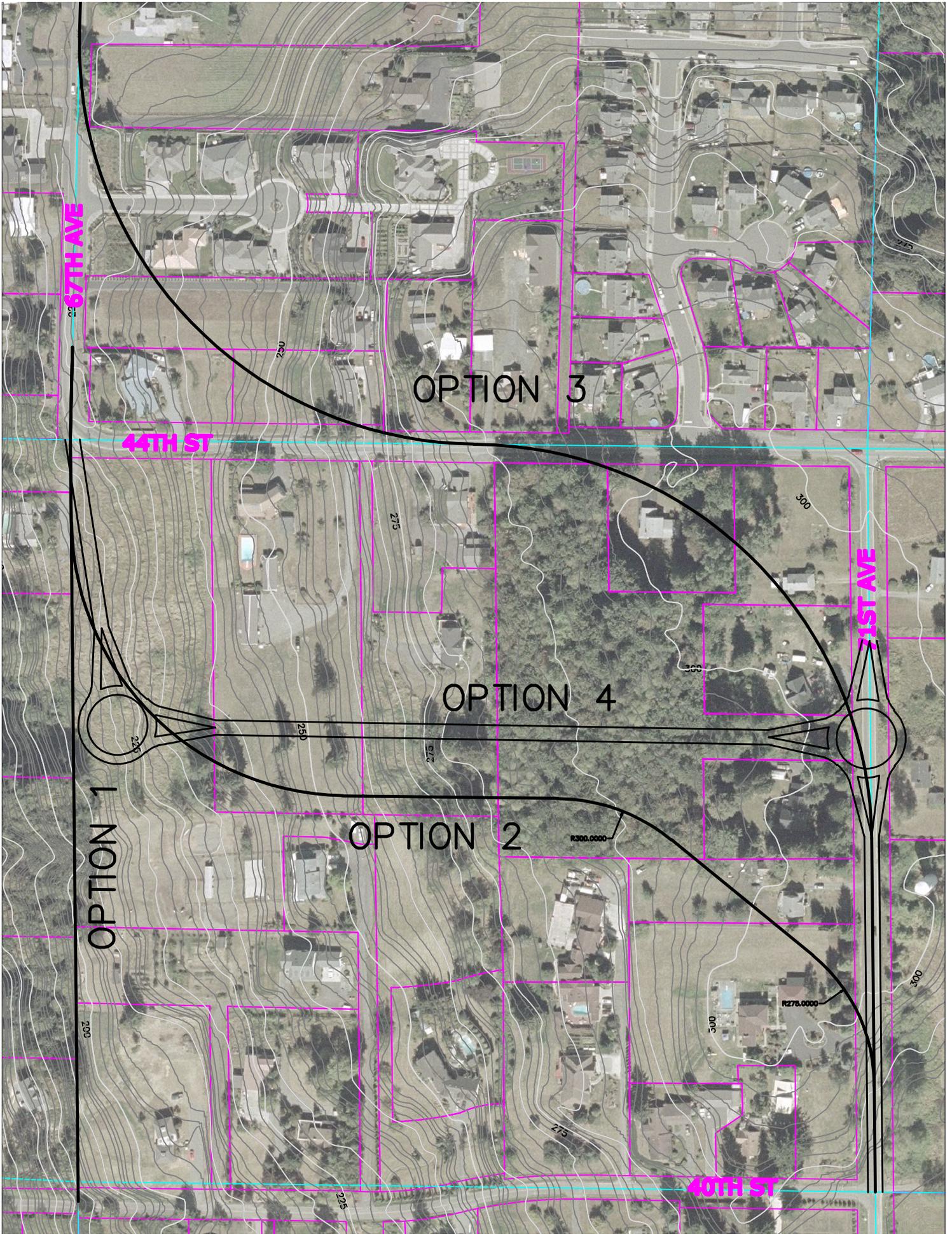
Amendment #5



■■■■ Conceptual linkage

■ City limits





East Sunnyside/Whiskey Ridge Transportation Needs Evaluation

1. Introduction

The East Sunnyside / Whiskey Ridge neighborhood is located in the southeast corner of the City of Marysville, bounded by Soper Hill Road on the south, Highway 9 on the east, and 64th Street (SR 528) on the north. The west boundary of the neighborhood is approximately 75th Avenue north of 52nd Street, and 67th Avenue south of 52nd Street.

A significant part of the neighborhood has been under the jurisdiction of Snohomish County, but within the City's Urban Growth Area (UGA) boundary. In this respect, the development of some the transportation infrastructure has been to County standards.

This Transportation Needs Evaluation considers the long-term potential development of the neighborhood (developable land capacity), adjacent neighborhoods inside the City, County, and other jurisdictions. The Transportation Needs Evaluation also considers the existing and future regional roads, transit services, and non-motorized facilities.

2. Land Use Assumptions

The East Sunnyside / Whiskey Ridge neighborhood comprises about 1,822 acres of which there are about 1,585 (87%) gross developable acres and about 1,372 (75%) net developable acres. The neighborhood has several steep hillsides, ravines, creeks, and woods. It is expected that the urban development will be predominantly single family residential (including duplexes), with some multi-family units, a limited amount of neighborhood commercial, and a commercial and mixed use area along Highway 9 from the intersection of SR 92 to Soper Hill Road.

The developable land capacity analysis indicates that the number of dwelling units in the neighborhood could increase from about 910 units today to about 4,275 units in the future, and that employment in the neighborhood could increase from about 34 employees to 733 employees. Development demands are high and full build-out could occur by 2025 or earlier

3. Traffic Forecasting Methodology

The travel forecasting for the East Sunnyside / Whiskey Ridge neighborhood employed the City of Marysville's current T-Model/2 program, which was developed in 2004 to predict traffic volumes for the year 2025. This model covers the City of Marysville and its UGA areas, and uses external traffic inputs from the regional traffic model developed by the Puget Sound Regional Commission (PSRC). Because the East Sunnyside / Whiskey Ridge neighborhood is at the extreme southeast edge of the City's T-Model/2 coverage area, the external inputs create a significant impact on the traffic estimates.

The land use assumptions in the Traffic Analysis Zones (TAZ's) of the City's T-Model that relate to the East Sunnyside / Whiskey Ridge neighborhood were reviewed for compliance with the land use assumptions proposed in the neighborhood plan. The model assumptions were found to be relatively consistent with the neighborhood plan, with two

exceptions. Minor adjustments were made in the assumptions of single-family residences and multi-family residences, and about 100,000 square feet of quasi-institutional space assumed in the T-Model/2 program were transferred to a retail category to more reasonably represent the proposed commercial / mixed use area near Highway 9.

The road network assumptions of the current T-Model/2 program were also revised to include a more direct connection to Highway 9 at the SR-92 intersection. In this case, an arterial road would connect from this key intersection to the 40th Street right-of-way near 83rd Avenue and continue west to Sunnyside Boulevard.

The T-Model/2 program was revised using these land-use and road network adjustments and run to provide new traffic forecasts for the year 2025.

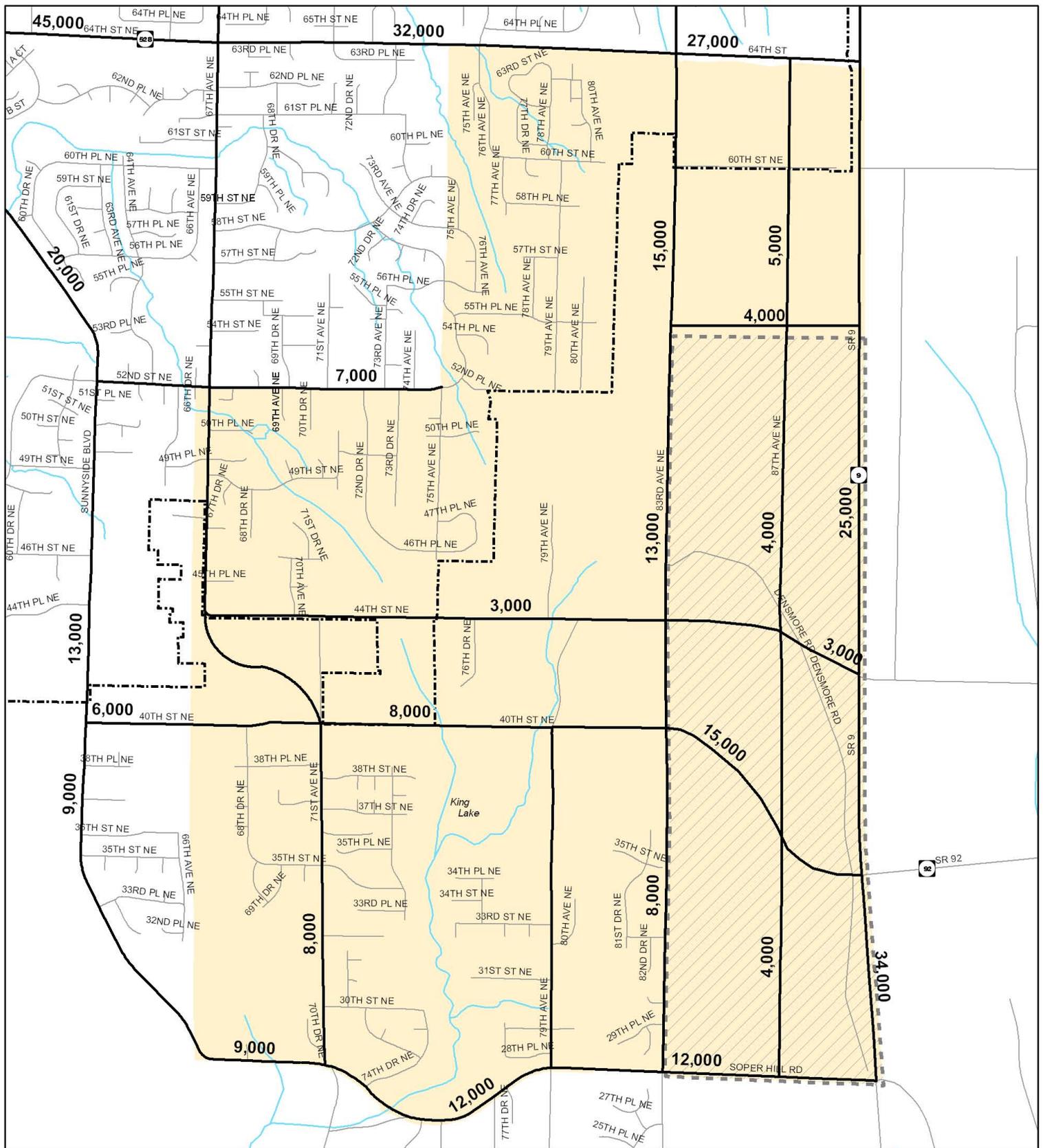
4. Traffic Demands and Arterial Road Facilities

Results from the traffic model indicate that there will be very heavy traffic demands in the east-west and in the north-south directions, as shown on *Figure 1* and summarized on *Table 1*.

The highest volumes in the east-west direction will be on 64th Street (SR-528), where traffic demands at the west end of the study area could reach 45,000 vehicles per day. The proposed extension of SR-92 west and north to connect to 40th Street could carry up to 15,000 vehicles per day at the east end at SR-9. Soper Hill Road could carry up to 12,000 vehicles per day at the east end.

The highest volumes in the north-south direction will be on SR-9, where traffic demands at the south end of the study area could reach 34,000 vehicles per day. Sunnyside Boulevard could carry up to 20,000 vehicles per day at the north end, and 67th and 83rd Avenues could carry up to 15,000 vehicles per day each at the north end of the study area.

Table 1		
Estimated 2025 Daily Traffic Volumes		
	<i>Minimum</i>	<i>Maximum</i>
East-West Streets		
64 th Street (SR 528)	27,000	45,000
52 nd / 54 th Street	4,000	7,000
44 th Street	3,000	3,000
40 th Street to SR-92	6,000	15,000
Soper Hill Road	9,000	12,000
North-South Streets		
Sunnyside Boulevard	9,000	20,000
67 th / 71 st Avenues	8,000	15,000
83 rd Avenue	8,000	15,000
87 th Avenue	4,000	5,000
SR-9	25,000	34,000



City of Marysville
Whiskey Ridge Master Plan
2025 Daily Traffic Volume

-  Master Plan Area
-  Marysville city limits
-  East Sunnyside Neighborhood

December 8, 2006



0 500 1,000 Feet



Item 16 -240

Figure 1

Based on these analyses, the following road improvements are recommended, as shown on *Figure 2* and summarized in *Table 2*.

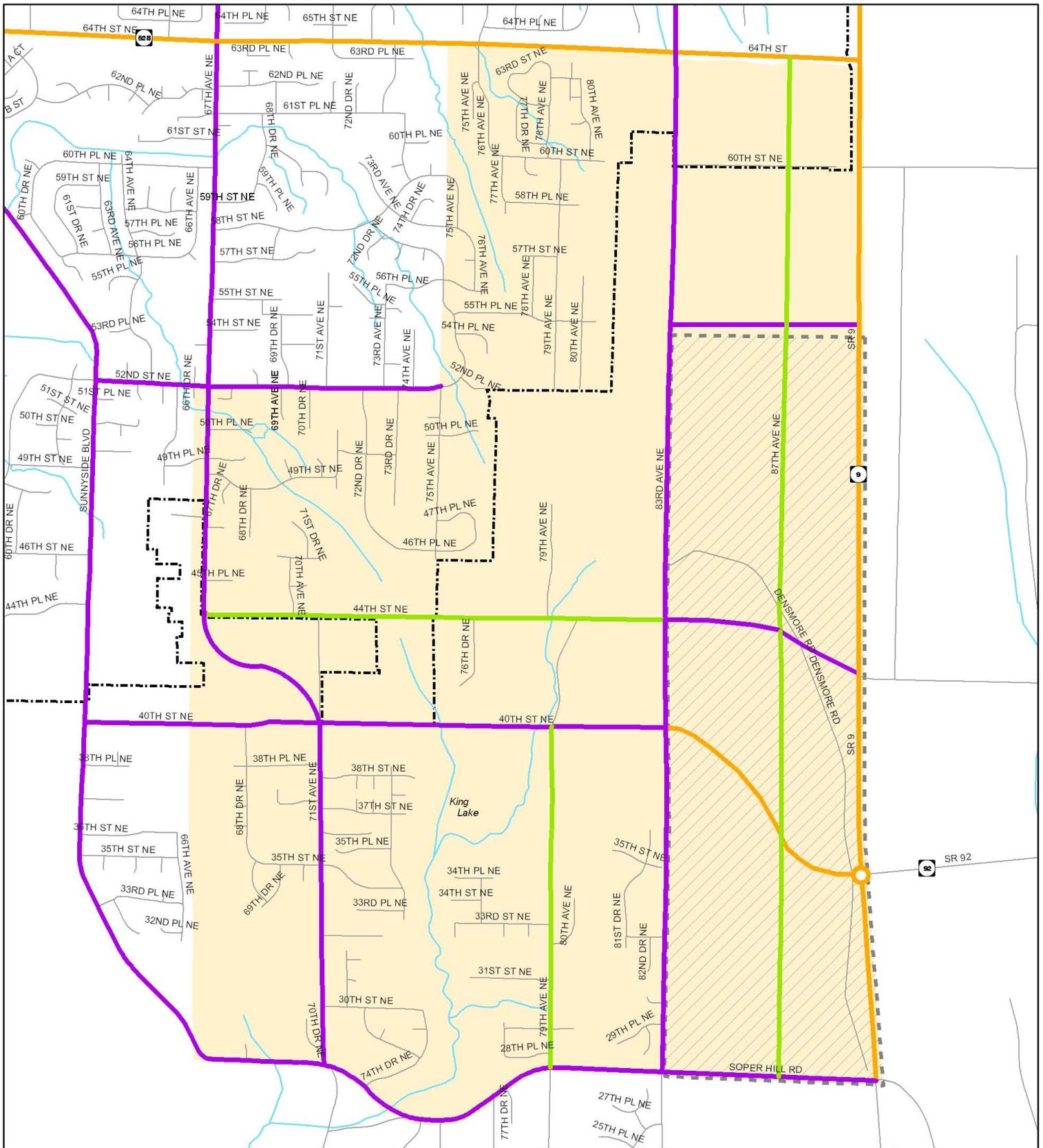
- ***Sunnyside Boulevard / Soper Hill Road*** should be classified as a Minor Arterial and will require at least a three-lane section. Depending on the type of access control (traffic control signals or roundabouts), a center landscaped boulevard may be appropriate. Bike lanes or a multi-purpose road-side path would be appropriate.
- ***67th / 71st Avenues*** should be a connected route, if possible, from 64th Street through to Soper Hill Road and classified as a Minor Arterial with a three-lane section with bike lanes or a road-side path.
- ***79th Avenue*** should be classified as a Collector Arterial north of 40th Street and designed for two lanes to Soper Hill Road
- ***83rd Avenue*** should be classified as a Minor Arterial and designed for three lanes from 64th Street (SR528) to Soper Hill Road. This alignment is considered preferable to 87th Avenue for the primary north-south arterial because it is more central to the neighborhood.
- ***87th Avenue*** should be classified as a Collector Arterial and designed for two lanes with bike lanes. It is not recommended that 87th Avenue be a through street from 64th Avenue to Soper Hill, because of its proximity to SR-9. Intersections at major cross-streets could eventually back traffic up into intersections at SR-9 if there is significant north-south through-traffic on 87th Avenue. However, 87th Avenue should be designed for primary commercial access where it crosses other arterial streets such as 35th Street with left-turns where appropriate.
- ***40th Street*** should be connected from Sunnyside Boulevard to the intersection of SR-92 at SR-9. It should be classified as a Principal Arterial east of 83rd Avenue with a five-lane section to accommodate the planned adjacent commercial and higher density housing. West of 83rd Avenue, it should be classified as a Minor Arterial and designed with a three-lane section.
- ***44th Street*** should be extended to the Sunnyside School Road / Densmore Road intersection and then follow the existing alignment of Sunnyside School Road to the intersection at SR-9. It could continue east of SR-9 to provide access to communities in the unincorporated County. East of 83rd Avenue, 44th Street should be designated as a Minor Arterial with a three-lane section and bike lanes. West of 83rd Avenue, 44th Street should be designated as a Collector Arterial with two travel lanes and bike lanes.
- ***Sunnyside School Road*** and ***Densmore Road*** should both be disconnected at 44th Street and at 35th Street (SR-92 extension) due to their proximity to key SR-9 intersections. The rights-of-way could be used for local access streets and/or a multi-use trail.
- ***54th Street*** is recommended as a replacement access route to SR-9 for 60th Street, which is considered too close to the major intersection of 64th Street (SR-528) at SR-9. The 54th Street alignment would be approximately a midpoint between the major 64th Street intersection and the recommended 44th Street (Sunnyside School Road) intersection on SR-9. This connection to SR-9 should be classified as a

Minor Arterial with a three-lane section and bike lanes. It could also be continued east of SR-9 provide access to communities in the unincorporated County.

- **Neighborhood Collectors** – other streets, such as 60th Street and 79th Avenue north of 52nd Street, could be designated as neighborhood collectors with a two-lane section. Extension of 54th Street east of 83rd Avenue across the PSE right-of-way could also be considered as a neighborhood collector to provide better access the neighborhood west of 83rd Avenue.

**Table 2
Recommended Arterial Road System**

	From	To	Lanes
Principal Arterials			
SR 528 (64 th St.)	4 th Street	SR-9	5
35 th / 40 th Street (SR92 extension)	83 rd Street	SR-9	5
Minor Arterials			
Sunnyside Boulevard	3 rd Street	Soper Hill Road	3
Soper Hill Road	Sunnyside	SR-9	3
83 rd Avenue	64 th Street	Soper Hill Road	3
67 th Avenue	64 th Street	44 th Street	3
67 th / 71 st Avenues	44 th Street	Soper Hill Road	3
52 nd Street	Sunnyside	75 th Avenue	3
54 th Street	83 rd Avenue	SR-9	3
44 th Street	83 rd Avenue	SR-9	3
40 th Street	Sunnyside	83 rd Avenue	3
Collector Arterials			
44 th Street	67 th Avenue	83 rd Avenue	2
79 th Avenue	40 th Street	Soper Hill Road	2
87 th Avenue	64 th Street	Soper Hill Road	2



City of Marysville
Whiskey Ridge Master Plan
Arterial Functional Classifications

ARTERIAL

PRINCIPAL

MINOR

COLLECTOR



Master Plan Area



Marysville city limits



East Sunnyside Neighborhood

December 8, 2006



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Figure 2

5. Transit Facilities

Currently, Community Transit Route 221 is the primary transit service in the neighborhood. It operates on SR 9 and 64th Street (SR-528) connecting Lake Stevens to Quil Ceda Village via downtown Marysville. Service is provided all day long at a frequency of about one bus per hour. Two commuter routes (CT-421 and CT-821) pass by the corner of SR 528 and 67th Street. Service is limited to the morning and afternoon commuter hours.

Transit service areas are usually defined as the properties within 1,500 feet of a bus route where stops are made. There are currently bus stops on 64th Street, which limits the existing coverage to East Sunnyside residents within 1,500 feet of 64th Street.

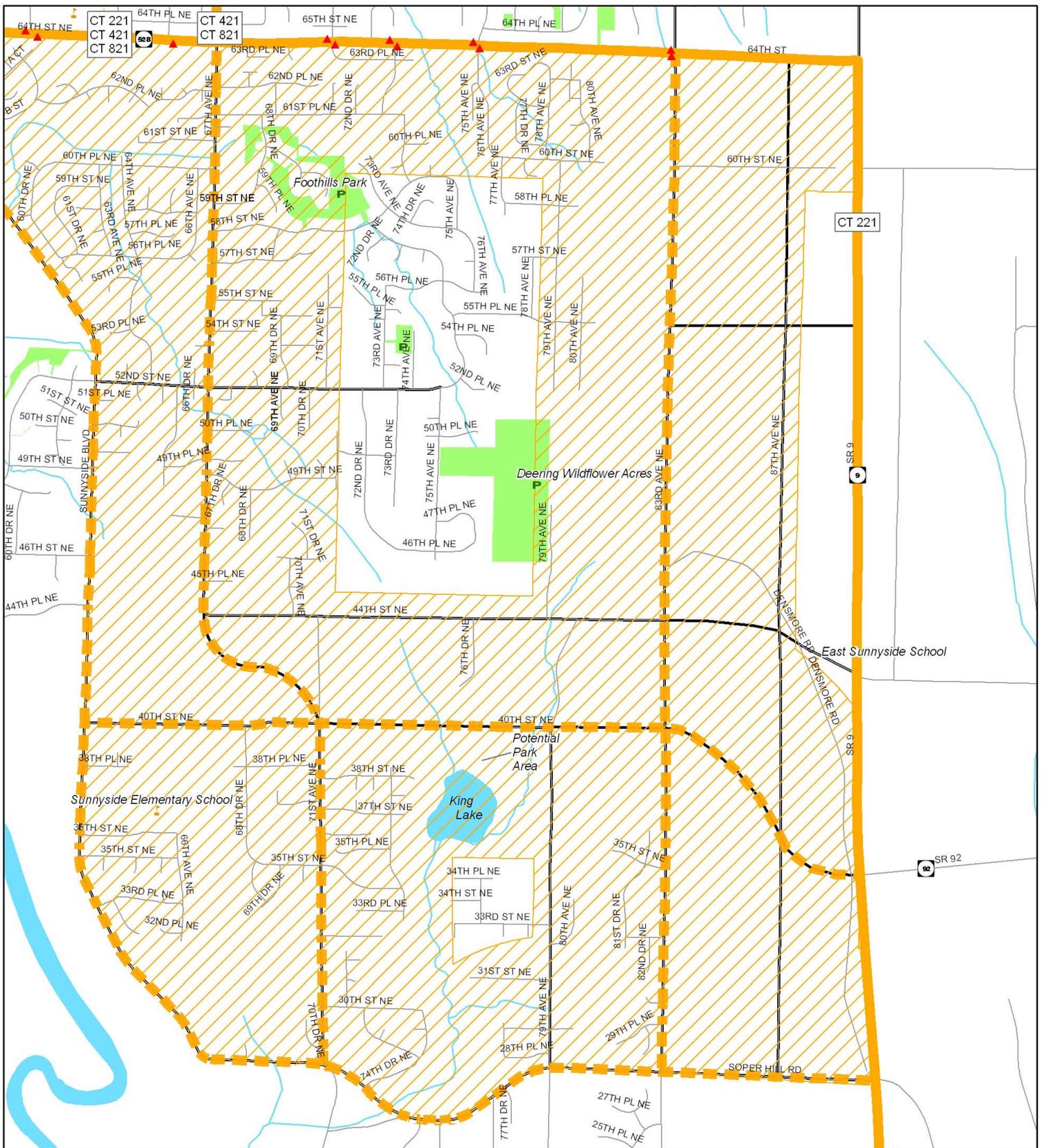
As the East Sunnyside / Whiskey Ridge Community grows to its capacity of nearly 12,000 residents, it will require additional public transit services. The future transit routes should be designed to provide service to within 1,500 feet of as many residents as possible. It is likely, for example, that CT-221 could be rerouted from SR-9 to a minor arterial street within the Whiskey Ridge community, such as 83rd Avenue, to allow more frequent stops and improved coverage.

It is prudent therefore, for the City to design streets to support future bus routes to serve future residents and employees. Street design considerations should include providing additional right-of-way for bus stop locations, bus shelter (pad) locations, and improved sidewalk or trail access. This infrastructure should be considered a mitigation expense in the same manner as road facilities and non-motorized facilities.

It is recommended that design of the following Principal and Minor Arterial streets should include provisions for future bus routes as shown on **Figure 3**:

- Sunnyside Boulevard
- Soper Hill Road
- 40th Street to the SR-92 intersection at SR-9
- 83rd Avenue
- 67th / 71st Avenues

Assuming that bus routes will continue to operate on 64th Street, this will provide very good coverage of the East Sunnyside / Whiskey Ridge Community as shown on **Figure 3**. As the neighborhood develops, the City should work with Community Transit to provide new bus routes on the designated arterial streets.



City of Marysville

Whiskey Ridge Master Plan Transit Service

December 8, 2006

- Marysville city limits
- Schools
- Parks
- Existing Community Transit Routes
- Existing Community Transit Stops
- Potential Transit Streets
- Potential Transit Service Coverage Area



1,000 500 0 Feet



Item 16 -245

Figure 3

6. Non-motorized Facilities

Multi-purpose trails, bike lanes, sidewalks and other non-motorized facilities should be provided for recreational purposes and to encourage commuters to use modes other than automobiles to travel to work places and schools. In this regard, it is important to locate these facilities near parks, schools, higher density residential, and bus routes.

It is also important to maintain a grid system of non-motorized facilities so that pedestrians and cyclists are not discouraged by long winding routes. Sidewalks should be provided on all arterial roads unless a road-side multi-purpose path is provided.

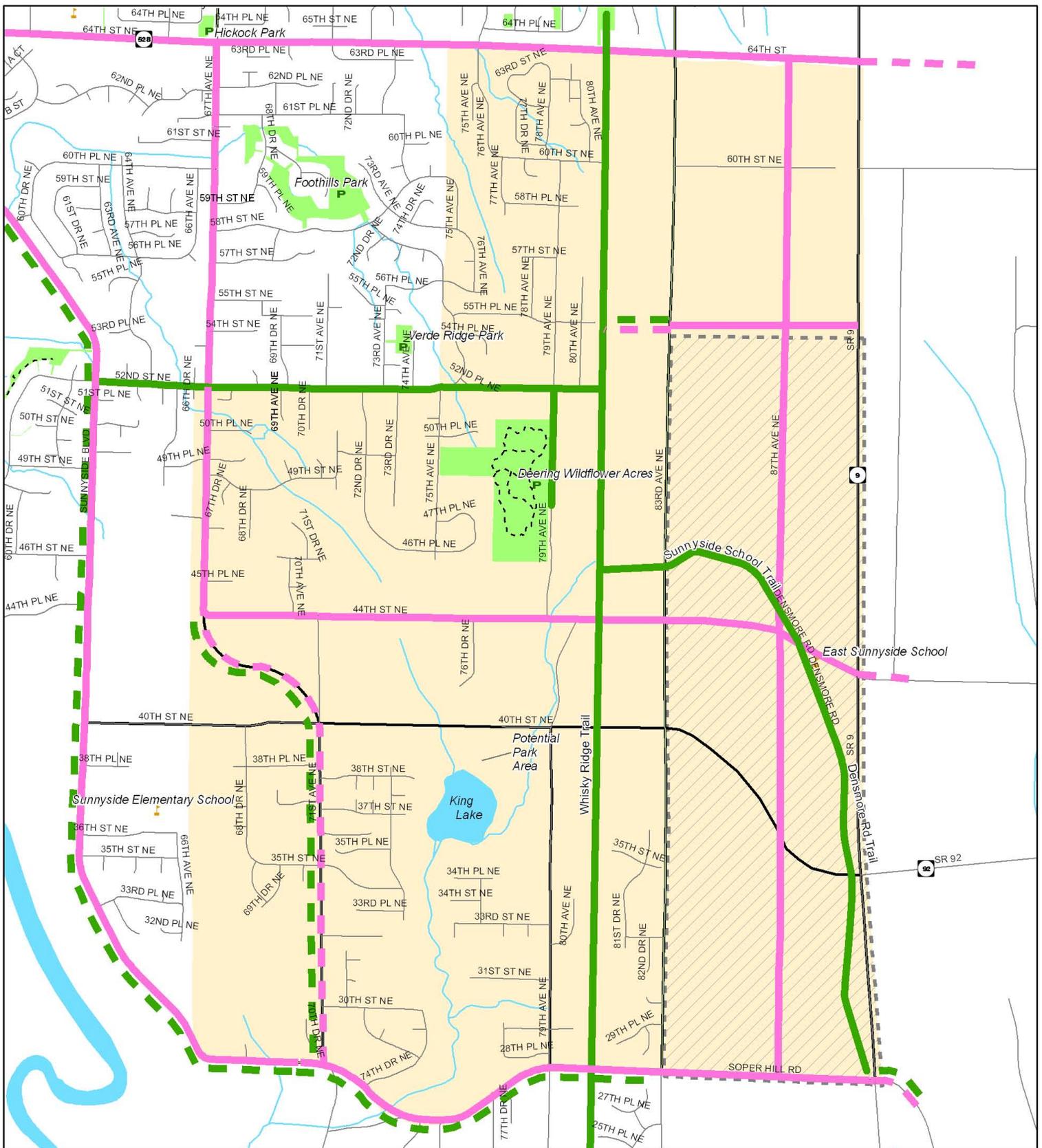
A network of trails and bike lanes is shown on *Figure 4*.

Multi-purpose Paths and Trails are recommended in the following corridors:

- **Densmore / Sunnyside School Road** right-of-way should be converted to a north-south trail or a local access road with a road-side path.
- **A PSE Corridor** runs parallel and west of 79th Avenue from Soper Hill Road to 64th Street and beyond, which would provide an excellent right-of-way for a trail. Proposed as the Whiskey Ridge Trail, it would provide excellent north-south connections to homes, parks, shops and bus routes
- **52nd Street** would provide an excellent east-west opportunity for a road-side path to connect Sunnyside Boulevard to Deering Wildflower Acres and the potential Whiskey Ridge (PSE) Trail.

Bike Lanes (or multi-use road-side paths) are recommended in the following corridors:

- **64th Street (SR-528)** is a connector route for commuter-type bike lanes.
- **Sunnyside Boulevard / Soper Hill Road** corridor should include bike lanes and sidewalks or a multi-use road-side path.
- **67th / 71st Avenues** from 64th Street to Sunnyside/Soper Hill Road should include bike lanes or a multi-use road-side path.
- **44th Street** could be a preferably route to 40th Street for bike lanes from 67th Avenue to SR-9 and the Densmore/School Road Trail. A connection west of 67th Avenue to Sunnyside Boulevard would be desirable.
- **54th Street/55th Place** could use bike lanes or a trail to provide continuity of the 52nd Street path east to the Whiskey Ridge (PSE) Trail and SR-9.
- **87th Avenue** is a preferable to 83rd Avenue as a north-south route for bike lanes or a multi-use road-side path due to the proximity of 83rd Avenue to the proposed Whiskey Ridge Trail and since 87th Avenue would also provide continuity of the Densmore / Sunnyside School Trail.



City of Marysville

Whiskey Ridge Master Plan Parks, Routes, and Trails

December 8, 2006



Master Plan Area

Marysville city limits

East Sunnyside Neighborhood

Schools

Parks

Multi-use Path/Trail

Bicycle Lanes



Item 16 -247

Figure 4

Exhibit B



**East Sunnyside - Whiskey Ridge
Comprehensive Plan Amendments**

**Review of the
67th Avenue to 71st Avenue
Arterial Corridor Connection**

June 6, 2007

Prepared by



Perteeet Inc.

City of Marysville
East Sunnyside - Whiskey Ridge Comprehensive Plan Amendments
Review of the 67th Avenue to 71st Avenue Arterial Corridor Connection

Introduction

Proposed Comprehensive Plan Amendments incorporate the recently completed East Sunnyside – Whiskey Ridge Subarea Plan. One of the proposed transportation improvements, the connecting alignment of the minor arterial street from 67th Avenue to 71st Avenue between 40th Street and 44th Street, has been opposed by three residents represented by Bricklin Newman Dold LLP in a letter to the City of Marysville dated May 14, 2007.

The letter referred to parts of the (City of Marysville) Transportation Element of the 2005 Comprehensive Plan, the City of Marysville Draft Whiskey Ridge Master Plan Preferred Alternative Map (January 2007), and a document, titled “City of Marysville Sunnyside Boulevard Corridor Traffic Analysis Evaluation of the Continuity of the 67th Avenue to 71st Avenue Corridor”

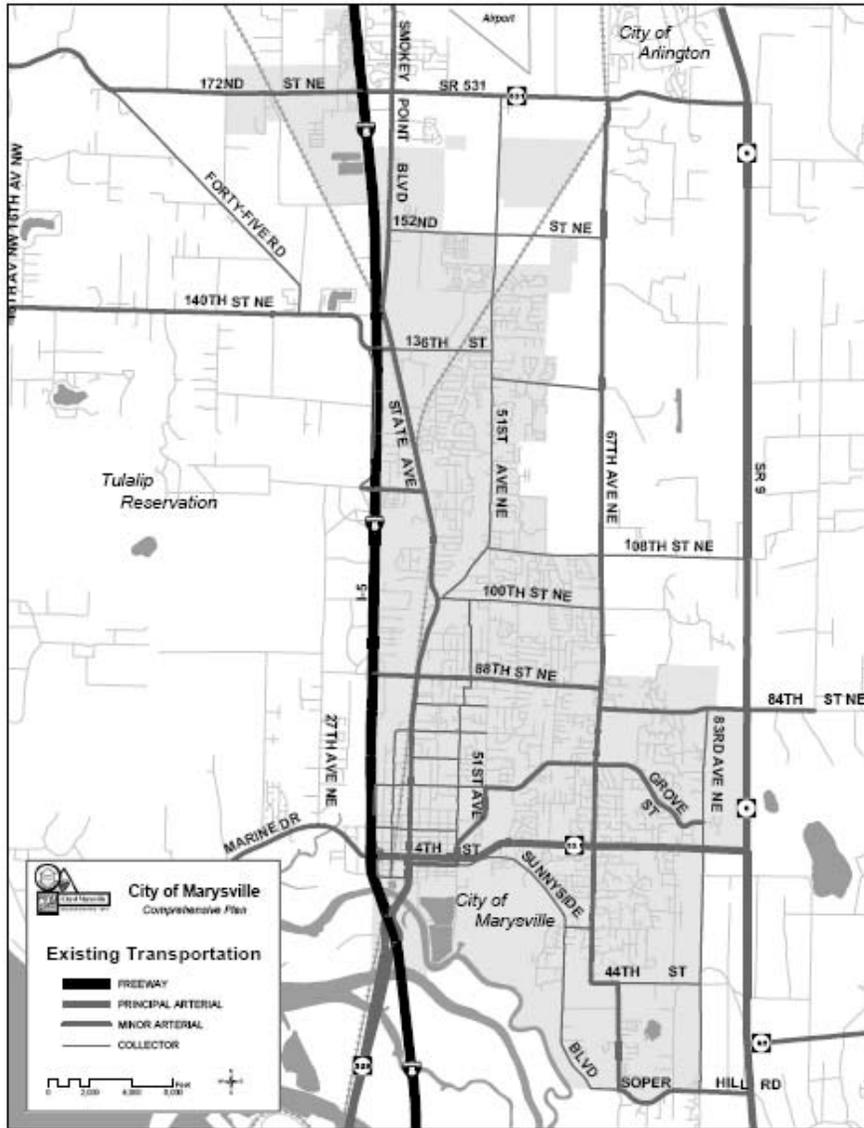
This report is prepared to clarify some of the issues raised in the letter from Bricklin Newman Dold LLP, and to provide further background for the City to consider in developing its final plans.

City of Marysville 2005 Comprehensive Plan

The City of Marysville 2005 Comprehensive Plan, Section VIII Transportation Element provided a review of existing and planned transportation facilities within the City’s Urban Growth Area (UGA). These plans included transportation facilities planned by the City within its own City limits, and transportation facilities planned by Snohomish County in the UGA areas that were not currently annexed. The majority of the East Sunnyside - Whiskey Ridge subarea was in the unincorporated area of Snohomish County at the time the 2005 Comprehensive was prepared. Therefore, most of the existing and planned facilities in the subarea were devised by Snohomish County.

The existing transportation facilities in the area were illustrated on “Figure 8-1 Existing Transportation” (page 8-3) and described on “Table 8-1 Existing Roadway System Characteristics” (page 8-4 and 8-5) of the Comprehensive Plan. These plans described 67th Avenue as a Minor Arterial north of 44th Street, and 71st Avenue as a Minor Arterial south of 44th Street, connected by 44th Avenue. In comparison, other north south roads in the area were depicted as Collector streets, including Sunnyside Boulevard and 83rd Avenue.

Figure 8-1 Existing Transportation



Transportation Element

8-3

Marysville Integrated Comprehensive Plan, Development Regulations and FEIS

The Comprehensive Plan reviewed deficiencies in the transportation network based on future land use plans of that time. The plan identified deficiencies in local connector roads that needed to be completed to improve safety, to reduce traffic congestion by reducing local trips on arterials, and to improve, service delivery and utility, as described on pages 8-17 and 8-18. It is these deficiencies which were illustrated on “Figure 8-4 Proposed Connections” (page 8-19), which were cited by Bricklin Newman Dold LLP. These proposed road connections were primarily depictions of needed local street connections.

The planning of arterial streets is guided by Functional Classification System in the Comprehensive Plan, starting on page 8-20. These guidelines (see Table 8-4 Roadway Classification Spacing). indicate that:

- Principal Arterials should be spaced about every mile,
- Minor Arterials should be spaced about every half-mile, and
- Collectors should be spaced about every quarter-mile

The guidelines also indicate that

- Minor Arterials should carry 3,000 to 15,000 ADT (Average Daily Traffic) and
- Collector Streets should carry 1,000 to 5,000 ADT.

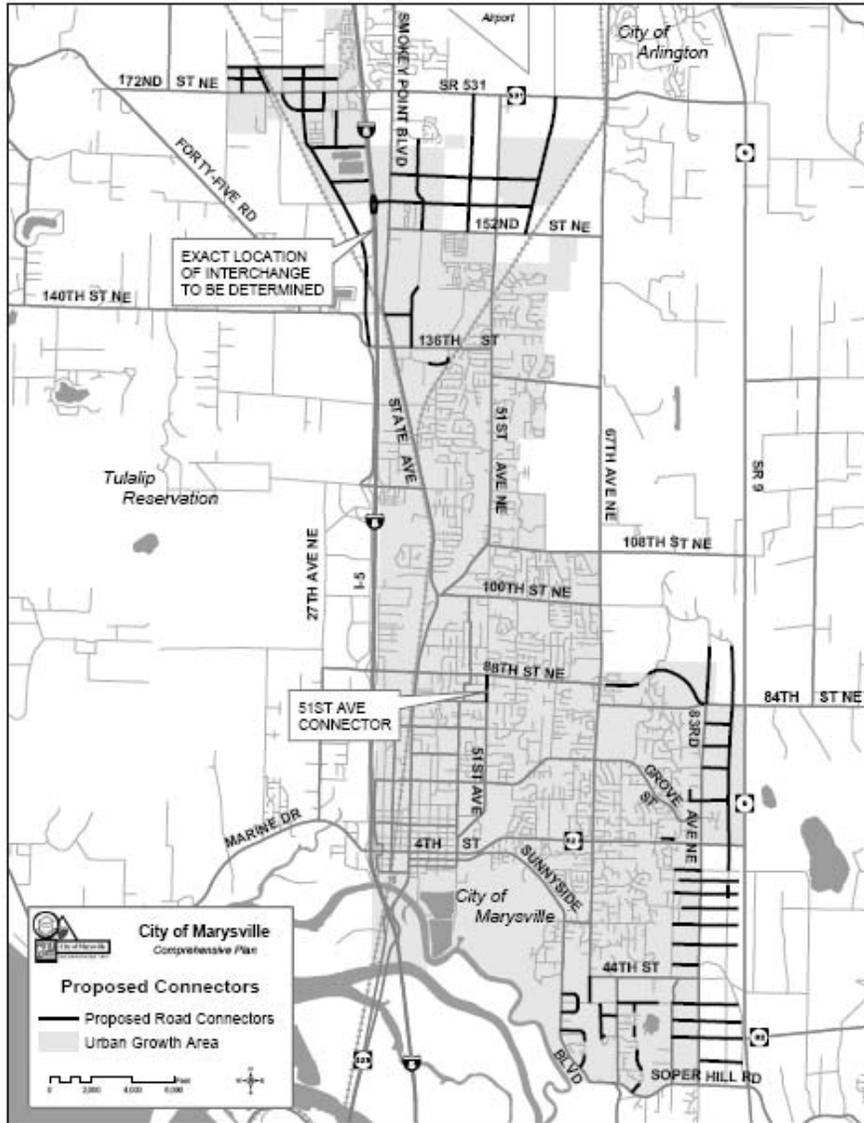
The recommended improvements to the arterial street system were summarized on “Table 8-8 Recommended 20-Year Improvements” (page 8-27) and “Figure 8-7 Recommended 20-Year Transportation Improvements” (page 8-28). These plans indicated a widening of the Minor Arterial of 67th Avenue north of 44th Street to 88th Street, and, as a Snohomish County project, an extension of 67th Avenue south to Soper Hill Road. In terms of other Collector Streets in the area, widening of Sunnyside Boulevard north of 52nd Street was planned and no widening of 83rd Avenue was planned.

City of Marysville East Sunnyside-Whiskey Ridge Subarea Plan.

When the City of Marysville annexed the southeast UGA area, it directed staff to prepare a subarea plan to manage the growth of the new neighborhoods and to provide any necessary changes to the Comprehensive Plan and the 6-Year Transportation Improvement Plan (TIP). In the Transportation Element of the East Sunnyside-Whiskey Ridge Subarea Plan, the potential traffic loads were evaluated on the basis of the new land-uses and market conditions. Residential growth was occurring at a significant pace.

The results of the traffic model analysis indicated much higher traffic growth than originally anticipated and led to a larger network of Minor and Collector Arterial streets to distribute future traffic loads in a fair and reasonable manner. It was found that the previous plans of Snohomish County did not provide the basic network structure for arterial streets. By applying the Comprehensive Plan guidelines, (a Principal Arterial every mile and a Minor Arterial every half-mile), the area was significantly deficient in arterial capacity.

Figure 8-4 Proposed Connections

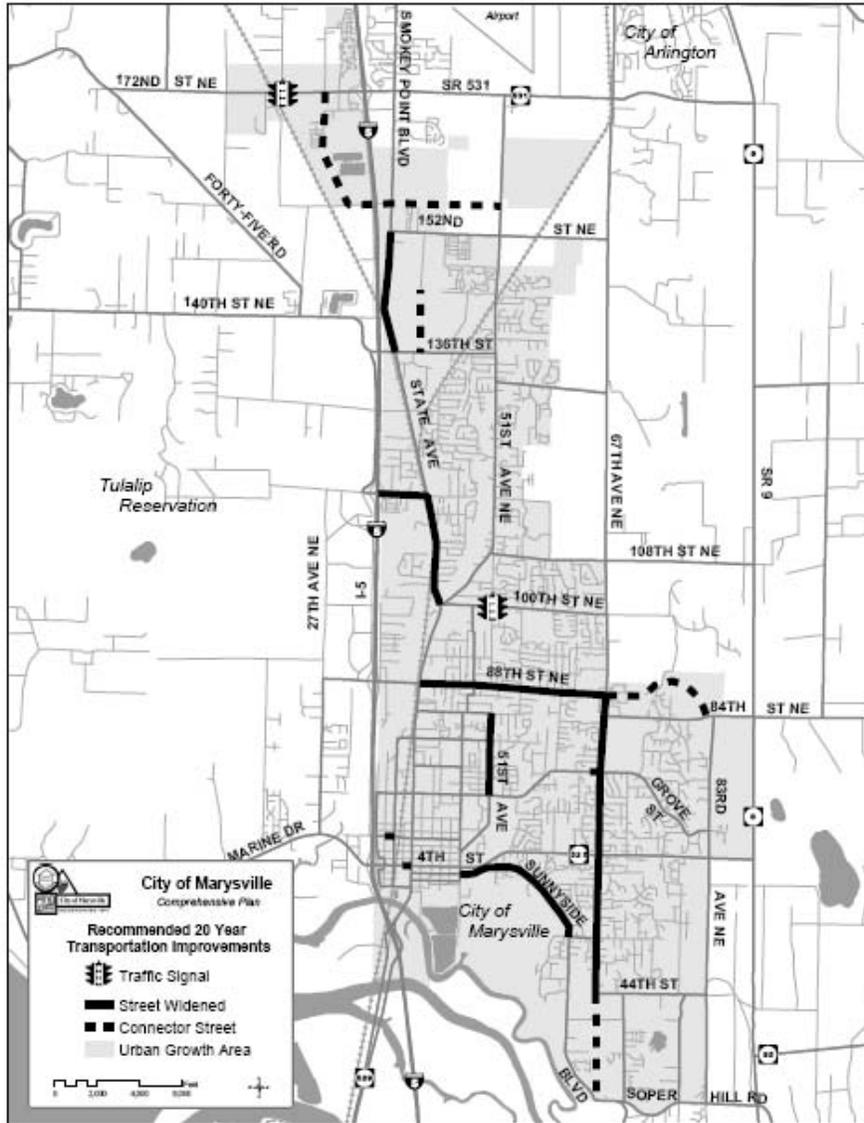


Transportation Element

8-19

Marysville Integrated Comprehensive Plan, Development Regulations and FEIS

Figure 8-7 Recommended 20-year Transportation Improvements



Transportation Element

8-28

Marysville Integrated Comprehensive Plan, Development Regulations and FEIS

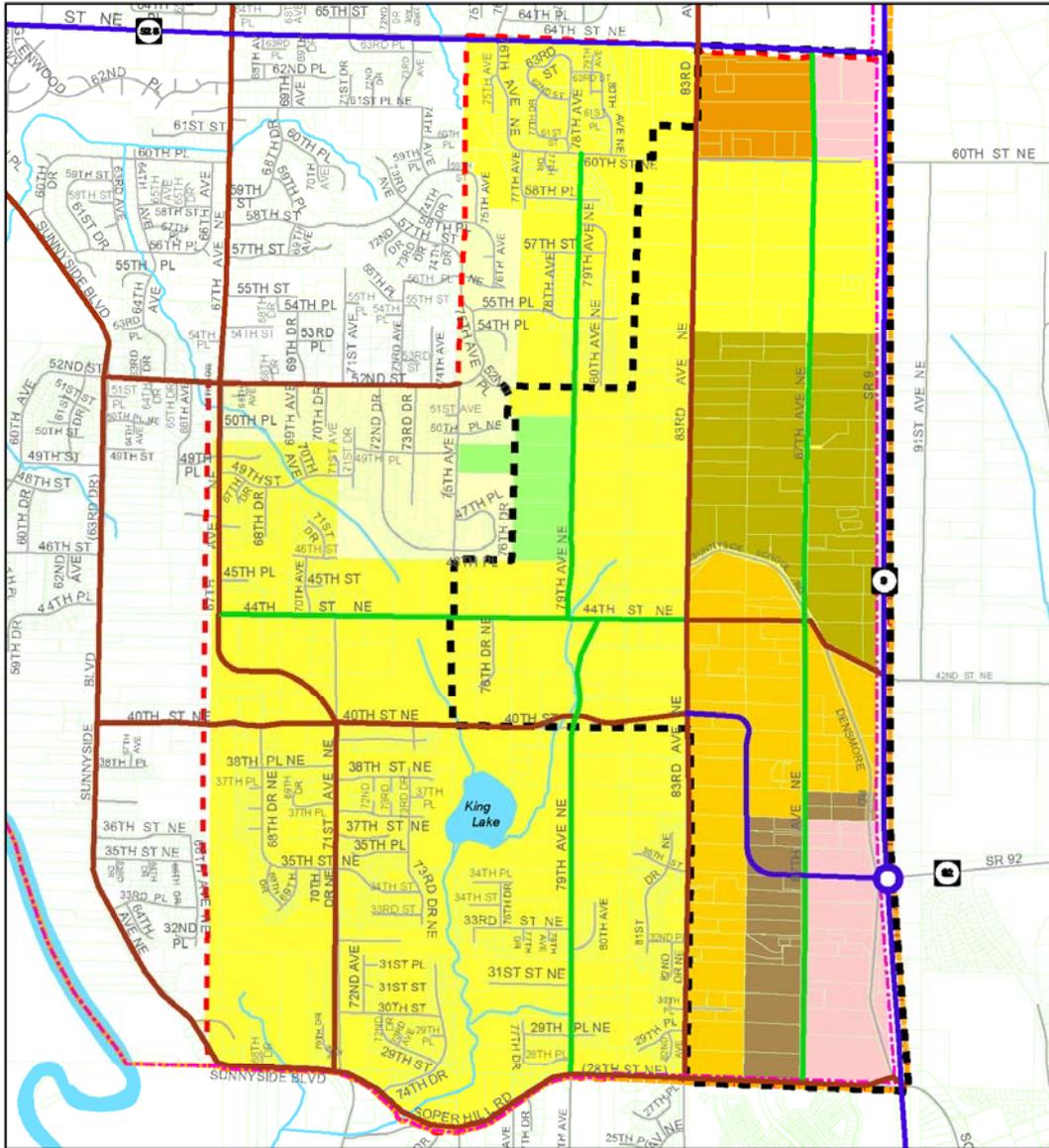
The basic choices for the north-south arterial network were either to expand 67th Avenue / 71st Avenue to a five-lane Principal Arterial, with a spacing of about one mile west of Highway 9, the only north-south Principal Arterial, or to balance the north-south traffic loads more by upgrading Sunnyside Boulevard and 83rd Avenues from Collectors to Minor Arterials. Each of these alternatives would require revisions to the Comprehensive Plan.

In addition, east-west arterial streets were needed. Soper Hill Road connecting to Sunnyside Boulevard was the only east-west arterial identified in the Comprehensive Plan and that was more than two miles south of SR-528 (64th Street), the only east-west Principal Arterial in the area.

The best opportunity to provide an east-west arterial from Sunnyside Boulevard to Highway 9 was found at 40th Street, more than a mile to the north of Soper Hill Road. A new east-west access from Highway 9 was also proposed to reduce the traffic loads on Soper Hill Road. This access would be designed as a Principal Arterial extension of SR-92 and would link up to 40th Street as a Minor Arterial. These alternatives would also require revisions to the Comprehensive Plan.

In each case, the need for widening existing streets, and development of new street alignments was evaluated at a planning level. The impacts on existing properties for each of these plans were considered at a planning level and existing neighborhoods were avoided as much as possible. However, to provide the required level of service, it was clear that new arterial roads would be needed. In each case, the plan also acknowledged that detailed street design and alignment studies, along with environmental evaluations, would be required when the basic plan was approved, and that some modifications of the Subarea Plan would be expected.

However, the preferred planning solution in the Subarea Plan was to designate the three north-south streets (Sunnyside, 67th/71st Avenues, and 83rd Avenue) as three-lane Minor Arterial Streets to distribute the traffic loads, rather than designate the 67th Avenue / 71st Avenue as a Principal Arterial and build five lanes to accommodate the traffic. This resulted in the upgrading of Sunnyside Boulevard and 83rd Avenue from Collectors to Minor Arterials to reduce the potential traffic loads of 67th Avenue / 71st Avenue corridor.



City of Marysville
East Sunnyside/Whiskey Ridge
Master Plan
 East Sunnyside Neighborhood

May 14, 2007



- Marysville City Limits
- Marysville Urban Growth Area
- East Sunnyside Neighborhood
- Master Plan Expansion Area
- Parcels
- Proposed Arterials
- PRINCIPLE
- MINOR
- COLLECTOR
- Community Business
- Mixed Use
- Multi-Family Medium
- Multi-Family Low
- Single Family 4.5-8
- Single Family 6.5
- Recreation

67th Avenue versus 71st Avenue Alignment of the Minor Arterial

The Bricklin Newman Dold LLP letter to the City of Maysville dated May 14, 2007 questioned the need for the connection from 67th Avenue to 71st Avenue because the extension of 67th Avenue could be created as currently depicted in the City's Comprehensive Plan.

At the planning level of a Comprehensive Plan, general assessments of alignments are made. These are modified in more detailed Subarea Plans and then further refined in detailed engineering corridor plans. The southerly extension of 67th Avenue, as assumed by Snohomish County on Figure 8-7 of the Comprehensive Plan, was reviewed in the course of the Subarea Plan.

Two key considerations were made in this review.

First, considering the spacing principals that are stated in the Comprehensive Plan itself, it was found that the existing alignment of 71st Avenue (Figure 8-1 of the Comprehensive Plan) should be maintained rather than relocating the arterial to an extension of 67th Avenue as assumed by Snohomish County (Figure 8-7). It was found that the spacing of 71st Avenue between the other two north-south arterials (Sunnyside Boulevard and 83rd Avenue) provided a much better balance than 67th Avenue, as 67th Avenue was too close to Sunnyside and too far from 83rd Avenue. In addition, the alignment of 71st Avenue would allow continuation of the arterial route further south on Sunnyside Boulevard to SR-204 by a simple improvement of the offset intersection at Soper Hill Road with a more conventional design (eliminating the off-set). This would improve safety and capacity.

Second, the southerly extension of 67th Avenue to Soper Hill as assumed by Snohomish County (Figure 8-7) would require traversing significant slopes, constructing an intersection at the proposed 40th Street Minor Arterial at the top of a hill, and constructing a new intersection at Sunnyside Boulevard at an awkward angle to the alignment of a major curve in Sunnyside Boulevard. It was also found that since 71st Avenue was already designated as a Minor Arterial, some widening had already been made for its use.

On this basis, the 71st Avenue alignment was found to be much superior to the 67th Avenue alignment.

Alternatives suggested by Bricklin Newman Dold LLP, such as creating a connector from 67th to 40th Avenue using 68th Avenue, would also cause impacts to other properties and would not provide the continuity of alignment preferred in an arterial street. Connecting 67th Avenue to 71st Avenue via 40th Street would create the same "dog-leg" in the alignment that currently exists at 44th Street, and which needs to be avoided.

Does an Extra 2,000 ADT make a Difference.

The Bricklin Newman Dold LLP letter to the City of Maysville dated May 14, 2007 suggested that a review of the document “City of Marysville Sunnyside Boulevard Corridor Traffic Analysis Evaluation of the Continuity of the 67th Avenue to 71st Avenue Corridor” revealed that millions of dollars would be spent to complete the proposed realignment and that there would only be a shift of 2,000 vehicles by 2025. They concluded that this was grossly unfair and unnecessary.

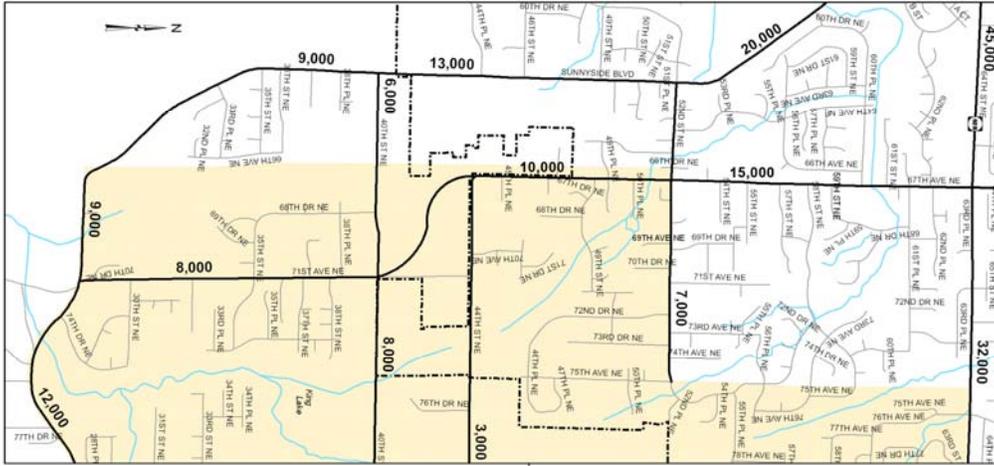
A dog-leg of the type at 67th Avenue to 44th Street to 71st Avenue inhibits the free-flow of traffic along an arterial street. Vehicles must slow down to make sharp right-angle turns or come to a complete stop to make a left turn. This type of dog-leg may be reasonable on a residential street, but it reduces traffic flow on an arterial street.

This type of arterial dog-leg already occurs at several locations in Marysville where old areas meet new areas of the City, such as the dog-leg from the 88th Street arterial to the 84th Street arterial, using 67th Avenue as the bridge. If the problem is not corrected at the earliest possible time, it will usually lead to greater impacts and more expense to fix the problem in the long term, as new development occurs.

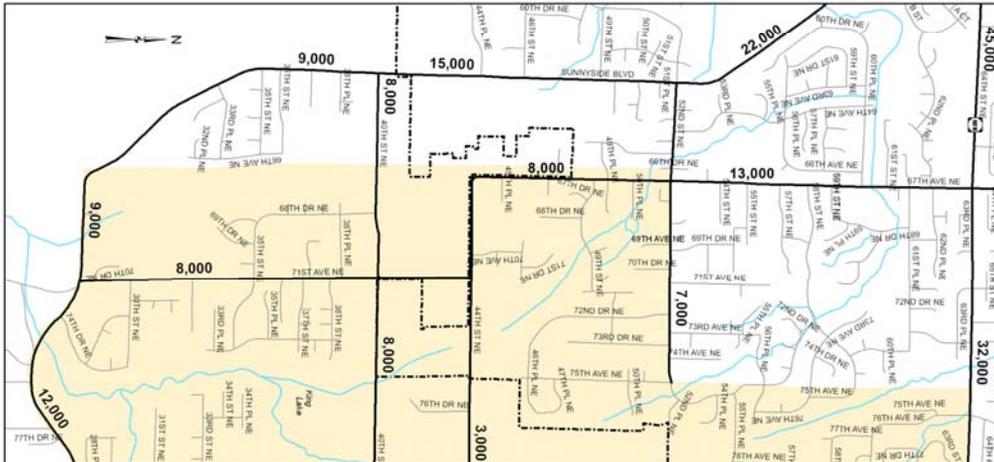
In assessing the potential impacts, it should be noted that the original premise of the arterial network in the Subarea Plan was to spread the traffic loads on three north-south Minor Arterials rather than force everything onto one Principal Arterial, which in this case would have been the 67th / 71st Avenue corridor. In other words, by upgrading Sunnyside Boulevard and 83rd Avenue to three-lane Minor Arterials, then the 67th/71st Avenue Corridor could be maintained as a three-lane Minor Arterial, rather than a five-lane Principal Arterial.

If the dog-leg on the 67th Avenue / 71st Avenue corridor is not fixed, then more traffic would choose to use other more continuous routes. In this case, the assessment in the document, titled “City of Marysville Sunnyside Boulevard Corridor Traffic Analysis Evaluation of the Continuity of the 67th Avenue to 71st Avenue Corridor” indicated that about 2,000 more vehicles per day would use Sunnyside Boulevard.

This would mean that the traffic volumes on Sunnyside Boulevard would increase from about 13,000 ADT to 15,000 ADT south of 52nd Street and from about 20,000 ADT to 22,000 ADT north of 52nd Street, while the traffic volumes on the 67th/71st Avenue Corridor would decline from about 10,000 ADT to 8,000 ADT.



2025 ADT with Recommended Alignment



2025 ADT with 44th Street Dog-Leg

**2025 Daily Traffic Volume
67th / 71st Avenue Corridor
Comparative Evaluation**



As noted in the guidelines for the Functional Classification System, (page 8-20 of the Comprehensive Plan) Minor Arterials should carry 3,000 to 15,000 ADT (Average Daily Traffic) and Collector Streets should carry 1,000 to 5,000 ADT.

With the extra 2,000 ADT, the section of Sunnyside Boulevard south of 52nd Street will be close to exceeding the guideline of 15,000 ADT for a Minor Arterial while the section north of 52nd Street will be pushed even further beyond its limits, to a point where four or five lanes would be required. This would seem to be grossly unfair to residents along Sunnyside Boulevard, which was originally classified as a Collector in the Comprehensive Plan.

In the document “City of Marysville Sunnyside Boulevard Corridor Traffic Analysis Evaluation of the Continuity of the 67th Avenue to 71st Avenue Corridor” it also noted that the City of Marysville’s T-Model/2 traffic model may be underestimating the total traffic demands in the Sunnyside / Whiskey Ridge Subarea and that the traffic volumes on both Sunnyside Boulevard and the 67th/71st Avenue corridors may be underestimated. This would make a higher risk for any further diversions from the 67th / 71st Avenue Corridor to Sunnyside Boulevard that a dog-leg would create.

Alignment Study for the 67th Avenue to 71st Avenue Connection

The City is currently preparing alignment and engineering designs to connect 67th Avenue to 71st Avenue between 44th Street and 40th Street. These alignment studies are a natural progression from the planning level studies of the Comprehensive Plans and Subarea Plans. These more detailed studies include evaluation of the impacts to existing properties and to the environment.

Several preliminary alignments have been considered, but it is clear that any alignment that meets the standards of a Minor Arterial street will impact some properties. For example, the use of roundabouts will often allow a “dog-leg” to operate smoothly enough that traffic delays are minimized and little to no traffic diversions will occur. However, roundabouts must be designed at an appropriate diameter and on relatively flat grades to operate well.

The roundabout technique could be used on the 67th / 71st Avenue Corridor by constructing roundabouts at the corner of 67th Avenue and 44th Street and at the intersection of 71st Avenue and 44th Street. The size of a roundabout in this case would likely be about 150 feet in diameter. It is estimated that the traffic volumes diverting from the 67th/71st Avenue Corridor to Sunnyside would likely be reduced to about 500 to 1,000 ADT. However, existing properties at the intersections would need to be acquired to accommodate the roundabouts and to avoid the topographical slopes to the west of 67th Avenue.

Alternatively, roundabouts could be designed at the intersections of 67th Avenue and 40th Street and at 71st Avenue and 40th Street. Because 40th Street is also carrying significant east-west traffic, it is estimated that the ADT on 40th Street between 67th Avenue and 71st Avenue could be up to 15,000 to 16,000 ADT. This would reach the maximum desirable volume for traffic on a three-lane Minor Arterial and would probably result in more traffic diverting to Sunnyside Boulevard. The size of the roundabouts in this case would likely be about 175 to 200 feet in diameter. While the intersection of 71st Avenue and 40th Street is relatively flat, the intersection of 67th Avenue and 40th Street is on a significant slope and would not be suitable for a roundabout. Several properties would need to be acquired at both intersections to accommodate the roundabouts.

Wherever possible, engineers and planners will try to avoid impacts to existing developments. In this case, the minimal impact alignment appears to be a curvilinear alignment between 40th Street and 44th Street. The final design of this 67th Avenue to 71st Avenue connection could include some minor modifications to minimize the impacts on existing residential developments.

Summary and Conclusions

The above review indicates that:

- Additional traffic will shift to Sunnyside Boulevard if the connection between 67th Avenue and 71st Avenue is not provided.
- Additional traffic on Sunnyside Boulevard will increase the potential need for a five-lane road section.
- The traffic volumes on both the Sunnyside Boulevard and the 67th/71st Avenue corridors may be underestimated, increasing the risk of any traffic diversion.
- Other alignments, such as the extension of 67th Avenue to Soper Hill Road or the use of 68th Avenue, have been considered.
- City engineers will consider modifications within the design standards of a Minor Arterial street to minimize the impacts on existing residential developments.

It is therefore recommended that an alignment be designed to connect 67th Avenue directly with 71st Avenue. This will maintain the continuity of the 67th/71st Avenue Corridor and distribute the north-south traffic loads through the Whiskey Ridge community more reasonably. It will reduce the potential that more sections of Sunnyside Boulevard would need to be widened from three lanes to five lanes.

**CITY OF MARYSVILLE
ENVIRONMENTAL CHECKLIST
RCW 197-11-960**

**Staff Initiated Comp Plan Amendment No. 5
67th & 71st Avenue NE Road Connection**

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicant:

This environmental checklist asks you to decide some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply". In addition, complete the *Supplemental Sheet for Non-Project Action (part D)*.

For non-project actions, the references in the checklist to the words "project", "applicant", and "property or site" should be read as "proposal", "proposer", and "affected geographic area", respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Staff Initiated Comprehensive Plan Amendment No. 5 – 67th & 71st Avenue NE Road Connection Map Amendment

2. Name of applicant:

City of Marysville

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

**Gloria Hirashima, CD Director
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270
(360) 363-8100**

4. Date checklist prepared:

June 18, 2007

5. Agency requesting checklist:

City of Marysville

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

2007 Marysville Comprehensive Plan Amendment cycle

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

N/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.

Environmental documentation regarding the Marysville Comprehensive Plan includes the following:

- **Draft Environmental Impact Statement dated January 13, 2005**
- **Final Environmental Impact Statement dated April 2005**
- **Snohomish County “Final Environmental Impact Statement for the 10 Year Update”**
- **Snohomish County “Draft Environmental Impact Statement for the 10 Year Update”**
- **East Sunnyside – Whiskey Ridge Subarea Plan**

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.

None known

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

Marysville City Council approval of a Comprehensive Plan Amendment

11. Give brief, complete description of your proposal, including all 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.)

A non-project action amending Marysville Comprehensive Plan maps in relation to the future road connections for 67th & 71st Avenue NE between 40th and 44th Street NE. During review of the Whiskey Ridge Subarea Plan, City staff analyzed existing road connections in the East Sunnyside – Whiskey Ridge neighborhood and made recommendations for a new alignment on 67th Avenue between 40th Street NE & 44th Street NE. The Planning Commission held public hearings on December 11, 2006 and January 23, 2007 and recommended an alignment, depicted as “Option 2” in the attached figure.

Marysville City Council held a public hearing on April 23, 2007 and remanded the decision on alignment to the Planning Commission for additional review. The attached figure depicts the alternative connections as Options 1 – 4.

The proposed amendment would affect the following figures and text of the Marysville Comprehensive Plan:

- Figures 8-4 and 8-7 of the Transportation Element proposed road connector map and 20-year Transportation Improvements
- Page 8-56 in Appendix A Recommended 20 Year Transportation Plan Improvement Projects.

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 topography 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 to this checklist.

The proposal is a Comprehensive Plan map and text amendment, affecting arterial connections within the East Sunnyside – Whiskey Ridge neighborhood. The following is a description of the alternative options (see attached map):

- Option 1: Extend 67th Avenue NE south connecting to 40th Street NE
- Option 2: Extend 67th Avenue NE from its southern terminus, east to 71st Avenue NE through an “S” configuration, bisecting properties at approximately the 4200 Block.
- Option 3: Create new radiuses at the intersections of 67th Avenue NE & 44th Street NE and 71st Avenue NE & 44th Street NE, bisecting properties.
- Option 4: Extend 67th Avenue NE south to a round-a-bout at approximately the 4200 Block, then east along the 4200 Block to an additional round-a-bout on 71st Avenue NE.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (*bold/italic*): Flat, rolling, *billy*, *steep slopes*, mountainous, other.

The East Sunnyside – Whiskey Ridge neighborhood is hilly with areas of steep slopes.

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

15 - 25% is the steepest slope in the East Sunnyside – Whiskey Ridge neighborhood

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of the agricultural soils, specify them and note any prime farmland.

According to the United States Department of Agriculture – Soil Conservation Service, Soil Survey of Snohomish County the East Sunnyside – Whiskey Ridge neighborhood is mainly comprised with Tokul Gravelly Loam soils.

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

None Known

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

3. WATER

a. Surface:

- 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.

None Known

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground waters? Give general description, purpose, and approximate quantities if known.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- d. Proposed measure to reduce or control surface, ground and runoff water impacts, if any:

N/A – Non-project text amendment of the Maryville Comprehensive Plan

4. PLANTS

- a. Check or circle types of vegetation found on the site (*bold/italic*): N/A

- . deciduous tree: *alder, maple*, aspen, other
- . evergreen tree: *fir, cedar*, pine, other
- . *shrubs*
- . *grass*
- . *pasture*
- . crop or grain
- . wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- . water plants: water lily, eelgrass, milfoil, other
- . other types of vegetation

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

None Known

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site (*bold/italic*):

birds: *hawk*, heron, eagle, songbirds, other: **Crow, Starling, Woodpecker**

mammals: *deer*, bear, elk, beaver, other: **Raccoon, Opossum, Rat, Mice**

fish: bass, salmon, trout, herring, shellfish, other: **None Known**

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

None Known

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

Marysville is part of the Pacific Flyway

- d. Proposed measure to preserve or enhance wildlife, if any:

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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.

No

- 1) Describe special emergency services that might be required.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- b. Noise

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

The East Sunnyside – Whiskey Ridge neighborhood consists mainly of large lot single-family home sites, undeveloped acreage and agricultural and farming activities.

- b. Has the site been used for agriculture? If so, describe.

Yes, some of the properties located within the East Sunnyside – Whiskey Ridge neighborhood have been used mainly for the grazing of livestock.

- c. Describe any structures on the site.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

The City of Marysville recently adopted the East Sunnyside – Whiskey Ridge Subarea Plan establishing new land uses including CB (Community Business), MU (Mixed Use), R-12 (multi-family low density), R-4.5-8 (single-family) and R-6.5 (single-family, high density).

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

The City of Marysville recently adopted the East Sunnyside – Whiskey Ridge Subarea Plan establishing new land uses including Community Business, Mixed Use, multi-family low density, single-family 4.5 – 8, and single-family, high density.

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

N/A – The East Sunnyside – Whiskey Ridge neighborhood is not located within a shoreline jurisdiction

- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

9. Housing

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

11. Light and Glare

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- c. What existing off-site sources of light or glare may affect your proposal?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

12. Recreation

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be or next to the site? If so, generally describe.

None Known

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The attached figures depict existing and future road connections within the East Sunnyside – Whiskey Ridge neighborhood.

- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Community Transit currently provides bus service along 64th Street NE (SR 528) and SR 9.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

16. Utilities

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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: 

Date: 6/18/07

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not 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 environment.

When answering these questions, be aware of the extent of 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 proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise.

Proposed measures to avoid or reduce such increases are:

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to stormwater discharge, emissions, toxins and noise regulations.

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

The proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect plants, animals, fish or marine life.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to the protection of plants, animals, fish or marine life.

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

The proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not deplete energy or natural resources.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to energy and natural resource protection.

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 proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect environmentally sensitive areas or areas designated for government protection.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to environmentally sensitive areas or areas designated for governmental protection.

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?

The proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Future project actions may require improvements to the road network system.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to shoreline and land use impacts.

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

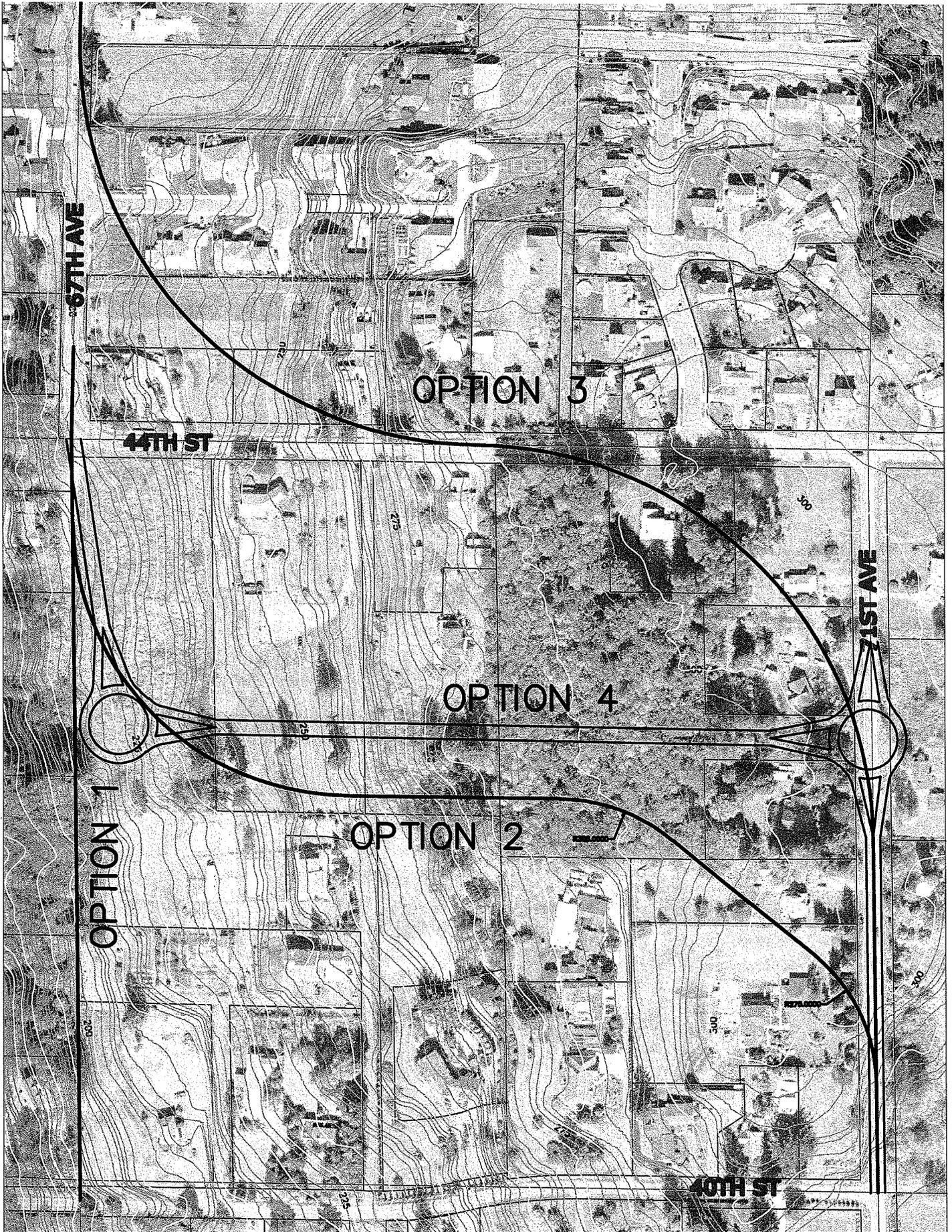
This proposal is a non-project action. Therefore, the proposal in and of itself will not increase demands on transportation or public services and utilities. The map and text amendments are proposed to provide future road connections in order to provide a road network system that can handle the future transportation demands in the area.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to transportation, public services and utilities.

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

No known conflict. The Growth Management Act requires that development regulations be consistent with adopted GMA comprehensive plans.



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MAY 15 2007

CITY OF MARYSVILLE
COMMUNITY DEVELOPMENT



May 14, 2007

VIA FACSIMILE TO (360) 651-5033 AND U.S. MAIL

Mayor Dennis L. Kendall
Office of the Mayor
1049 State Avenue
Marysville, WA 98270

Council Person John Soriano
City Council
1049 State Ave
Marysville WA 98270

Council Person John Nehring
City Council
1049 State Ave
Marysville WA 98270

Council Person Jeff Vaughan
City Council
1049 State Ave
Marysville WA 98270

Council Person Lee Phillips
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Council Person Donna Wright
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21 Avenue A
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Separately via Fax: (360) 568-4437

Council Person Jeff Seibert
City Council
1049 State Ave
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Gloria Hirashima
Community Development Director
80 Columbia Avenue
Marysville, WA 98270
Also via E-Mail:
ghirashima@ci.marysville.wa.us

Marysville City Council
May 14, 2007
Page 2

Re: Opposition to Comprehensive Plan Amendments Related to Proposed 67th/71st Connector

Dear Mayor Kendall, Council Persons, Mr. Weed, and Ms. Hirashima:

We represent Tim and Becky Nixon, Jim and Jeri Short and Gerald McKinney, residents of the City of Marysville. The Nixons reside at 4024 - 71st Avenue NE, Marysville, Washington 98270. The Shorts reside at 6917 - 40th NE, Marysville, Washington 98270. Mr. McKinney resides 4222 - 71st Avenue NE, Marysville, Washington 98270. Please make our firm, the Nixons, the Shorts, and Mr. McKinney parties of record in this matter.

We write in opposition to the City Council's adoption of amendments to its comprehensive plan which would implement a proposed "67th Avenue/ 71st Avenue connection" to create a new minor arterial from 67th and 71st Street through an existing residential area where our clients reside. Currently a connection in this area is located in the City's current Comprehensive Plan along 67th (an existing street corridor and not through privately owned property and homes). See Transportation Element of 2005 Comprehensive Plan at 8-19. Construction of the proposed new connector as depicted on the City of Marysville Draft Whiskey Ridge Master Plan Preferred Alternative Map (January 2007) would significantly and negatively harm our clients because the proposed connector would run across and/or near their properties (including near or through some of our clients' residences).¹

The 67th/71st Street connection as currently proposed is extremely harmful, unnecessary, and unlawful pursuant to the Growth Management Act, Ch. 36.70C RCW. The proposed connector would be incredibly harmful because it requires the taking of a number of privately-owned parcels, which are already improved with homes and are occupied by Marysville families.

The proposed connector is unnecessary because existing north-south roads exist within 500 feet of both sides of the proposed connector and the extension along 67th Avenue NE could be created as currently depicted in the City's Comprehensive Plan.²

¹ Although it appears that the City has been contemplating the 67th/71st Avenue connector as part of the Comprehensive Plan process for many months, the Nixons, Shorts, and Mr. McKinney only recently were provided notice of the proposed plan changes. Given the enormous impact the proposed changes would have on them, we do not believe adequate notice or public process has been provided in this case to date.

² Viable alternatives to the proposed 67th/71st connector that should be considered by the City include the extension of 67th in the current Comprehensive Plan; improvements (including

Moreover, review of the document entitled "City of Marysville Sunnyside Boulevard Corridor Traffic Analysis Evaluation of the Continuity of the 67th Avenue to 71st Avenue Corridor" (hereinafter "Continuity Analysis") reveals that the millions of dollars that would be spent and the total upheaval that would be inflicted on Marysville residents if the proposed connector was constructed offers very little positive impact on the streets of Marysville. For example, page 4 of the "Comparative Evaluation" in the Continuity Analysis shows that if the connector was constructed there will only be a shift of the movement of 2,000 vehicles per day in the year 2025. With the connector, approximately 13,000 vehicles will travel on Sunnyside between 52nd Street NE and 40th Street NE. *Id.* Without the connector, 15,000 traffic trips in the year 2025 will travel in that same segment of Sunnyside. *Id.* The "Comparative Evaluation" shows also that in the year 2025 the proposed 67th/71st connector will have absolutely no impact on traffic flows south of 40th Street NE, north of 63rd Place or east of 67th Avenue NE. *Id.* Spending millions of dollars and putting residents out of their lifelong homes for a shift of 2,000 vehicles twenty years from now is grossly unfair and unnecessary.

Moreover, to date the current proposal appears to be unlawful under the GMA. One, the GMA requires that transportation improvements, including roads, included in a city's comprehensive plan be fully funded. See e.g. RCW 36.70A.070(6)(a)(iv). Here, it appears that the inclusion of all of the additional transportation projects as part of the East Sunnyside/Whiskey Ridge area, including the 67th/71st connector, are not fully funded. For example, on page 9 of the proposed Land Use Element, it notes that a number of the projects listed within the new proposed plan are unfunded. The plan then appears to rely upon an increase in mitigation fees to cover future projects, including the 67th/71st Connector. See Newly Proposed Appendix A to Transportation Element of Comprehensive Plan. But it also appears that the traffic impact mitigation fees that are being included as part of a 2007 update are heavily discounted and will not cover the cost of all of the proposed projects. *Id.* Amending the City Comprehensive Plan without full funding for the included transportation projects is unlawful under the GMA.

In addition, to date the City does not have appeared to undertaken adequate environmental review for the proposed comprehensive plan amendments for impacts to critical areas from the proposed 67th/71st connector. There are wetlands in the area of the proposed alignment that have not been delineated to date and impacts to those wetlands have not been evaluated for the proposed connector. In addition, there is a steep slope at the corner of 40th Street NE and 71st Avenue NE that may be a critical area under the City's Code. To date, it does not appear in that the impacts of grading and filling for the proposed connector been evaluated adequately. There also is an eagle's nest in the

widening) of current intersections such as on 67th/44th; and as a last resort, a modified version of the proposed connector: creating a connector from 67th to 40th via 68th. All of these proposals would be far less expensive and would create less impacts than the currently proposed 67th/71st connector.

vicinity of the connector which has not been evaluated to date. Adopting a comprehensive plan amendment without this adequate environmental and critical area review is inconsistent with both the GMA and the State Environmental Policy Act, ch. 43.21C RCW ("SEPA").

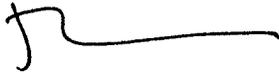
In addition, adopting comprehensive plan amendments that include the 67th/71st connector as proposed is inconsistent with a number of existing GMA, County, and City policies, including but not limited to GMA Goals 6, 10, 11, and 12 (RCW 36.70A.020), and the Countywide Planning Policies implementing Goals 6, 10, and 11 and the following City goals and policies: General Land Use Goal 5 and Policies LU-5, LU-7, LU-9, LU-10, LU-17; Residential Land Use Goals 15 and 16 and Policies LU-22, LU-25, LU-27, LU-29, LU-36; Single Family Goals 17 and 18; General Environmental Goals 1, 2, 4, and 5 and Policies EN-1, 2; Environmentally Sensitive Lands Goal 6; Policies EN-9, EN-11, EN-12, EN-13; Earth Goal 7, Policies EN-16, EN-17, EN-18, EN-19, EN-21; Water Quality, Wetland and Watershed Protection, Storm Water Runoff, Drainage, Shoreline Goals and Policies Goals 9 and 10 and Policies EN-25, EN-28, EN-29, EN-30, EN-31, EN-32, EN-39; Wildlife Goal 11 and Policies EN-40, EN-45; Transportation Element Goal T-1 and Policies T-1A.2; T-1A.3; T-1A.4; Objective T-1D and Policy T-1D.1; Policy T-1F.3; Goal T-2; Objective T-2B; Objective T-2D and Policy T-2D.1, T-2D.2, T-2D.3; Objective T-3E and Policy T-3E.1; Objective 4-C; Objective T-5A; Policy T-5B.2; Policy T-5C.1; Objective T-5D and Policy T-5D.1. Amending the City Comprehensive Plan to include the 67th/71st connector in conflict with all of the above goals, policies, and objectives is unlawful under the GMA.

For the above reasons, we request that the Council not adopt any changes to its Comprehensive Plan, that implements the 67th/71st connector. As noted above, there is insufficient analyses to support inclusion of the connector in an amended plan. Moreover, the information that does exist demonstrates that inclusion of the connector is unlawful under the GMA and SEPA, would be unnecessary to any meaningful improvement of transportation/traffic flows in the City of Marysville and would be grossly unfair to Marysville residents who would lose their homes and property for the unnecessary connector.

Thank you for your attention to this matter. Please contact us if you have any questions.

Very truly yours,

BRICKLIN NEWMAN DOLD, LLP



David A. Bricklin
Jennifer A. Dold

JAD:psc
cc: Clients

Bricklin ♦ Newman ♦ Dold, LLP

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July 24, 2007

VIA E-MAIL TO ghirashima@ci.marysville.wa.us AND
HAND DELIVERY AT JULY 24, 2007 PLANNING COMMISSION HEARING

City of Marysville Planning Commission
City Hall
1049 State Avenue
Marysville, WA 98270

City of Marysville Planning Commission
c/o Gloria Hirashima
City of Marysville Planning Director
80 Columbia Avenue
Marysville, WA 98270

Re: Comprehensive Plan Proposed Amendment 5: Proposed Amendment of the Future
Road Connection Maps for 67th/71st Avenue NE Between 40th and 44th Streets NE

Dear Ms. Foster, Mr. Andes, Ms. Mathews, Mr. Muller, Mr. Leifer, Mr. Voigt, Ms. Kvangnes:

We represent Beccie and Tim Nixon, Jim and Jeri Short, and Gerald McKinney. Each owns property in the immediate vicinity of the proposed future road connections for 67th/71st Avenues NE between 40th and 44th Streets NE.

We have reviewed the Planning and Engineering Staff Report on Request for Amendment to the City of Marysville Comprehensive Plan, City Initiated Amendment Request No. 5, dated July 13, 2007 with two attached documents: the East Sunnyside/Whiskey Ridge Transportation Needs Evaluation (Dec. 8, 2006) and Pertee Engineering's East Sunnyside/Whiskey Ridge Comprehensive Plan Amendments Review of the 67th Avenue to 71st Avenue Arterial Corridor Connection (Jun. 6, 2007). Review of these documents clearly demonstrates that to date City staff has not provided the Commission with adequate information to evaluate the proposed alternatives suggested for the 67th/71st Avenue Connector between 40th and 44th Streets NE.

Marysville City Council
May 14, 2007
Page 2

Re: Opposition to Comprehensive Plan Amendments Related to Proposed 67th/71st Connector

Dear Mayor Kendall, Council Persons, Mr. Weed, and Ms. Hirashima:

We represent Tim and Becky Nixon, Jim and Jeri Short and Gerald McKinney, residents of the City of Marysville. The Nixons reside at 4024 - 71st Avenue NE, Marysville, Washington 98270. The Shorts reside at 6917 - 40th NE, Marysville, Washington 98270. Mr. McKinney resides 4222 - 71st Avenue NE, Marysville, Washington 98270. Please make our firm, the Nixons, the Shorts, and Mr. McKinney parties of record in this matter.

We write in opposition to the City Council's adoption of amendments to its comprehensive plan which would implement a proposed "67th Avenue/ 71st Avenue connection" to create a new minor arterial from 67th and 71st Street through an existing residential area where our clients reside. Currently a connection in this area is located in the City's current Comprehensive Plan along 67th (an existing street corridor and not through privately owned property and homes). See Transportation Element of 2005 Comprehensive Plan at 8-19. Construction of the proposed new connector as depicted on the City of Marysville Draft Whiskey Ridge Master Plan Preferred Alternative Map (January 2007) would significantly and negatively harm our clients because the proposed connector would run across and/or near their properties (including near or through some of our clients' residences).¹

The 67th/71st Street connection as currently proposed is extremely harmful, unnecessary, and unlawful pursuant to the Growth Management Act, Ch. 36.70C RCW. The proposed connector would be incredibly harmful because it requires the taking of a number of privately-owned parcels, which are already improved with homes and are occupied by Marysville families.

The proposed connector is unnecessary because existing north-south roads exist within 500 feet of both sides of the proposed connector and the extension along 67th Avenue NE could be created as currently depicted in the City's Comprehensive Plan.²

¹ Although it appears that the City has been contemplating the 67th/71st Avenue connector as part of the Comprehensive Plan process for many months, the Nixons, Shorts, and Mr. McKinney only recently were provided notice of the proposed plan changes. Given the enormous impact the proposed changes would have on them, we do not believe adequate notice or public process has been provided in this case to date.

² Viable alternatives to the proposed 67th/71st connector that should be considered by the City include the extension of 67th in the current Comprehensive Plan; improvements (including

Moreover, review of the document entitled "City of Marysville Sunnyside Boulevard Corridor Traffic Analysis Evaluation of the Continuity of the 67th Avenue to 71st Avenue Corridor" (hereinafter "Continuity Analysis") reveals that the millions of dollars that would be spent and the total upheaval that would be inflicted on Marysville residents if the proposed connector was constructed offers very little positive impact on the streets of Marysville. For example, page 4 of the "Comparative Evaluation" in the Continuity Analysis shows that if the connector was constructed there will only be a shift of the movement of 2,000 vehicles per day in the year 2025. With the connector, approximately 13,000 vehicles will travel on Sunnyside between 52nd Street NE and 40th Street NE. Id. Without the connector, 15,000 traffic trips in the year 2025 will travel in that same segment of Sunnyside. Id. The "Comparative Evaluation" shows also that in the year 2025 the proposed 67th/71st connector will have absolutely no impact on traffic flows south of 40th Street NE, north of 63rd Place or east of 67th Avenue NE. Id. Spending millions of dollars and putting residents out of their lifelong homes for a shift of 2,000 vehicles twenty years from now is grossly unfair and unnecessary.

Moreover, to date the current proposal appears to be unlawful under the GMA. One, the GMA requires that transportation improvements, including roads, included in a city's comprehensive plan be fully funded. See e.g. RCW 36.70A.070(6)(a)(iv). Here, it appears that the inclusion of all of the additional transportation projects as part of the East Sunnyside/Whiskey Ridge area, including the 67th/71st connector, are not fully funded. For example, on page 9 of the proposed Land Use Element, it notes that a number of the projects listed within the new proposed plan are unfunded. The plan then appears to rely upon an increase in mitigation fees to cover future projects, including the 67th/71st Connector. See Newly Proposed Appendix A to Transportation Element of Comprehensive Plan. But it also appears that the traffic impact mitigation fees that are being included as part of a 2007 update are heavily discounted and will not cover the cost of all of the proposed projects. Id. Amending the City Comprehensive Plan without full funding for the included transportation projects is unlawful under the GMA.

In addition, to date the City does not have appeared to undertaken adequate environmental review for the proposed comprehensive plan amendments for impacts to critical areas from the proposed 67th/71st connector. There are wetlands in the area of the proposed alignment that have not been delineated to date and impacts to those wetlands have not been evaluated for the proposed connector. In addition, there is a steep slope at the corner of 40th Street NE and 71st Avenue NE that may be a critical area under the City's Code. To date, it does not appear in that the impacts of grading and filling for the proposed connector been evaluated adequately. There also is an eagle's nest in the

widening) of current intersections such as on 67th/44th; and as a last resort, a modified version of the proposed connector: creating a connector from 67th to 40th via 68th. All of these proposals would be far less expensive and would create less impacts than the currently proposed 67th/71st connector.

Marysville City Council
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vicinity of the connector which has not been evaluated to date. Adopting a comprehensive plan amendment without this adequate environmental and critical area review is inconsistent with both the GMA and the State Environmental Policy Act, ch. 43.21C RCW ("SEPA").

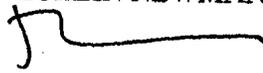
In addition, adopting comprehensive plan amendments that include the 67th/71st connector as proposed is inconsistent with a number of existing GMA, County, and City policies, including but not limited to GMA Goals 6, 10, 11, and 12 (RCW 36.70A.020), and the Countywide Planning Policies implementing Goals 6, 10, and 11 and the following City goals and policies: General Land Use Goal 5 and Policies LU-5, LU-7, LU-9, LU-10, LU-17; Residential Land Use Goals 15 and 16 and Policies LU-22, LU-25, LU-27, LU-29, LU-36; Single Family Goals 17 and 18; General Environmental Goals 1, 2, 4, and 5 and Policies EN-1, 2; Environmentally Sensitive Lands Goal 6; Policies EN-9, EN-11, EN-12, EN-13; Earth Goal 7, Policies EN-16, EN-17, EN-18, EN-19, EN-21; Water Quality, Wetland and Watershed Protection, Storm Water Runoff, Drainage, Shoreline Goals and Policies Goals 9 and 10 and Policies EN-25, EN-28, EN-29, EN-30, EN-31, EN-32, EN-39; Wildlife Goal 11 and Policies EN-40, EN-45; Transportation Element Goal T-1 and Policies T-1A.2; T-1A.3; T-1A.4; Objective T-1D and Policy T-1D.1; Policy T-1F.3; Goal T-2; Objective T-2B; Objective T-2D and Policy T-2D.1, T-2D.2, T-2D.3; Objective T-3E and Policy T-3E.1; Objective 4-C; Objective T-5A; Policy T-5B.2; Policy T-5C.1; Objective T-5D and Policy T-5D.1. Amending the City Comprehensive Plan to include the 67th/71st connector in conflict with all of the above goals, policies, and objectives is unlawful under the GMA.

For the above reasons, we request that the Council not adopt any changes to its Comprehensive Plan, that implements the 67th/71st connector. As noted above, there is insufficient analyses to support inclusion of the connector in an amended plan. Moreover, the information that does exist demonstrates that inclusion of the connector is unlawful under the GMA and SEPA, would be unnecessary to any meaningful improvement of transportation/traffic flows in the City of Marysville and would be grossly unfair to Marysville residents who would lose their homes and property for the unnecessary connector.

Thank you for your attention to this matter. Please contact us if you have any questions.

Very truly yours,

BRICKLIN NEWMAN DOLD, LLP


David A. Bricklin
Jennifer A. Dold

JAD:psc
cc: Clients

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July 24, 2007

VIA E-MAIL TO ghirashima@ci.marysville.wa.us AND
HAND DELIVERY AT JULY 24, 2007 PLANNING COMMISSION HEARING

City of Marysville Planning Commission
City Hall
1049 State Avenue
Marysville, WA 98270

City of Marysville Planning Commission
c/o Gloria Hirashima
City of Marysville Planning Director
80 Columbia Avenue
Marysville, WA 98270

Re: Comprehensive Plan Proposed Amendment 5: Proposed Amendment of the Future Road Connection Maps for 67th/71st Avenue NE Between 40th and 44th Streets NE

Dear Ms. Foster, Mr. Andes, Ms. Mathews, Mr. Muller, Mr. Leifer, Mr. Voigt, Ms. Kvangnes:

We represent Beccie and Tim Nixon, Jim and Jeri Short, and Gerald McKinney. Each owns property in the immediate vicinity of the proposed future road connections for 67th/71st Avenues NE between 40th and 44th Streets NE.

We have reviewed the Planning and Engineering Staff Report on Request for Amendment to the City of Marysville Comprehensive Plan, City Initiated Amendment Request No. 5, dated July 13, 2007 with two attached documents: the East Sunnyside/Whiskey Ridge Transportation Needs Evaluation (Dec. 8, 2006) and Pertee Engineering's East Sunnyside/Whiskey Ridge Comprehensive Plan Amendments Review of the 67th Avenue to 71st Avenue Arterial Corridor Connection (Jun. 6, 2007). Review of these documents clearly demonstrates that to date City staff has not provided the Commission with adequate information to evaluate the proposed alternatives suggested for the 67th/71st Avenue Connector between 40th and 44th Streets NE.

In addition, the contents of these documents demonstrate that Sunnyside Boulevard already is and will be the primary north-south route in the southern portion of the City of Marysville (aside from Highway 9) and the staff's focus on the 67th/71st Connector as providing another north-south route in such close proximity, approximately 1,200 feet away, mis-focuses the City's already stretched-thin transportation funds in a way that under-plans for Sunnyside Boulevard and maximizes unnecessary impacts on City residents.

Thus, we request the Planning Commission to remand this proposed amendment request to City staff so that complete, accurate information is provided for all alternatives, including but not limited to a fuller evaluation of Sunnyside Boulevard as a principal arterial, before the Planning Commission makes any decisions regarding a 67th/71st Avenue Connector.

A. To Date, Staff Has Not Presented the Planning Commission With Adequate Information to Evaluate the Alternatives Proposed for a 67th/71st Avenue Connector

The City states in its July 13, 2007 report that it evaluated five "alignments" or "options." These are:

Alignment 1 -- extension of 67th Avenue NE south of 44th Street NE, straight to 40th Street NE.

Alignment 2 -- a through (curvilinear) connection of 67th Avenue NE to 71st Avenue NE.

Alignment 3 -- road improvements along the existing right-of-way on 44th Street and 71st Avenue with a curvilinear transition close to the corner of 44th Street and 71st Avenue.

Alignment 4 -- Roundabouts proposed midway on 67th Avenue mid-point between 44th and 40th Street and on 71st mid-point between 40th and 44th.

Alignment 5 -- Widening of Sunnyside Boulevard instead of creating a connector between 67th and 71st.

July 13, 2007 Staff Report at 3-4.¹ Based on some very general analysis, the staff recommends that this Commission adopt Alignment 2. But as will be discussed below, this proposal is not based upon adequate, current information and any decision choosing Alignment 2 by the Planning Commission now would be premature, based upon inadequate information, and ultimately unfair to City residents who will be significantly and negatively impacted by the City's decision.

As noted in transportation consultant Ross Tilghman's July 20, 2007 letter (attached hereto), the staff's brief discussion of the five alternatives is based upon insufficient information and inadequate comparisons. One, Pertect Engineering, the staff's transportation consultant, has identified that the City of Marysville's T Model/2 traffic model used to create the baseline information for estimating traffic volumes in the Sunnyside/Whiskey Ridge Subarea is outdated and may be underestimating the total traffic volumes in the subarea. See Tilghman Letter at 5; Pertect Engineering June 6, 2007 report at 11, 12. Given that the very baseline information the City is using may be underestimating traffic volumes, the Planning Commission should require staff to provide and to consider updated modeling information before it makes recommendations regarding the need for and/or the best alignment for any 67th/71st connector.

Two, the way in which the staff in its staff report evaluates and compares the five alternatives is inconsistent and insufficient. For example, staff concludes that Alignment 2 is the most cost-effective, yet does not provide cost estimates for Alignments 1, 3, or 4. Staff Report at 3-4. How can the Planning Commission and members of the public evaluate the staff's conclusions regarding costs when cost information is not provided for three out of the five alternatives considered? The staff also concludes that Alignment 5, widening of Sunnyside Boulevard, would cost almost double the amount of Alignment 2. However, there is no underlying discussion or facts to support any cost assessments associated with Alignment 5.² Again, how can the Planning Commission and the public evaluate the staff's assertions regarding costs when such insufficient information has been provided to date?

¹ All of these alignments except Alignment 5 are depicted on a color map attached to the staff report (hereinafter referred to as "City Alignment Map"). It depicts proposed Alignments 1-4, existing homes and vegetation, and topographic lines. A copy of this map is attached to Ross Tilghman's July 20, 2007 letter (attached hereto).

² There also is potentially inconsistent information in the record regarding the costs of widening Sunnyside south of 52nd Street NE, i.e., Alignment 5. The East Sunnyside-Whiskey Ridge Subarea Plan (May 14, 2007) states at 6, Table 4-28, that Sunnyside could be widened to three lanes south of 52nd for \$3.7 million. But the staff's July 13, 2007 report asserts that widening Sunnyside to five lanes would cost \$37 million, a ten-fold increase. There is no way to correlate these numbers because there is no explanation in the documents for them.

Similarly, staff reaches conclusions regarding right-of-way/impacts to existing structures without providing supporting information or facts regarding those conclusions. For example, staff concludes that Alignments 3 and 4 may have greater impacts to existing structures and may require more right-of-way than Alignment 2, but provides no specific discussion to support these assertions. Indeed, it would be impossible for the Planning Commission or the public to understand why this conclusion was reached based on the information provided by staff to date. Due to the high right-of-way/impacts to existing structures that will be caused by Alignment 2, see, e.g., City Alignment Map, it is essential that any assertions that other alignments would have more impacts be supported by specific information that could be verified and considered by the Planning Commission and the public.

Three, insufficient environmental review has been performed by the City to date for this proposed Comprehensive Plan amendment. While the City submitted a SEPA checklist in support of proposed Amendment 5, the checklist contains very little information, instead postponing environmental review until some unknown date in the future. See Checklist (Jun. 18, 2007). But SEPA requires more from the City when a project's impacts, even a non-project proposal such as a Comprehensive Plan Amendment, can be identified by the City. For example, the Supreme Court in King County v. King County Boundary Review Board held that where a proposed annexation (a non-project action) would create identifiable impacts caused by future development that would be made possible by the annexation, the city was required to do an EIS and evaluate the proposed significant impacts of the proposed annexation. 122 Wn.2d 648, 663-64, 860 P.2d 1024 (1993).

Here, it is clear that the alternatives being proposed by the City have identifiable environmental impacts. Brief visual review alone of the City Alignment Map reveals that there will be built, earth, traffic, and land use impacts associated with the alternatives, including Alignment 2. See also the environmental impacts to be caused by proposed Alignment 2 as discussed in the Bricklin Newman Dold, LLP letter of May 14, 2007 (attached hereto). Given that the City can identify significant impacts to be caused by the proposal at this stage, adequate environmental review by the City is required by SEPA. The Planning Commission should require staff to conduct complete and adequate SEPA review for proposed Amendment 5 before the Commission makes any decision. King County Boundary Review Board, supra at 667.³

³ Perteet Engineering and City staff also seem to be at odds in terms of identifying what environmental review is being done by the City. For example, at page 11 of the Perteet July 6, 2007 report, Perteet states that an existing "detailed studies" "includ[ing] evaluation of the impacts to existing properties and to the environment" is currently being done by the City. But when we asked Gloria Hirashima, City Planning Director, for a copy of these "detailed studies," she stated that the only study that has been done to date is the City Alignment Map included with the July 13, 2007 staff report. See attached (Jul. 19, 2007 e-mail from Hirashima to Dold). As is clear

For all the above reasons, it is clear that to date staff has not prepared adequate information regarding and evaluation of its proposed alternatives, including adequate SEPA analysis, for any alternative for the proposed 67th/71st connector. The Planning Commission should remand this proposal back to staff and require it to base any future recommendation on up-to-date adequate analyses, including but not limited to adequate modeling, and adequate SEPA analysis.

B. The Staff's Recommendation of Alignment 2 Should Not Be Accepted or Approved by the Planning Commission

Review of the materials presented to the Planning Commission demonstrates that to date staff appears to be minimizing the predominant role that Sunnyside already is and will play as a north-south route in south Marysville. Alignment 2, which Perteet states will remove only 2,000 additional trips from Sunnyside in 2025 and will cost \$19 million to construct,⁴ and will greatly impact existing residents in Marysville, is neither a cost-effective nor appropriate transportation planning decision that should be made by the City given the information in hand.

As noted in Ross Tilghman's letter, the City already identifies Sunnyside as a primary north-south route in the southern part of the City of Marysville. Tilghman Letter at 2. In 2025, Sunnyside will carry 20,000 trips per day north of 52nd Avenue NE. *Id.* South of 52nd in the year 2025, Sunnyside will carry between 9,000-13,000 trips per day. *Id.* The City of Marysville defines "principal arterials" as any road carrying more than 15,000 trips per day. *Id.* Given the City's own definition, Sunnyside already should be considered a principal arterial north of 52nd and is right on the cusp of meeting that definition south of 52nd. Given the predominance of Sunnyside as a north-south City route, the City should be spending its limited transportation resources on Sunnyside, not on a 67th/71st proposed connector only 1,200 feet away and that only will shift 2,000 trips a day from Sunnyside.

Why is this the case? One of the primary ways staff tries to justify the 67th/71st connector is by stating that if it is not built an additional 2,000 trips will be added to Sunnyside in the year 2025. *See* City of Marysville Sunnyside Boulevard Corridor Traffic Analysis Evaluation of the Continuity of 67th Avenue to 71st Avenue Corridor at 2-3. Staff also then claim that if Sunnyside is required to accept these 2,000 trips, then it will need to be considered a "principal arterial." *Id.* This latter justification is obviously erroneous since given the City's own definitions, Sunnyside already will

from reviewing the map, while this map demonstrates that there will be environmental impacts from the proposed alignments, it cannot fairly be characterized as "detailed studies" that "include evaluation of the impacts to existing properties and to the environment."

⁴ Perteet June 6, 2007 Report at 10 (2000 trips); Staff Report at 3 (\$19 million).

be a principal arterial by 2025 (if not much sooner). And as suggested by Ross Tilghman, a more prudent approach would be to accurately model future traffic conditions in the City with the understanding that Sunnyside will be a principal arterial and then decide whether or not any further connections in the area of 67th/71st are needed. Tilghman Letter at 3. Ignoring that Sunnyside already should be considered a principal arterial as a mechanism for justifying a 67th/71st Connector is unwise given the City's limited transportation resources and unfair to City citizens being asked to shoulder some very significant losses of property. The Planning Commission should require City staff to consider full utilization of Sunnyside in a fair and unbiased manner before any further connector decisions are made in the area.

Staff and Perteet also focus on the unsafeness of the 44th/67th intersection as another basis for justifying the 67th/71st Connector. June 6, 2007 Perteet Report at 9. But as noted by Ross Tilghman, a full Alignment 2 (the curvilinear connection between 67th and 71st) which is located not on an existing right-of-way and will take portions of multiple parcels of private property, is unnecessary to address any unsafe aspects of the 44th/67th intersection. Tilghman Letter at 4. Instead, as Mr. Tilghman suggests, a roundabout could be constructed at the intersection of 67th and 44th (and even at the intersections of both 67th and 44th and 71st and 44th) which would provide better and more safe flow through these intersections without requiring the right-of-way costs and impacts associated with the full Alignment 2. Id. at 3-4. While Perteet Engineering briefly considers this alternative in its June 6, 2007 report at 11, City staff does not appear to have considered this alternative at all. The Planning Commission should require staff to consider use of roundabouts at 67th and 71st and 44th as a less impactful alternative that achieves a goal stated by City staff.

C. Adoption of Alignment 2 Is Not Compliant with the Requirements of the GMA

As noted in our May 14, 2007 letter to the City Council, the City's decision to amend its Comprehensive Plan to include a 67th/71st Connector is not consistent with the requirements of the GMA. In our May 14, 2007 letter, we identified a number of Marysville Comprehensive Plan goals and policies that the proposed connector does not comply with. To date, staff has never identified or evaluated the proposal's compliance with any of the City's Comprehensive Plan goals or policies. While we continue to rely upon the list we supplied in our May 14, 2007 letter, we will highlight a few of the applicable goals and policies with which Alignment 2 do not comply. For example:

Residential Land Use Goal 16 states: "Protect and enhance the character, quality, and function of existing residential neighborhoods while accommodating the City's growth targets."

Residential Land Use Policy LU-36 states: "Street systems serving residential areas should be designed to discourage through traffic

from using local access streets instead of the arterial or collector street system.”

Transportation Objective T-1A.2 states: “Implement a functional classification system to ensure that transportation system improvements are compatible with adjacent land uses and will minimize potential conflicts. Incorporate the following guidelines into functional classification road standards based upon the type of road: . . . b. Route arterials and major collectors to minimize traffic impacts on residential areas; . . .”

Transportation Policy T-1A.3 states: “Avoid unnecessary duplication of roads to save costs, minimize impervious cover, and preserve scenic atmosphere and open space.”

Transportation Objective T-1D states: “Design and maintain streets consistent with the community vision.”

Transportation Policy T-1D.1 states: “Consider the environmental consequences of street design standards and maintenance practices.”

Transportation Goal T-2 states: “Provide a safe and convenient neighborhood access system that respects community needs and values.”

Transportation Objective T-2D states: “Develop through routes and access to main roads while protecting local neighborhood circulation.”

Transportation Policy T-2.D.1 states: “Roads and highways should not divide communities, established commercial areas, or existing single agricultural ownership if alternative routes are feasible.”

Transportation Policy T-2D.2 states: “Improve arterials that provide through routes and access to main roads to minimize through traffic within neighborhoods.”

Transportation Policy T-2D.3 states: “Seek to minimize impacts of through traffic within residential neighborhoods by employing neighborhood traffic management strategies. Strategies may include

traffic control signs, speed limit education, enforcement, narrow streets, curves, traffic circles, and other features.” For existing streets, consider non-structural methods prior to structural improvements.”

Transportation Policy T-5B.2 states: “Ensure that plans consider the true cost of improvement including operation and maintenance costs; environmental, economic, and social impacts; and any replacement or closure costs.”

Alignment 2 does not comply with the above goals and policies. Alignment 2, which creates a new road through a long-standing existing residential neighborhood and which would take portions of multiple parcels including more than one home, does not protect and enhance the character, quality, and function of that existing neighborhood. Alignment 2 encourages, rather than discourages, through traffic from using local access streets instead of the existing streets, such as Sunnyside Boulevard. Alignment 2 contributes to, rather than avoids, unnecessary duplication of roads by proposing a new arterial approximately 1,200 feet from an existing road, Sunnyside Boulevard. Alignment 2 increases impervious surfaces by creating a new road and does not preserve the scenic atmosphere and open space currently characteristic of the existing residential area. Alignment 2 does not respect community needs and values because it disrupts an existing residential area, taking portions of multiple properties and multiple homes when Sunnyside Boulevard exists 1,200 feet from the existing neighborhood and it increases rather than minimizes traffic within existing neighborhoods. Alignment 2 also seeks to construct a new road rather than employing viable strategies including use of roundabouts/traffic circles or other mechanisms to enhance the operation of existing streets within the neighborhood. Finally, staff’s analysis of alternatives to date have not identified or considered the true costs of Alignment 2 including its environmental, economic, and social impacts. Thus, because Alignment 2 does not meet the above goals and policies, Alignment 2 is not currently consistent with the GMA. See RCW 36.70A.070 (preamble); .130(1)(d). Staff’s recommendation of Alignment 2 should not be accepted or approved by the Planning Commission.

In addition, the GMA requires that any amendments to the City’s Comprehensive Plan comply with RCW 36.70A.070; .130(1)(d). Specifically, the GMA requires that the City’s transportation element must include a “finance” element which includes an analysis of funding capabilities to judge needs against probable funding resources; a multi-year financing plan based on the needs identified in the Comprehensive Plan; and an evaluation of what the jurisdiction will do if probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be re-assessed to ensure that the level of service standards will be met. RCW 36.70A.070(6)(a)(iv).

Here, the City's documents both state that the 67th/71st Connector will be paid for by developers only and by the City and developers. See Staff Report at 2; Whiskey Ridge Sub-Area Plan at 4-21 (Table 4-31). But the City staff identifies no City funds available for the proposed connector and in May 2007 the City Council adopted an ordinance which made clear that the City's newly adopted mitigation fee schedule will not be sufficiently large enough to cover all of the projects included in the Comprehensive Plan. See City of Marysville Traffic Impact Mitigation Fee 2007 Update. Thus, on its face, the City's planning documents for the 67th/71st Connector does not identify sufficient funding for the proposal and, given the very likely reality that adequate funds will not be available, does not identify how additional funding will be raised or how land use assumptions will be re-assessed accordingly.⁵

D. Conclusion

In conclusion, we request the Planning Commission to remand proposed Amendment 5 back to staff. Inadequate information and analysis exists in the record leaving the Planning Commission in a position where it cannot make a full and fair decision to residents of Marysville regarding any proposed 67th/71st Connector. Further review as part of any remand process conducted by staff should include:

- (1) The creation and consideration of an up-to-date model so that future transportation volumes in the City of Marysville are known and understood;
- (2) Full consideration of Sunnyside as a principal arterial before additional connectors are proposed and created;

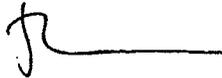
⁵ The City Comprehensive Plan asserts in its Transportation Element at 8-39 that: "In the event that revenues from one or more of these sources is not forthcoming, the City has several options: lower the level of service standard; add new sources of revenue or increase the amount from existing sources including mitigation fees; require developers to provide such facilities at their own expense; and/or change the land use element to reduce the amount of development." But this boilerplate discussion does not include any detail or any reflection of how the City would actually proceed given the likely revenue shortfall. Given the significance that inclusion of the connector in the Comprehensive Plan would be on City residents who would then be slated to lose significant portions of their property or their homes, the GMA certainly requires more of the City than the boilerplate language currently adopted in the Comprehensive Plan.

- (3) A full and fair analysis of the use of roundabouts, rather than full curvilinear off of existing right-of-ways, as part of the consideration of any 67th/71st Connector proposal; and
- (4) Adequate environmental review pursuant to SEPA and a full and fairly documented comparison of all alternatives, including costs, right-of-way impacts, and environmental impacts for all alternatives.

Thank you for your attention to this important matter.

Very truly yours,

BRICKLIN NEWMAN DOLD, LLP



Jennifer A. Dold

JAD:psc

Enclosure

cc: Clients

TILGHMAN GROUP

PLANNING & DEVELOPMENT SERVICES

A Division of Leora Consulting Group, LLC

July 20, 2007

Jennifer A. Dold
Bricklin Newman Dold, LLP
1001 Fourth Avenue, Suite 3303
Seattle, WA 98154

Re: Evaluation of the Staff-Recommended Proposed 67th-71st Connector in the City of Marysville

Dear Jennifer:

I have reviewed a number of documents related to the 67th/71st Connector proposed in the City of Marysville. Documents that I have reviewed include (1) the July 13, 2007 Planning and Engineering Staff Report on Request for Amendment to the City of Marysville Comprehensive Plan; (2) the June 6, 2007 City of Marysville East Sunnyside-Whiskey Ridge Comprehensive Plan Amendments Review of the 67th Avenue-71st Avenue Arterial Corridor Connection by Perteet Engineering; (3) Addendum 11 to the City of Marysville Comprehensive Plan Update Final Environmental Impact Statement (FEIS) and Draft Environmental Impact Statement (DEIS) and previously issued Addenda (July 2, 2007); (4) the East Sunnyside-Whiskey Ridge Subarea Plan (May 21, 2007), including the City of Marysville Sunnyside Boulevard Corridor Traffic Analysis Evaluation of the Continuity of the 67th Avenue to 71st Avenue Corridor; (5) the City's Comprehensive Plans Transportation Element; and (6) the East Sunnyside/Whiskey Ridge Transportation Needs Evaluation by Perteet Engineering. Additionally, I have visited the East Sunnyside/Whiskey Ridge area and the roads in question.

I am a Transportation Planner with 23 years of experience. I have worked both for local jurisdictions and private developers planning and evaluating transportation facilities and roads in cities and counties. I have proposed and evaluated new road proposals and upgrades to roads at the early planning and Master Planning level. A copy of my resume is attached to this letter.

In the City's July 13, 2007 Staff Report, City staff recommends what is called Alignment or Option 2 which is the construction of a curvilinear connection between 67th Avenue NE and 71st Avenue NE (called the 67th-71st Connector). In recommending Option 2, the City staff rejects four other alignments or options (Options 1 and Options 3-5).

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Voice & Fax: 206-577-6953 e-mail: rtilghman@leora.com

Insufficient Information and Analysis Exists to Date to do an Adequate "Apples to Apples" Comparison of the Five Options

Primarily, there is insufficient information in the Staff Report and the underlying documents to assess adequately the five options considered by the City and to make an educated decision. For example, costs are estimated for some of the options, but not others. See Staff Report at 3-4. In addition, there does not appear to be underlying documentation for all the costs asserted for the different options. Costs are cited with no documentation. In another example, staff and Pertee Engineering discuss right-of-way impacts of different options, but do not disclose the extent or nature of the property that would be needed to be taken that constitute those right-of-way impacts. *Id.* For example, on page 3 staff states that Option 4 may require more right-of-way than Option 2 but no underlying information is provided to support that assertion. Without complete cost and right-of-way information for each option (that is presented in the same consistent manner), it is impossible to compare the costs and benefits of the options based on the information to date. Simply put, you cannot state that, for example, Option 2 is significantly cheaper than Options 4 or 5 based on the information in the record before the Planning Commission and the Commission should not be expected to make a decision based upon the information provided to date.

Documents Indicate That Sunnyside Should be Treated as a Principal Arterial

Currently the City plans to upgrade Sunnyside from 2 lanes to 3 lanes as a minor arterial. However, documents I have reviewed strongly indicate that Sunnyside should be considered a principal arterial by the City and accordingly planning around that designation should be done.

The City's Comprehensive Plan describes Sunnyside as already having become a major north-south thoroughfare in Marysville:

Sunnyside Boulevard has become a major thoroughfare for vehicles traveling to Interstate 5 and Everett as well as Highway 2 and Lake Stevens. Design costs for Sunnyside Boulevard, Third Street to 52nd Street NE, were moved to the 6 year transportation improvement program project list in 2006 as high growth within the subarea has increased traffic and urgency to construct an additional lane (3-lane section) and a bike path and pedestrian travel. (Comprehensive Plan, Land Use Element at 9).

The first phase of planned improvements for Sunnyside (widening to 3 lanes *or more* between 47th and 52nd) is included in the current 6-year Transportation Improvement Plan) with an estimated cost of \$12.5 million but is not funded.

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Jennifer Dold
July 20, 2007
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The Comprehensive Plan defines a principal arterial as having more than 15,000 ADT and a minor collector as having between 3,000-15,000 ADT (Comprehensive Plan, Transportation Element at 8-20). A minor collector usually has 3 lanes with a principal arterial having 5 lanes (Engineering Design and Development Standards, Revised May 2007, Appendix B, City of Marysville).

The City's own documents forecast that Sunnyside will carry 20,000 trips north of 52nd in the year 2025 and 9,000-13,000 trips south of 52nd in the year 2025 (See Figure 1, Whiskey Ridge Master Plan 2025 Daily Traffic Volume). Given the definitions adopted by the City in its Comprehensive Plan, Sunnyside already should be considered a principal arterial north of 52nd and is right on the cusp of meeting the definition of a principal arterial south of 52nd. Given that the evidence indicates that the majority of the traffic trips going north/south in this area of the City (after Highway 9) will happen on Sunnyside the City's planning should take this into account rather than limiting development of Sunnyside as a minor arterial (as seen in the City materials to date).

Why does this make a difference for purposes of the 67th/71st Connector? Staff assert that if the 67th/71st curvilinear connector is not constructed, more trips will be diverted to Sunnyside and may increase the need to design Sunnyside as a five-lane section in the segments north of 52nd Avenue, rather than as a three-lane section (City of Marysville Sunnyside Boulevard Corridor Traffic Analysis Evaluation of the Continuity of the 67th Avenue to 71st Avenue Corridor at 2,4). However, the City's own documents indicate that the amount of diverted traffic would only be approximately 2,000 daily trips. Id. Since the City must plan for increased capacity on Sunnyside (which is already in the works and has been in the City's TIP since 2006) and Sunnyside already is projected to exceed minor arterial status, it is incorrect to claim that the 67th/71st Connector is pushing Sunnyside to principal arterial status. It is already there. Given that it appears that Sunnyside will be the primary north/south road (after Highway 9), it seems unwise to under-design and under-construct it now and focus scant City transportation resources on Option 2.

Using Roundabouts at 67th and 71st at 44th is an Alternative to Option 2 That Should be Given Greater Consideration by Staff and the City

As is clear from City materials, Option 2 runs through at least 6 parcels (and in at least 2 cases through 2 homes). See attached GIS map/photo. Option 2 would leave some of these parcels with apparently unusable remnants. Option 2 would not follow any existing roads and instead would require new construction through platted parcels. Contrary to the approach of Option 2, it is often easier and more cost-effective to upgrade existing rights-of-ways versus constructing new roads through residential or developed areas since less total right of way must be acquired. In fact, staff have recently recommended a similar approach to the nearby 40th to SR-9 connector by using 87th Avenue NE with roundabout intersections

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An alternative to Option 2 that was raised (but apparently dismissed) by Perteet Engineering is the use of two roundabouts along 44th at its intersections with 67th and 71st.¹ Roundabouts are flexible tools that could use existing right-of-way (plus minimal amounts of additional surrounding land) to provide a safe, efficient throughway for traffic along 44th. Roundabouts can often handle unusual alignments or geometry where other conventional intersections may not work well (Roundabouts: An Informational Guide, FHWA, at 63). This also could create an alternative route to Sunnyside without the extreme and extensive displacement caused by the curvilinear approach.

Option 2, the 67th/71st Curvilinear Connection Is Not Necessary to Correct the Dog-Leg at the 67th/44th Intersection

The staff emphasizes that the "dog-leg" (the sharp right hand turn) at the 67th/44th intersection hampers east-west traffic flow (Review of the 67th Avenue to 71st Avenue Arterial Corridor Connection at 9). But this can be addressed through placement of a roundabout at this location and the full curvilinear connection is unnecessary to address this one corner. GIS maps generated by the City (attached) show that there is ample undeveloped property at this location and that the topography is not so extreme as to prohibit a roundabout (Review of the 67th Avenue to 71st Avenue Arterial Corridor Connection at 11).

Another Alternative Course of Action is to Evaluate Fully the Potential for Sunnyside to Operate as a Principal Arterial to See What Effect It Has and Then Determine Whether Other North/South Connections or Upgrades Are Needed

Another alternative that should be given further consideration by City Staff and the Planning Commission is the concept of designating Sunnyside as a Principal Arterial and then evaluating whether further north/south improvements are required. Given that the City documents demonstrate that the bulk of the north/south traffic already does and will continue to travel on Sunnyside, it appears to be premature to assume that the 67th/71st Connector is necessary. Furthermore, if the need to upgrade the 67th/44th intersection is deemed necessary by staff and the City, a roundabout there could be constructed alleviating that corner with minimal impact to the community (as discussed in the previous section of the letter).

¹ This option was mentioned briefly in the June 7, 2007 Perteet Study but does not appear to have been considered by staff.

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Jennifer Dold
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The Traffic Model Should be Updated to Eliminate Concerns about its Age and Accuracy in Order to Evaluate the Options

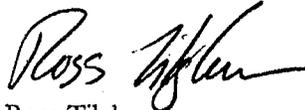
Pertect Engineering suggested that the traffic model may underestimate volumes in the Sunnyside and 67th/71st corridors. The evidence noted for this possible underestimation was a change in volume at a single location on Sunnyside south of Soper Hill Rd., (Sunnyside Boulevard Corridor Traffic Analysis Evaluation of the Continuity of the 67th Avenue to 71st Avenue Corridor at 3). Reasons for that change in volume were not discussed. For instance, to what extent might volumes have increased over the forecast for that segment due to traffic avoiding congestion on SR-9? It was also noted that the model was developed in 1999 and relies on information from other regional models.

Given the age of the model, questions about its accuracy in projecting traffic volumes in these corridors, and the opportunity to evaluate other arterial options, it is clear that the time has come to update the model. An updated model would address those uncertainties, provide a more current and refined estimation of traffic and allow a fuller evaluation of the options. The Planning Commission should request staff to run an updated model so that an informed decision can be made. It is premature to decide among the options without the information an updated model would provide.

Conclusion

In conclusion, important decisions are being made by the City regarding the future of the Sunnyside/Whiskey Ridge neighborhood. More complete, adequate information is needed to make the kind of decisions that the City is facing in the 67th/71st Connector decision. Until that updated information is provided, the decision should not be made. Moreover, given the information in the record to date, Sunnyside already must be upgraded to address the current and expected north/south traffic in the Sunnyside/Whiskey Ridge neighborhood. Those improvements should be thoroughly tested first before it should be determined whether further north/south improvements need to be made.

Very truly yours,


Ross Tilghman

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Seattle, Washington 98115
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determining the MUTCD threshold volumes, two lanes were assumed on the major street and one lane on the minor street.

Based on these assumptions, the average delays per vehicle for signals and roundabouts are presented in Exhibit 3-7. These values represent the approach delay as perceived by the motorist. They do not include the geometric delay incurred within the roundabout. It is clear from this figure that roundabout control delays are substantially lower than signal delays, but in neither case are the delays excessive.

Similar comparisons are not presented for TWSC, because the capacity for minor street vehicles entering the major street was exceeded in all cases at the signal

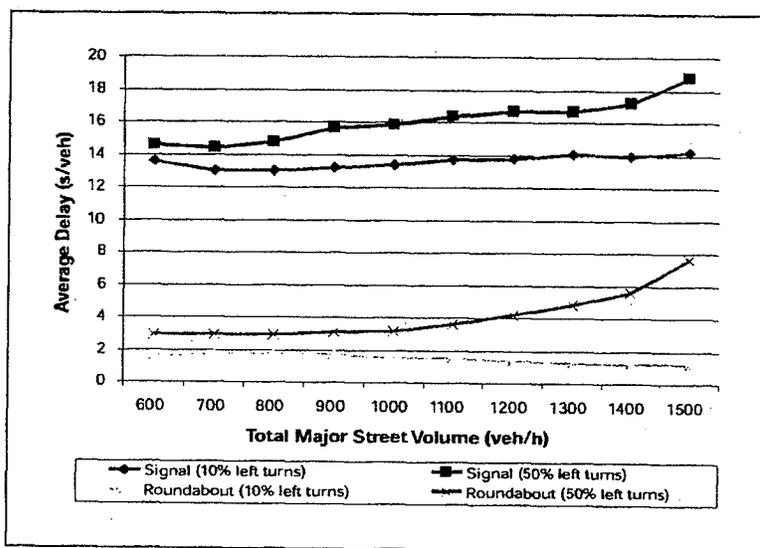


Exhibit 3-7. Average delay per vehicle at the MUTCD peak hour signal warrant threshold (excluding geometric delay).

Roundabout approach delay is relatively insensitive to total major street volume, but is sensitive to the left-turn percentage.

warrant thresholds. AWSC was found to be feasible only under a limited range of conditions: a maximum of 20 percent left turns can be accommodated when the major street volume is low and only 10 percent can be accommodated when the major street volume is high. Note that the minor street volume decreases as the major street volume increases at the signal warrant threshold.

This analysis of alternative intersection performance at the MUTCD peak hour volume signal warrant thresholds indicates that the single-lane roundabout is very competitive with all other forms of intersection control.

3.4.5 Special situations

It is important that the selection process not discourage the construction of a roundabout at any location where a roundabout would be a logical choice. Some flexibility must be built into the process by recognizing that the selection categories above are not all-inclusive. There may still be other situations that suggest that a roundabout would be a sensible control choice. Many of these situations are associated with unusual alignment or geometry where other solutions are intractable.



TILGHMAN GROUP

PLANNING & DEVELOPMENT SERVICES

A Division of Leora Consulting Group, LLC

ROSS TILGHMAN

Ross Tilghman heads up the Tilghman Group, a division of Leora Consulting Group LLC, providing transportation planning services. He brings 23 years of planning experience, including serving as executive director of a downtown business improvement district. Mr. Tilghman creates transportation solutions that meet the client's needs, fit the environment in which they are built, work reliably and are affordable.

Frequently working with internationally recognized planning teams, Mr. Tilghman's projects involve new communities, downtowns, academic and institutional campuses, historic districts, mixed-use projects, recreation areas, special event facilities, and parking. He provides transportation-related revenue projections, market studies, planning and development strategies for government, not-for-profit, and private sector clients facing real estate development challenges. His range of experience includes:

Master Planning for commercial districts, academic and government campuses, new communities, mixed-use developments, and recreation projects throughout the United States. Plans were prepared for state capitol campuses in Iowa, Minnesota and Washington. Services included forecasts of traffic volumes, transit use, parking demand and shared parking potential, development of transportation management programs to reduce single-occupant vehicle use, and overall access and circulation strategies.

Park and Zoo Planning has been provided for San Diego's Balboa Park where a new Land Use, Circulation and Parking Plan guides future development of this major urban park with over 12 million visitors per year. As a first step in implementation, Tilghman subsequently provided a parking management plan to maximize efficient use of existing resources. At Seoul Grand Park Zoo in Seoul, South Korea, external access, parking and internal circulation recommendations were detailed for a new Master Plan.

Parking Development Market assessments identified the appropriate size of new parking garages in Seattle and Olympia, Washington, and the effectiveness of a proposed peripheral parking program for downtown Savannah, Georgia. In Sioux City, Iowa a variety of on-street parking layouts and street classifications were developed based on adjacent land uses and pedestrian needs, as well as regional circulation requirements. A parking and access strategy was created to guide redevelopment in downtown St. Louis. Parking revenue projections were prepared for Tacoma, Washington in support of a bond issue for new convention center parking and municipal parking system improvements. Revenue projections were provided to assess financial feasibility for garages serving a zoo, an arena and other mixed-use developments.

Transit Market and Feasibility Analysis. Ridership was estimated for light rail feeder services in the Denver Tech Center area and potential routes were evaluated based on strict cost criteria. Analysis of Bus Rapid Transit markets in Los Angeles documented the attraction of new riders and identified their demographic characteristics. Feasibility studies projected ridership potential for light-rail in key commuting corridors in Los Angeles, for passenger-only ferry service in Seattle, and for a downtown shuttle in Juneau, Alaska. Shuttle operations, management and vehicle types were surveyed nationally for application to a Denver, Colorado retail district.

Peer Review and Expert Witness Services. Mr. Tilghman provided reviews of proposed transportation projects to address concerns including the adequacy of analysis and benefits for a variety of roadway and transit projects. He has also provided testimony at land use hearings regarding the sufficiency of transportation studies in complying with local ordinances and environmental review requirements.

Historic Preservation Planning. Alternative street designs and transit layouts, traffic analyses, parking studies and parking development strategies were provided in support of preserving historic properties in Tennessee, Michigan, Washington, Wisconsin, Louisiana and Illinois. These ranged from site-specific master plans to area-wide transportation strategies to protect historic resources, including historic districts and civil war battlefields. Heritage tourism plans were also developed in Mississippi and Virginia.

Recreation and Special Event transportation development including travel forecasts and management plans for stadiums, arenas, convention centers, resort hotels, ski resorts, a professional tournament golf course, and riverboat and dockside casinos located throughout the U.S. Chief among these was an access and parking plan to retrofit Joe Robbie Stadium in Miami.

Professional Activities

Mr. Tilghman is a member of the Urban Land Institute for which he frequently participates on Advisory Service Panels in communities around the country to create solutions to local land use problems. He also serves on ULI's Community Development Council – Blue Flight. Mr. Tilghman has made presentations and served on resource panels for numerous organizations, including:

- ◆ ULI Advisory Services Panel assignments in Las Vegas, Nevada; Springfield, Virginia; Sacramento, California; Port St. Lucie, Florida; Ft. Lauderdale Beach, Florida; Carson, California; and St. Louis, Missouri
- ◆ Stadium Transportation Survey Findings, included in "Developing Sports, Convention, and Performing Arts Centers", 3rd ed., Washington, D.C., ULI, 2001
- ◆ *Design Guidelines for Main Street*, National Town Meeting, Indianapolis, 2001
- ◆ Ohio Design Assistance Team, Community Design Charrettes, multiple assignments in Dayton, Springboro and Canal Winchester, Ohio 2000-2001
- ◆ *Anticipating Future Transportation Needs*, Mayor's Institute on City Design, Cincinnati, 1999
- ◆ *Community Character and Road Design Standards*, Illinois Statewide Preservation Conference, Elgin, Illinois, 1998
- ◆ *Downtown Parking*, Illinois Main Street Conference, Alton, Illinois, 1997
- ◆ *Balancing People and Traffic: Making Better Streets*, Mayor's Institute on City Design, St. Louis, 1997
- ◆ *New Urbanism and the New Urban Traffic*, Congress for the New Urbanism IV, Charleston, South Carolina, 1996
- ◆ *Dealing with Traffic in Resort Communities*, Sprawl Alliance, Petoskey, Michigan, 1996
- ◆ *Traffic and Parking in Five Easy Steps*, Co-author, ULI Seminar – Developing Sports and Convention Facilities, Atlanta, 1996
- ◆ *Preservation and The Parking Problem*, Illinois Statewide Preservation Conference, Rock Island, Illinois, 1995
- ◆ *Rethinking the Role of the Automobile in City Design*, Mayor's Institute on City Design, St. Louis, 1995
- ◆ Riverboat Gambling Resource Team, Historic Landmarks Foundation of Indiana, Madison, Jeffersonville, and New Albany, Indiana, 1993
- ◆ Stone City Preservation Resource Team, Canal Corridor Association, Joliet, Illinois, 1993
- ◆ AIA Regional/Urban Design Assistance Team (R/UDAT), San Angelo, Texas, 1992

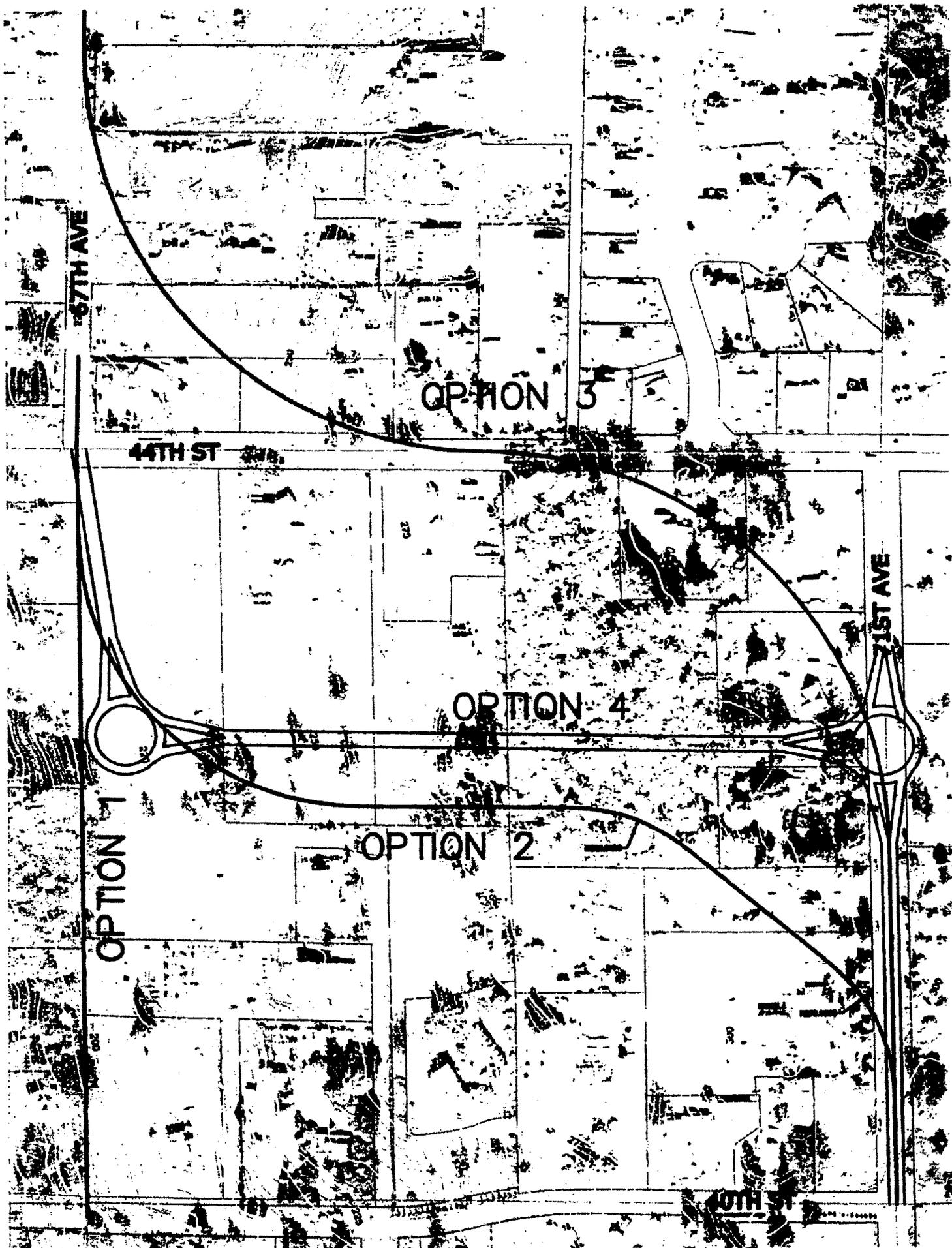
Mr. Tilghman served three years as Executive Director of the Galesburg Downtown Council, a business improvement district and Main Street program in Galesburg, Illinois. He oversaw downtown maintenance, facade improvements, parking, and upper story redevelopment efforts in concert with Main Street redevelopment principles. He successfully authored a TEA-21 Enhancement grant application for a \$1.9 million streetscape reconstruction completed in 2002.

Education

B.A., History, Washington University, St. Louis, Missouri

M.A., Geography, University of Washington, Seattle

Continuing Education: Highway Capacity Workshop, Northwestern University, 1995



Jennifer A. Dold

From: Gloria Hirashima [ghirashima@ci.marysville.wa.us]
Sent: Thursday, July 19, 2007 2:52 PM
To: dold@bnd-law.com; tim_nixon@comcast.net
Subject: Re: needed information

The alignment study that is referenced, are the road alignments shown in the map (options 1-4) of the staff report. That study considered existing structures (from aerial photos) and topography (from LIDAR maps). However, I should note, that this is not a "project" level action. There is no current road being proposed - this is conceptual transportation corridor planning study for the comprehensive plan.

Sometimes the Planning Commission closes the hearing, deliberates and makes a decision in one night. It's up to them however, so I'm not sure how Tuesday will play out.

Thank you.

>>> "Jennifer Dold" <dold@bnd-law.com> 07/19/2007 2:39:34 PM >>>
Thanks very much, Gloria. I have a couple of follow-up questions.

1. On page 11 of the 6-7-07 Pertteet report, the report states that the City is "currently preparing alignment and engineering designs" for the 67th/71st connector and that these "alignment studies" include evaluation of impacts to existing properties and the environment.

Can we get a copy of these alignment studies?

2. Is the planning commission planning on voting/making a decision on all of the Comp. Plan amendments on Tuesday night? Or does it hold the public hearing and then conduct deliberations and vote at a later meeting?

Thanks,

Jennifer Dold
Bricklin Newman Dold, LLP
(206) 264-8600
(206) 264-9300 (fax)

----- Original Message -----

From: "Gloria Hirashima" <ghirashima@ci.marysville.wa.us>
To: <tim_nixon@comcast.net>
Cc: <dold@bnd-law.com>
Sent: Thursday, July 19, 2007 2:21 PM
Subject: Re: needed information

> Here is the requested information.

>

> FYI - the July 6 report was also attached to the staff report as
> Exhibit B. (that's why it's so-labeled in case you wonder when you
open
> it)

>

> The official mailing address of the Planning Commission is 80
Columbia

> Avenue, Marysville, WA 98270.

>

> Any emails sent to my attention commenting on the 67th/71st Ave
> collector have also been sent to the Planning Commission.

>

> Thank you.

>

> Gloria Hirashima

> Community Development Director

> City of Marysville
> 80 Columbia Avenue, Marysville WA 98270
> (360) 363-8211
>
>>> "Tim Nixon" <tim_nixon@comcast.net> 07/18/2007 8:51:00 PM >>>
> Gloria: Our lawyers are in need of some information. If you
would
> please email this information to my lawyer at dold@bnd-law.com, or
email
> me with the information, or fax it to my lawyers at 206-264-9300 and
> also call me to let me know it has been accomplished I would
appreciate
> it. I will also call you tomorrow morning regarding this email and
the
> needed information.
>
> We need:
> 1) the list of names, addresses and email addresses of the
> planning commission members
>
> 2) a copy of the checklists for each aspect of the Comprehensive
> Plan amendments for the 67th/71st connector
>
> 3) a copy of the Perteet Study - June 6, 2007 - review of the
> 67th/71st alignment, engineering designs by Perteet including the
> evaluation of the impacts to the existing properties and to the
> environment. The entire study, analysis or document.
>
> Thank you. I will be in touch.
>
> Beccie
>

From: Doug Buell
To: Belinda Beardsley; Gloria Hirashima
Date: 07/24/2007 2:22:02 PM
Subject: Fwd: Comment for the City of Marysville

Please see the submitted comments below regarding tonight's Planning Commission meeting.

Doug

>>> <mhagen@icehouse.net> 7/24/2007 11:40 AM >>>

Date Submitted: 7/24/2007 11:40:47 AM

The following comment has been submitted:

Name: Mark and Mary Jo Hagen
Title:
Company:

Mailing Address: 4421 67th Avenue NE
City: Marysville
State: WA
State: 98270
Email Address: mhagen@icehouse.net

Comments: Please forward these comments to the Planning Commission as we are not able to attend tonight's meeting.

We have lived at the corner of 67th and 44th for 20 years. We have seen numerous accidents at our corner and are pleased for this safety issue to be addressed. We have seen this area become over-developed with houses and the traffic that comes with it. Our road used to be truly a country road with very little traffic. Now it is a major commute road between Everett and Marysville. It is unfortunate that the Snohomish County Council did not see fit to take into account traffic in this area when they approved the development. Unfortunately, the City of Marysville is now stuck with trying to fix it. As the Planning Commission looks at the various options for road construction in this neighborhood we would urge you to choose an option that is least disruptive to family homes and look at those options that use vacant land instead.

**PLANNING AND ENGINEERING STAFF REPORT ON
REQUEST FOR AMENDMENT**

TO THE

CITY OF MARYSVILLE COMPREHENSIVE PLAN

CITY INITIATED AMENDMENT REQUEST #6

The following is a review of a City Council-initiated request for an amendment to the City of Marysville Comprehensive Plan.

File No.: PA 07043

Date of Report: 7/13/07

Applicant: City of Marysville (Council Remand from East Sunnyside/Whiskey Ridge master plan hearings.

Owner(s): Multiple

Nature of Request: Comprehensive plan map amendment to Figure 8-4 City of Marysville Comprehensive Plan Transportation Element "Proposed Connections" map depicting road connections for 40th Street NE extension west of 87th Avenue NE. Amend Page Appendix A of the 20 year Transportation Plan Improvement Projects.
The alignment of this road was remanded to the Planning Commission during final ordinance review for the Whiskey Ridge Subarea Plan action.

I. EVALUATION:

A. Request

During review of the Whiskey Ridge Subarea Plan, City staff analyzed existing road connections in the East Sunnyside/Whiskey Ridge neighborhood and made recommendations for new alignments on 40th Street NE (extending to SR 92. The Planning Commission held public hearings on December 11, 2006 and January 23, 2007 and recommended an alignment on both roads. The City Council held a public hearing on April 23, 2007. The City Council remanded the decision on alignment of 40th Street NE west of 87th Avenue NE to the Planning Commission for additional review with the 2007 Comprehensive Plan amendment proposals.

The original road concept included a new roadway connecting 40th Street NE to SR 92, extending from 40th Street south midway between 83rd Avenue NE and 87th Avenue NE and then east to SR 92. This is depicted as Figure 1.

Staff has researched an alternative connection on SR 92/40th Street connection (Figure 2). If roundabouts are implemented at the intersections of 87th Avenue NE & SR 92 extension and 40th Street & 87th Avenue NE the road connection should provide an acceptable arterial connection to 40th Street to carry east-west traffic. This will result in widening of 87th Avenue to 70'-80' of right of way, and raise the classification of 87th Avenue NE through this section to minor arterial as shown. In addition, more stringent intersection spacing and driveway consolidation and spacing will apply through this section. It will however reduce the overall arterial road right of way affecting these properties. The attached map depicts the proposed connection. This will alter the current connection plan in Figure 8-4 of the City's Comprehensive Plan and maps within the Whiskey Ridge subarea plan.

The road corridor study represents a transportation planning level analysis. It is a non-project proposal. This road concept depicts a proposed connection to provide transportation connectivity in the southeast Sunnyside area. Perteet, Inc provided engineering analysis for the East Sunnyside/Whiskey Ridge plan and produced a document entitled "East Sunnyside Whiskey Ridge Transportation Needs Evaluation" which is incorporated into the staff report as **Exhibit A**. Transportation modeling for the southeast Sunnyside area identifies that roads are not currently sized and improved at standards sufficient to carry long-term transportation volumes forecasted over the next twenty years. At a comprehensive plan level, this necessitates planning for future corridors and access for arterials as well as access roads. The comprehensive plan maps, text and policies support long-term transportation planning.

B. Conformance with SEPA

The comprehensive plan amendment request was reviewed and processed in accordance with Title 18, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA). Addendum #11 to the City of Marysville Comprehensive plan update Final Environmental Impact Statement (DEIS) and previously issued addenda was issued by the City on July 2, 2007.

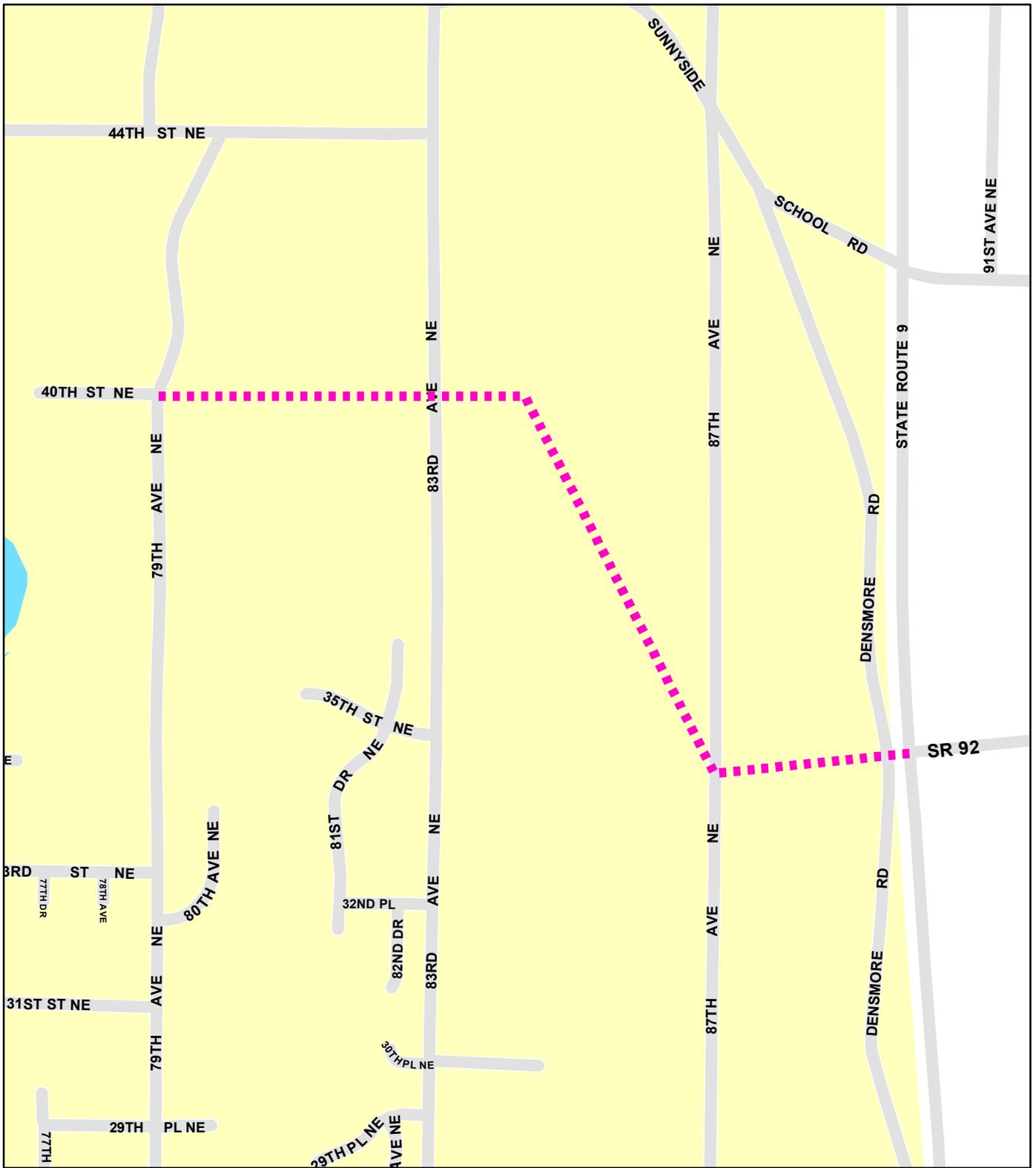
REVIEW & ANALYSIS:

- 1) The alignment maps (original and revised) are attached as Figures 1 and 2.
- 2) Both alignments shown in Figures 1 and 2 will provide an east-west arterial connecting Sunnyside Blvd. and SR9.
- 3) The alternative road depicted in Figure 2 will reduce overall new arterial right of way needs and coordination for right of way acquisition.
- 4) Access controls and management will be more stringent along 87th Avenue NE for the road shown in Figure 2, than Figure 1.
- 5) Either alignment considered will provide the necessary function as a connection between 40th Street and SR 92. The primary consideration should be feasibility of the construction due to coordination of properties involved, right of way needs and potential impact to existing structures.

- 6) Comment was received from property owners along 87th Avenue NE that the old alignment was preferred over the new alignment due to perceived impact of right of way widening on 87th Avenue NE being greater than a new road along the west side of their properties.
- 7) The primary consideration in any alignment is connecting 40th Street with SR9. In the event the properties were assembled for development and a more direct, curvilinear roadway could be constructed, the road concept could be altered to follow the most direct route. The intent of the master plan was to identify a road concept to provide guidance for future development within the area. The alignment shown is not a project action. It is mapped as a transportation planning concept only. When the project becomes a project action, through development activity initiated by private property owners, or the City through a capital project, additional environmental analysis will be conducted to identify the appropriate final alignment and impact to structures and property features. The master plan is a planning level document that provides guidance for future development within the East Sunnyside/Whiskey Ridge neighborhood for growth anticipated through 2025.

RECOMMENDATION:

Revise the alignment to utilize 87th Avenue NE and roundabouts at the two intersections shown in Figure 2. Revise the Comprehensive plan maps and charts depicting the arterial connector.



2007 Marysville Comprehensive Plan Amendments
Amendment #6



- Conceptual linkage
- City limits

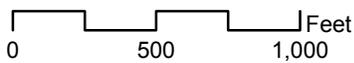




Figure 1

40th St to SR 92 Connector - New Street Alternative

- Proposed Connector
- Parcels
- Right-of-way

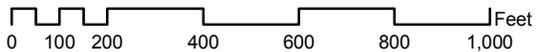
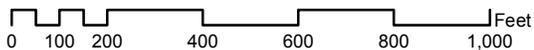




Figure 2
 40th St to SR 92 Connector - Existing Street Alternative



- Proposed Connector
- Parcels
- Right-of-way



East Sunnyside/Whiskey Ridge Transportation Needs Evaluation

1. Introduction

The East Sunnyside / Whiskey Ridge neighborhood is located in the southeast corner of the City of Marysville, bounded by Soper Hill Road on the south, Highway 9 on the east, and 64th Street (SR 528) on the north. The west boundary of the neighborhood is approximately 75th Avenue north of 52nd Street, and 67th Avenue south of 52nd Street.

A significant part of the neighborhood has been under the jurisdiction of Snohomish County, but within the City's Urban Growth Area (UGA) boundary. In this respect, the development of some the transportation infrastructure has been to County standards.

This Transportation Needs Evaluation considers the long-term potential development of the neighborhood (developable land capacity), adjacent neighborhoods inside the City, County, and other jurisdictions. The Transportation Needs Evaluation also considers the existing and future regional roads, transit services, and non-motorized facilities.

2. Land Use Assumptions

The East Sunnyside / Whiskey Ridge neighborhood comprises about 1,822 acres of which there are about 1,585 (87%) gross developable acres and about 1,372 (75%) net developable acres. The neighborhood has several steep hillsides, ravines, creeks, and woods. It is expected that the urban development will be predominantly single family residential (including duplexes), with some multi-family units, a limited amount of neighborhood commercial, and a commercial and mixed use area along Highway 9 from the intersection of SR 92 to Soper Hill Road.

The developable land capacity analysis indicates that the number of dwelling units in the neighborhood could increase from about 910 units today to about 4,275 units in the future, and that employment in the neighborhood could increase from about 34 employees to 733 employees. Development demands are high and full build-out could occur by 2025 or earlier

3. Traffic Forecasting Methodology

The travel forecasting for the East Sunnyside / Whiskey Ridge neighborhood employed the City of Marysville's current T-Model/2 program, which was developed in 2004 to predict traffic volumes for the year 2025. This model covers the City of Marysville and its UGA areas, and uses external traffic inputs from the regional traffic model developed by the Puget Sound Regional Commission (PSRC). Because the East Sunnyside / Whiskey Ridge neighborhood is at the extreme southeast edge of the City's T-Model/2 coverage area, the external inputs create a significant impact on the traffic estimates.

The land use assumptions in the Traffic Analysis Zones (TAZ's) of the City's T-Model that relate to the East Sunnyside / Whiskey Ridge neighborhood were reviewed for compliance with the land use assumptions proposed in the neighborhood plan. The model assumptions were found to be relatively consistent with the neighborhood plan, with two

exceptions. Minor adjustments were made in the assumptions of single-family residences and multi-family residences, and about 100,000 square feet of quasi-institutional space assumed in the T-Model/2 program were transferred to a retail category to more reasonably represent the proposed commercial / mixed use area near Highway 9.

The road network assumptions of the current T-Model/2 program were also revised to include a more direct connection to Highway 9 at the SR-92 intersection. In this case, an arterial road would connect from this key intersection to the 40th Street right-of-way near 83rd Avenue and continue west to Sunnyside Boulevard.

The T-Model/2 program was revised using these land-use and road network adjustments and run to provide new traffic forecasts for the year 2025.

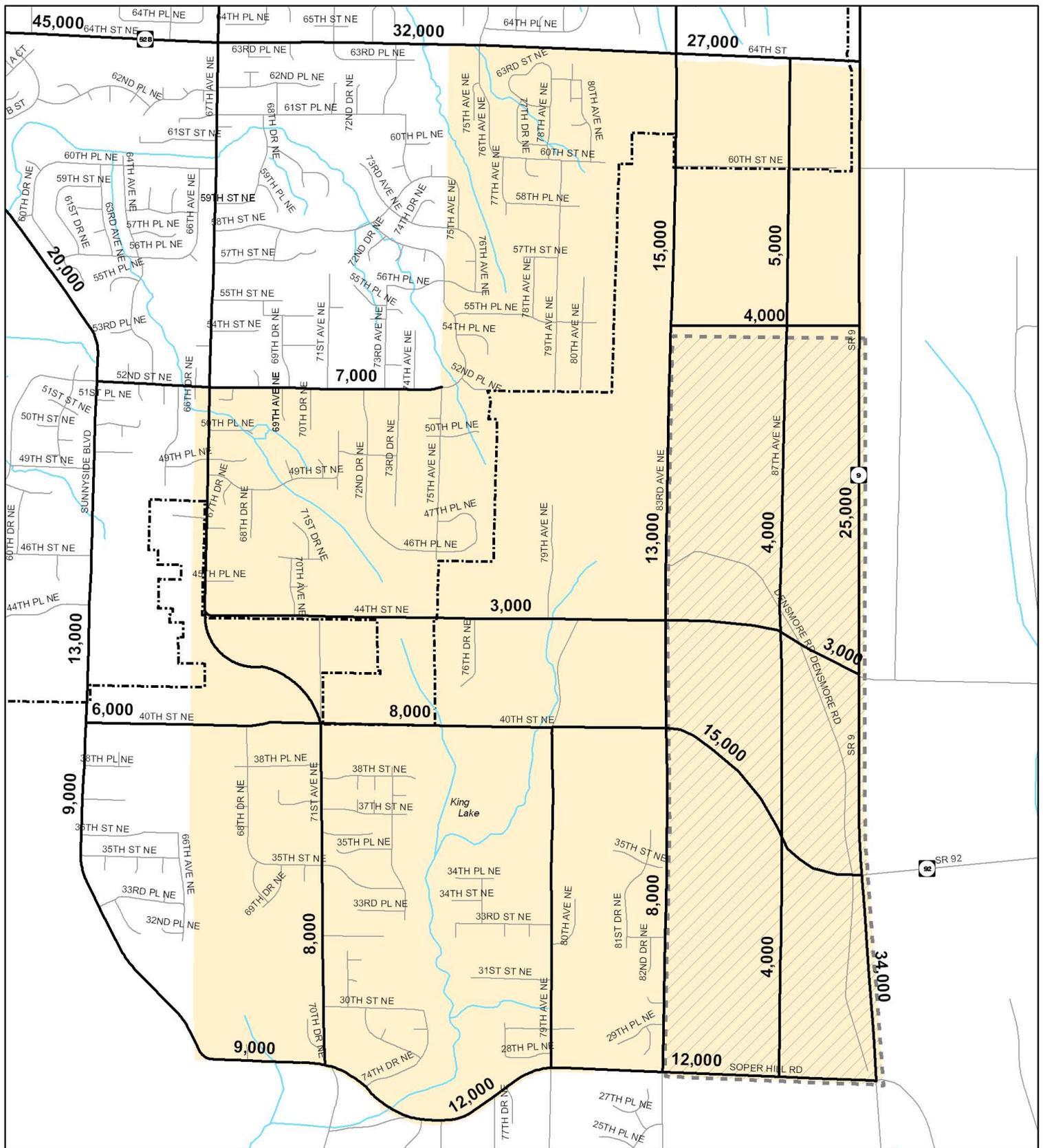
4. Traffic Demands and Arterial Road Facilities

Results from the traffic model indicate that there will be very heavy traffic demands in the east-west and in the north-south directions, as shown on *Figure 1* and summarized on *Table 1*.

The highest volumes in the east-west direction will be on 64th Street (SR-528), where traffic demands at the west end of the study area could reach 45,000 vehicles per day. The proposed extension of SR-92 west and north to connect to 40th Street could carry up to 15,000 vehicles per day at the east end at SR-9. Soper Hill Road could carry up to 12,000 vehicles per day at the east end.

The highest volumes in the north-south direction will be on SR-9, where traffic demands at the south end of the study area could reach 34,000 vehicles per day. Sunnyside Boulevard could carry up to 20,000 vehicles per day at the north end, and 67th and 83rd Avenues could carry up to 15,000 vehicles per day each at the north end of the study area.

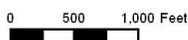
Table 1		
Estimated 2025 Daily Traffic Volumes		
	<i>Minimum</i>	<i>Maximum</i>
East-West Streets		
64 th Street (SR 528)	27,000	45,000
52 nd / 54 th Street	4,000	7,000
44 th Street	3,000	3,000
40 th Street to SR-92	6,000	15,000
Soper Hill Road	9,000	12,000
North-South Streets		
Sunnyside Boulevard	9,000	20,000
67 th / 71 st Avenues	8,000	15,000
83 rd Avenue	8,000	15,000
87 th Avenue	4,000	5,000
SR-9	25,000	34,000



City of Marysville
Whiskey Ridge Master Plan
2025 Daily Traffic Volume

-  Master Plan Area
-  Marysville city limits
-  East Sunnyside Neighborhood

December 8, 2006



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Figure 1

Based on these analyses, the following road improvements are recommended, as shown on *Figure 2* and summarized in *Table 2*.

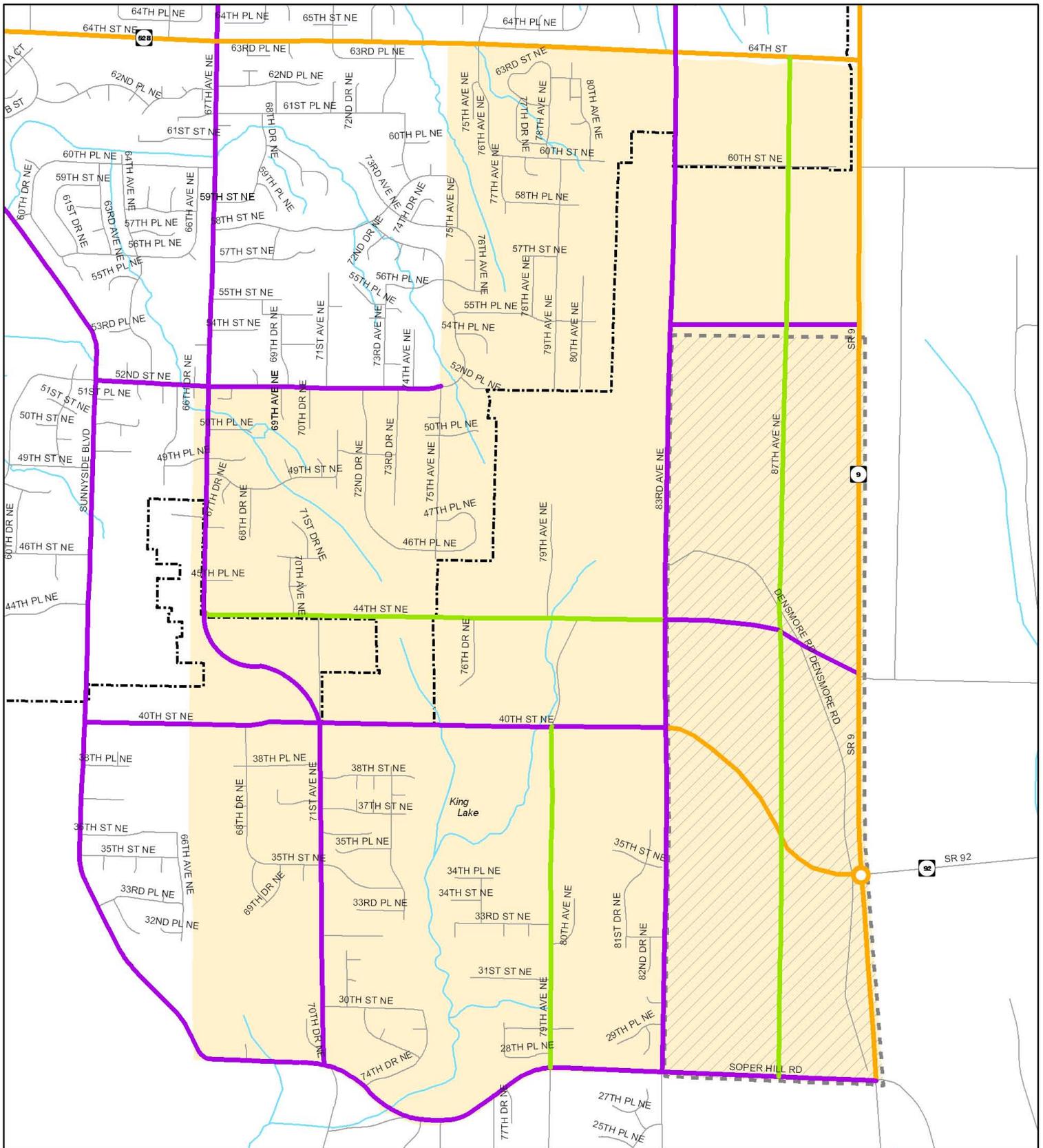
- ***Sunnyside Boulevard / Soper Hill Road*** should be classified as a Minor Arterial and will require at least a three-lane section. Depending on the type of access control (traffic control signals or roundabouts), a center landscaped boulevard may be appropriate. Bike lanes or a multi-purpose road-side path would be appropriate.
- ***67th / 71st Avenues*** should be a connected route, if possible, from 64th Street through to Soper Hill Road and classified as a Minor Arterial with a three-lane section with bike lanes or a road-side path.
- ***79th Avenue*** should be classified as a Collector Arterial north of 40th Street and designed for two lanes to Soper Hill Road
- ***83rd Avenue*** should be classified as a Minor Arterial and designed for three lanes from 64th Street (SR528) to Soper Hill Road. This alignment is considered preferable to 87th Avenue for the primary north-south arterial because it is more central to the neighborhood.
- ***87th Avenue*** should be classified as a Collector Arterial and designed for two lanes with bike lanes. It is not recommended that 87th Avenue be a through street from 64th Avenue to Soper Hill, because of its proximity to SR-9. Intersections at major cross-streets could eventually back traffic up into intersections at SR-9 if there is significant north-south through-traffic on 87th Avenue. However, 87th Avenue should be designed for primary commercial access where it crosses other arterial streets such as 35th Street with left-turns where appropriate.
- ***40th Street*** should be connected from Sunnyside Boulevard to the intersection of SR-92 at SR-9. It should be classified as a Principal Arterial east of 83rd Avenue with a five-lane section to accommodate the planned adjacent commercial and higher density housing. West of 83rd Avenue, it should be classified as a Minor Arterial and designed with a three-lane section.
- ***44th Street*** should be extended to the Sunnyside School Road / Densmore Road intersection and then follow the existing alignment of Sunnyside School Road to the intersection at SR-9. It could continue east of SR-9 to provide access to communities in the unincorporated County. East of 83rd Avenue, 44th Street should be designated as a Minor Arterial with a three-lane section and bike lanes. West of 83rd Avenue, 44th Street should be designated as a Collector Arterial with two travel lanes and bike lanes.
- ***Sunnyside School Road*** and ***Densmore Road*** should both be disconnected at 44th Street and at 35th Street (SR-92 extension) due to their proximity to key SR-9 intersections. The rights-of-way could be used for local access streets and/or a multi-use trail.
- ***54th Street*** is recommended as a replacement access route to SR-9 for 60th Street, which is considered too close to the major intersection of 64th Street (SR-528) at SR-9. The 54th Street alignment would be approximately a midpoint between the major 64th Street intersection and the recommended 44th Street (Sunnyside School Road) intersection on SR-9. This connection to SR-9 should be classified as a

Minor Arterial with a three-lane section and bike lanes. It could also be continued east of SR-9 provide access to communities in the unincorporated County.

- **Neighborhood Collectors** – other streets, such as 60th Street and 79th Avenue north of 52nd Street, could be designated as neighborhood collectors with a two-lane section. Extension of 54th Street east of 83rd Avenue across the PSE right-of-way could also be considered as a neighborhood collector to provide better access the neighborhood west of 83rd Avenue.

**Table 2
Recommended Arterial Road System**

	From	To	Lanes
Principal Arterials			
SR 528 (64 th St.)	4 th Street	SR-9	5
35 th / 40 th Street (SR92 extension)	83 rd Street	SR-9	5
Minor Arterials			
Sunnyside Boulevard	3 rd Street	Soper Hill Road	3
Soper Hill Road	Sunnyside	SR-9	3
83 rd Avenue	64 th Street	Soper Hill Road	3
67 th Avenue	64 th Street	44 th Street	3
67 th / 71 st Avenues	44 th Street	Soper Hill Road	3
52 nd Street	Sunnyside	75 th Avenue	3
54 th Street	83 rd Avenue	SR-9	3
44 th Street	83 rd Avenue	SR-9	3
40 th Street	Sunnyside	83 rd Avenue	3
Collector Arterials			
44 th Street	67 th Avenue	83 rd Avenue	2
79 th Avenue	40 th Street	Soper Hill Road	2
87 th Avenue	64 th Street	Soper Hill Road	2



City of Marysville
Whiskey Ridge Master Plan
Arterial Functional Classifications

ARTERIAL

PRINCIPAL

MINOR

COLLECTOR



Master Plan Area



Marysville city limits



East Sunnyside Neighborhood

December 8, 2006



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Figure 2

5. Transit Facilities

Currently, Community Transit Route 221 is the primary transit service in the neighborhood. It operates on SR 9 and 64th Street (SR-528) connecting Lake Stevens to Quil Ceda Village via downtown Marysville. Service is provided all day long at a frequency of about one bus per hour. Two commuter routes (CT-421 and CT-821) pass by the corner of SR 528 and 67th Street. Service is limited to the morning and afternoon commuter hours.

Transit service areas are usually defined as the properties within 1,500 feet of a bus route where stops are made. There are currently bus stops on 64th Street, which limits the existing coverage to East Sunnyside residents within 1,500 feet of 64th Street.

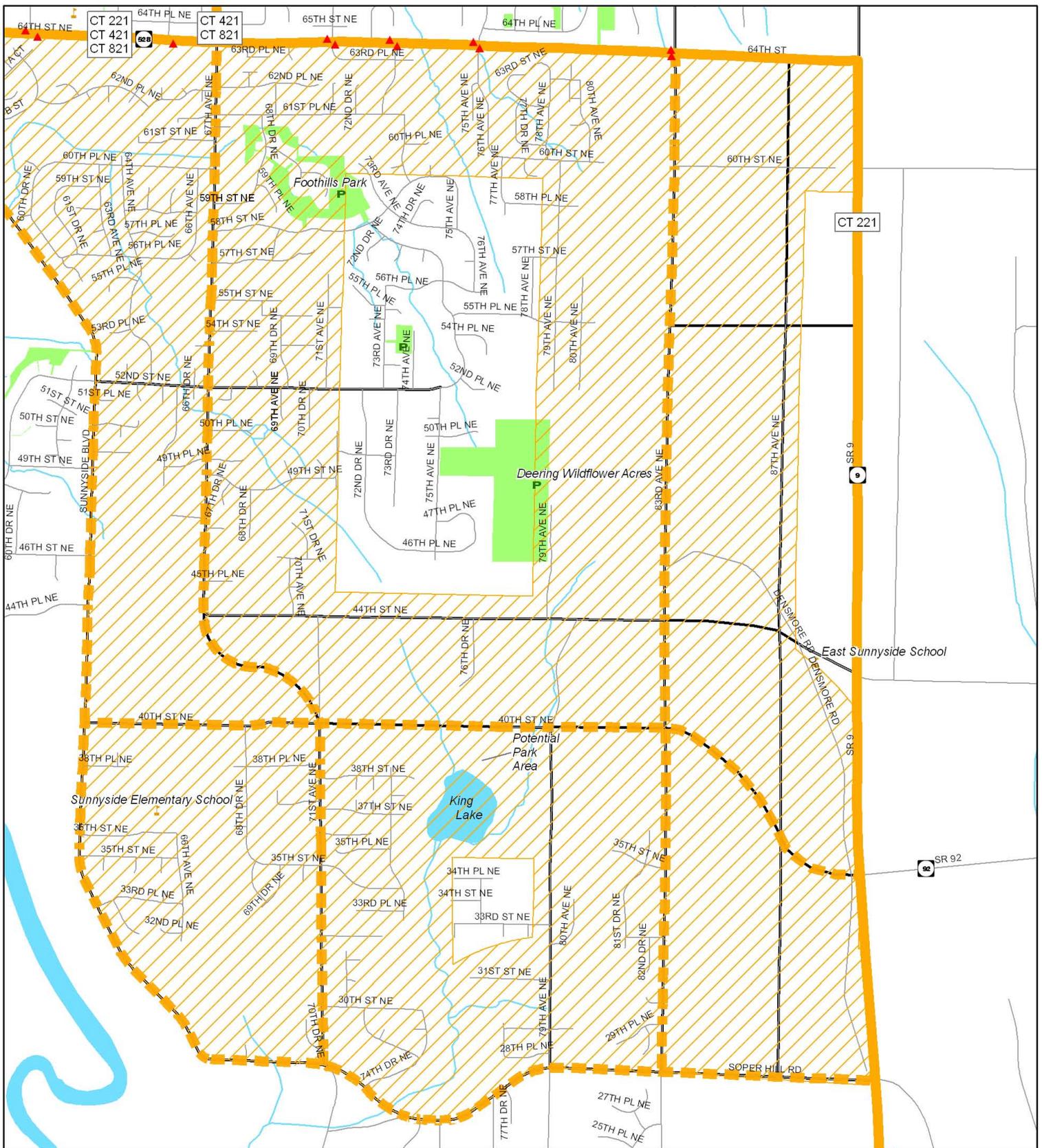
As the East Sunnyside / Whiskey Ridge Community grows to its capacity of nearly 12,000 residents, it will require additional public transit services. The future transit routes should be designed to provide service to within 1,500 feet of as many residents as possible. It is likely, for example, that CT-221 could be rerouted from SR-9 to a minor arterial street within the Whiskey Ridge community, such as 83rd Avenue, to allow more frequent stops and improved coverage.

It is prudent therefore, for the City to design streets to support future bus routes to serve future residents and employees. Street design considerations should include providing additional right-of-way for bus stop locations, bus shelter (pad) locations, and improved sidewalk or trail access. This infrastructure should be considered a mitigation expense in the same manner as road facilities and non-motorized facilities.

It is recommended that design of the following Principal and Minor Arterial streets should include provisions for future bus routes as shown on **Figure 3**:

- Sunnyside Boulevard
- Soper Hill Road
- 40th Street to the SR-92 intersection at SR-9
- 83rd Avenue
- 67th / 71st Avenues

Assuming that bus routes will continue to operate on 64th Street, this will provide very good coverage of the East Sunnyside / Whiskey Ridge Community as shown on **Figure 3**. As the neighborhood develops, the City should work with Community Transit to provide new bus routes on the designated arterial streets.



City of Marysville

Whiskey Ridge Master Plan Transit Service

December 8, 2006

- Marysville city limits
- Schools
- Parks
- Existing Community Transit Routes
- Existing Community Transit Stops
- Potential Transit Streets
- Potential Transit Service Coverage Area



1,000 500 0 Feet



Item 16 -318

Figure 3

6. Non-motorized Facilities

Multi-purpose trails, bike lanes, sidewalks and other non-motorized facilities should be provided for recreational purposes and to encourage commuters to use modes other than automobiles to travel to work places and schools. In this regard, it is important to locate these facilities near parks, schools, higher density residential, and bus routes.

It is also important to maintain a grid system of non-motorized facilities so that pedestrians and cyclists are not discouraged by long winding routes. Sidewalks should be provided on all arterial roads unless a road-side multi-purpose path is provided.

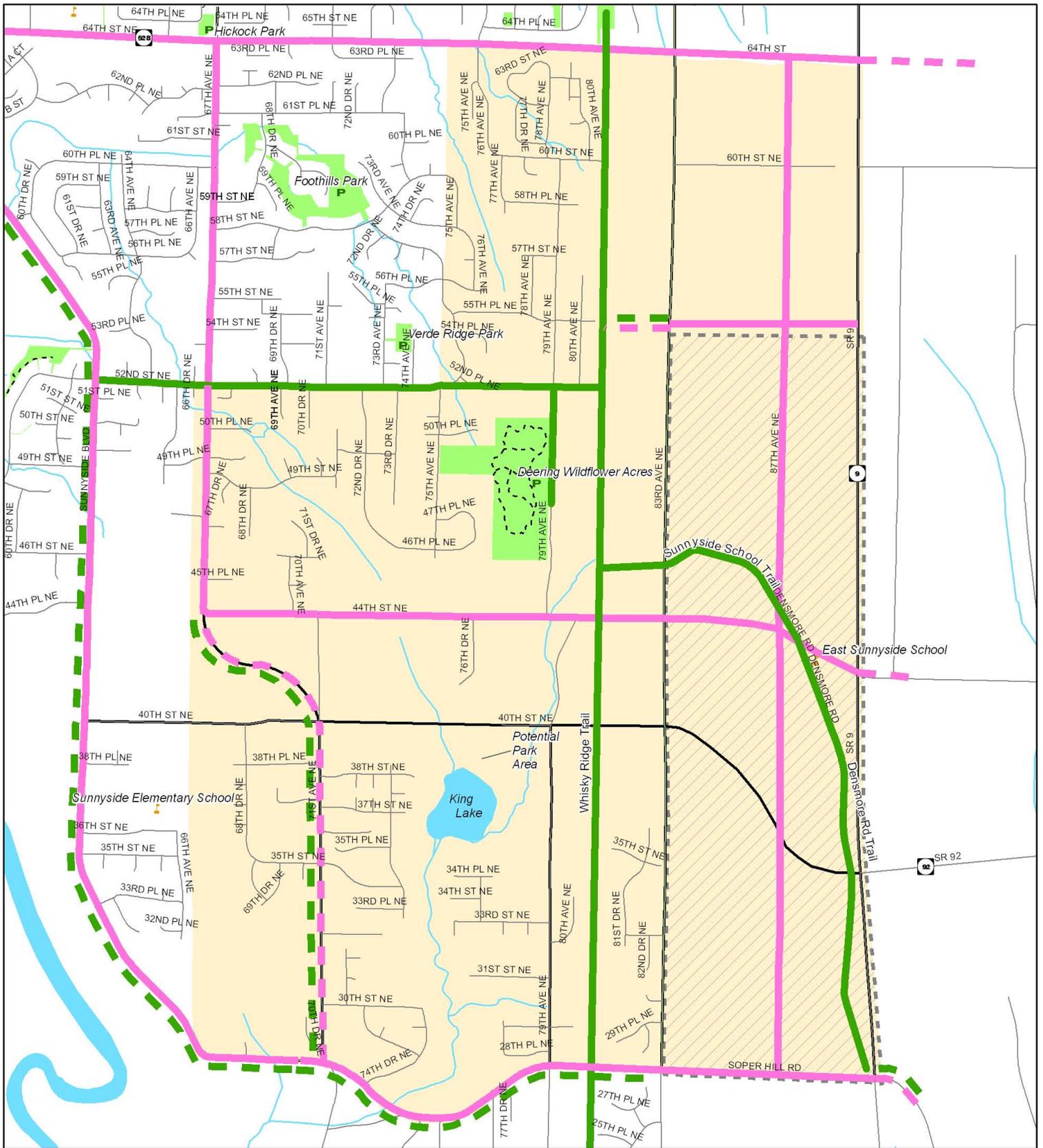
A network of trails and bike lanes is shown on *Figure 4*.

Multi-purpose Paths and Trails are recommended in the following corridors:

- **Densmore / Sunnyside School Road** right-of-way should be converted to a north-south trail or a local access road with a road-side path.
- **A PSE Corridor** runs parallel and west of 79th Avenue from Soper Hill Road to 64th Street and beyond, which would provide an excellent right-of-way for a trail. Proposed as the Whiskey Ridge Trail, it would provide excellent north-south connections to homes, parks, shops and bus routes
- **52nd Street** would provide an excellent east-west opportunity for a road-side path to connect Sunnyside Boulevard to Deering Wildflower Acres and the potential Whiskey Ridge (PSE) Trail.

Bike Lanes (or multi-use road-side paths) are recommended in the following corridors:

- **64th Street (SR-528)** is a connector route for commuter-type bike lanes.
- **Sunnyside Boulevard / Soper Hill Road** corridor should include bike lanes and sidewalks or a multi-use road-side path.
- **67th / 71st Avenues** from 64th Street to Sunnyside/Soper Hill Road should include bike lanes or a multi-use road-side path.
- **44th Street** could be a preferably route to 40th Street for bike lanes from 67th Avenue to SR-9 and the Densmore/School Road Trail. A connection west of 67th Avenue to Sunnyside Boulevard would be desirable.
- **54th Street/55th Place** could use bike lanes or a trail to provide continuity of the 52nd Street path east to the Whiskey Ridge (PSE) Trail and SR-9.
- **87th Avenue** is a preferable to 83rd Avenue as a north-south route for bike lanes or a multi-use road-side path due to the proximity of 83rd Avenue to the proposed Whiskey Ridge Trail and since 87th Avenue would also provide continuity of the Densmore / Sunnyside School Trail.



City of Marysville

Whiskey Ridge Master Plan Parks, Routes, and Trails

December 8, 2006



Master Plan Area

Marysville city limits

East Sunnyside Neighborhood

Schools

Parks

Multi-use Path/Trail

Bicycle Lanes



Item 16 -320

Figure 4

**CITY OF MARYSVILLE
ENVIRONMENTAL CHECKLIST
RCW 197-11-960**

**Staff Initiated Comp Plan Amendment No. 6
40th Street NE Road Connection, West of 87th Avenue NE**

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicant:

This environmental checklist asks you to decide some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply". In addition, complete the *Supplemental Sheet for Non-Project Action (part D)*.

For non-project actions, the references in the checklist to the words "project", "applicant", and "property or site" should be read as "proposal", "proposer", and "affected geographic area", respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Staff Initiated Comprehensive Plan Amendment No. 6 – 40th Street NE Road Connection, west of 87th Avenue NE Comprehensive Plan Map & Text Amendment

2. Name of applicant:

City of Marysville

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

**Gloria Hirashima, CD Director
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270
(360) 363-8100**

4. Date checklist prepared:

June 18, 2007

5. Agency requesting checklist:

City of Marysville

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

2007 Marysville Comprehensive Plan Amendment cycle

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

N/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.

Environmental documentation regarding the Marysville Comprehensive Plan includes the following:

- **Draft Environmental Impact Statement dated January 13, 2005**
- **Final Environmental Impact Statement dated April 2005**
- **Snohomish County “Final Environmental Impact Statement for the 10 Year Update”**
- **Snohomish County “Draft Environmental Impact Statement for the 10 Year Update”**
- **East Sunnyside – Whiskey Ridge Subarea Plan**

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.

None known

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

Marysville City Council approval of a Comprehensive Plan Amendment

11. Give brief, complete description of your proposal, including all 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.)

A non-project action amending Marysville Comprehensive Plan maps in relation to the future road connections for 40th Street NE, west of 87th Avenue NE. During review of the Whiskey Ridge Subarea Plan, City staff analyzed existing road connections in the East Sunnyside – Whiskey Ridge neighborhood and made recommendations for a new alignment on 40th Street NE (extending to SR 92). The Planning Commission held public hearings on December 11, 2006 and January 23, 2007 and recommended an alignment, depicted on the Preferred Alternative map, attached hereto.

Marysville City Council held a public hearing on April 23, 2007 and remanded the decision on alignment to the Planning Commission for additional review. An alternative connection from SR 92 to 40th Street NE was analyzed by Staff (see alternative alignment map attached hereto).

If round-a-bouts are implemented at the intersections of 87th Avenue NE & SR 92 extension and 40th Street NE & 87th Avenue NE the road connection should provide an acceptable arterial connection to 40th Street NE to carry east-west traffic. This will result in widening of 87th Avenue NE to 70' of right-of-way, and raise the classification of 87th Avenue NE through this section to minor arterial as shown on the attached map. In addition, this alternative would require more stringent intersection spacing and driveway consolidation standards. It will however, reduce the overall arterial road right-of-way affecting the properties located along the future roadway.

The proposed amendment would affect the following figures and text of the Marysville Comprehensive Plan:

- Figures 8-4 and 8-7 of the Transportation Element proposed road connector map and 20-year Transportation Improvements
- Page 8-56 in Appendix A Recommended 20 Year Transportation Plan Improvement Projects.

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 topography 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 to this checklist.

The proposal is a Comprehensive Plan map and text amendment, affecting arterial connections within the East Sunnyside – Whiskey Ridge neighborhood. The following is a description of the alternative options (see attached maps):

Original Alignment: Extend SR 92 west through 87th Avenue NE, then north bisecting the 5-acre tracts between 87th Avenue NE & 83rd Avenue NE, then west through 83rd Avenue NE connecting with 40th Street NE

Alternate Alignment: Extend SR 92 west to a round-a-bout located at the intersection of 87th Avenue NE & SR 92 extension, then north along 87th Avenue NE to a round-a-bout at the intersection of 87th Avenue NE & 40th Street NE, then west across 83rd Avenue NE connecting with 40th Street NE.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (*bold/italic*): Flat, rolling, *hilly, steep slopes*, mountainous, other.

The East Sunnyside – Whiskey Ridge neighborhood is hilly with areas of steep slopes.

- b. What is the steepest slope on the site (approximate percent slope)?
15 - 25% is the steepest slope in the East Sunnyside – Whiskey Ridge neighborhood
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of the agricultural soils, specify them and note any prime farmland.

According to the United States Department of Agriculture – Soil Conservation Service, Soil Survey of Snohomish County the East Sunnyside – Whiskey Ridge neighborhood is mainly comprised with Tokul Gravelly Loam soils.

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

None Known

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

3. WATER

- a. Surface:

- 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.

A Category III wetland was delineated on APN's 00590700021800 & 00590700023800, which is part of a 73-lot subdivision known as Shasta Ridge, approved by Snohomish County under PFN 05-128835. The developer is extending 40th Street NE east of 83rd Avenue with the construction of this subdivision, impacting the Category III wetland. Impacts to this wetland were mitigated through Snohomish County's subdivision and SEPA review process.

No other surface water bodies are known to be present within the roadway alignment proposals.

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground waters? Give general description, purpose, and approximate quantities if known.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project text amendment of the Maryville Comprehensive Plan

4. PLANTS

a. Check or circle types of vegetation found on the site (*bold/italic*):

- . deciduous tree: *alder, maple*, aspen, other
- . evergreen tree: *fir, cedar*, pine, other
- . *shrubs*
- . *grass*
- . *pasture*
- . crop or grain
- . wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- . water plants: water lily, eelgrass, milfoil, other
- . other types of vegetation

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

None Known

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site (*bold/italic*):

birds: *hawk*, heron, eagle, songbirds, other: **Crow, Starling, Woodpecker**

mammals: deer, bear, elk, beaver, other: **Raccoon, Opossum, Rat, Mice**

fish: bass, salmon, trout, herring, shellfish, other: **None Known**

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

None Known

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

Marysville is part of the Pacific Flyway

- d. Proposed measure to preserve or enhance wildlife, if any:

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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.

No

- 1) Describe special emergency services that might be required.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

b. Noise

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

The East Sunnyside – Whiskey Ridge neighborhood consists mainly of large lot single-family home sites, undeveloped acreage and agricultural and farming activities.

- b. Has the site been used for agriculture? If so, describe.

Yes, some of the properties located within the East Sunnyside – Whiskey Ridge neighborhood have been used mainly for the grazing of livestock.

- c. Describe any structures on the site.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

The City of Marysville recently adopted the East Sunnyside – Whiskey Ridge Subarea Plan establishing new land uses including CB (Community Business), MU (Mixed Use), R-12 (multi-family low density), R-4.5-8 (single-family) and R-6.5 (single-family, high density).

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

The City of Marysville recently adopted the East Sunnyside – Whiskey Ridge Subarea Plan establishing new land uses including Community Business, Mixed Use, multi-family low density, single-family 4.5 – 8, and single-family, high density.

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

N/A – The East Sunnyside – Whiskey Ridge neighborhood is not located within a shoreline jurisdiction

- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

9. Housing

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

11. Light and Glare

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- c. What existing off-site sources of light or glare may affect your proposal?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

12. Recreation

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be or next to the site? If so, generally describe.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The attached figures depict existing and future road connections within the East Sunnyside – Whiskey Ridge neighborhood.

- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Community Transit currently provides bus service along 64th Street NE (SR 528) and SR 9.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

16. Utilities

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

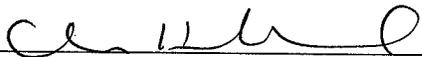
N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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: 

Date: 6/10/07

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not 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 environment.

When answering these questions, be aware of the extent of 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 proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise.

Proposed measures to avoid or reduce such increases are:

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to stormwater discharge, emissions, toxins and noise regulations.

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

The proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect plants, animals, fish or marine life.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to the protection of plants, animals, fish or marine life.

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

The proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not deplete energy or natural resources.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to energy and natural resource protection.

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 proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect environmentally sensitive areas or areas designated for government protection.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to environmentally sensitive areas or areas designated for governmental protection.

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?

The proposal is a non-project map and text amendment of the Marysville Comprehensive Plan. Future project actions may require improvements to the road network system.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to shoreline and land use impacts.

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

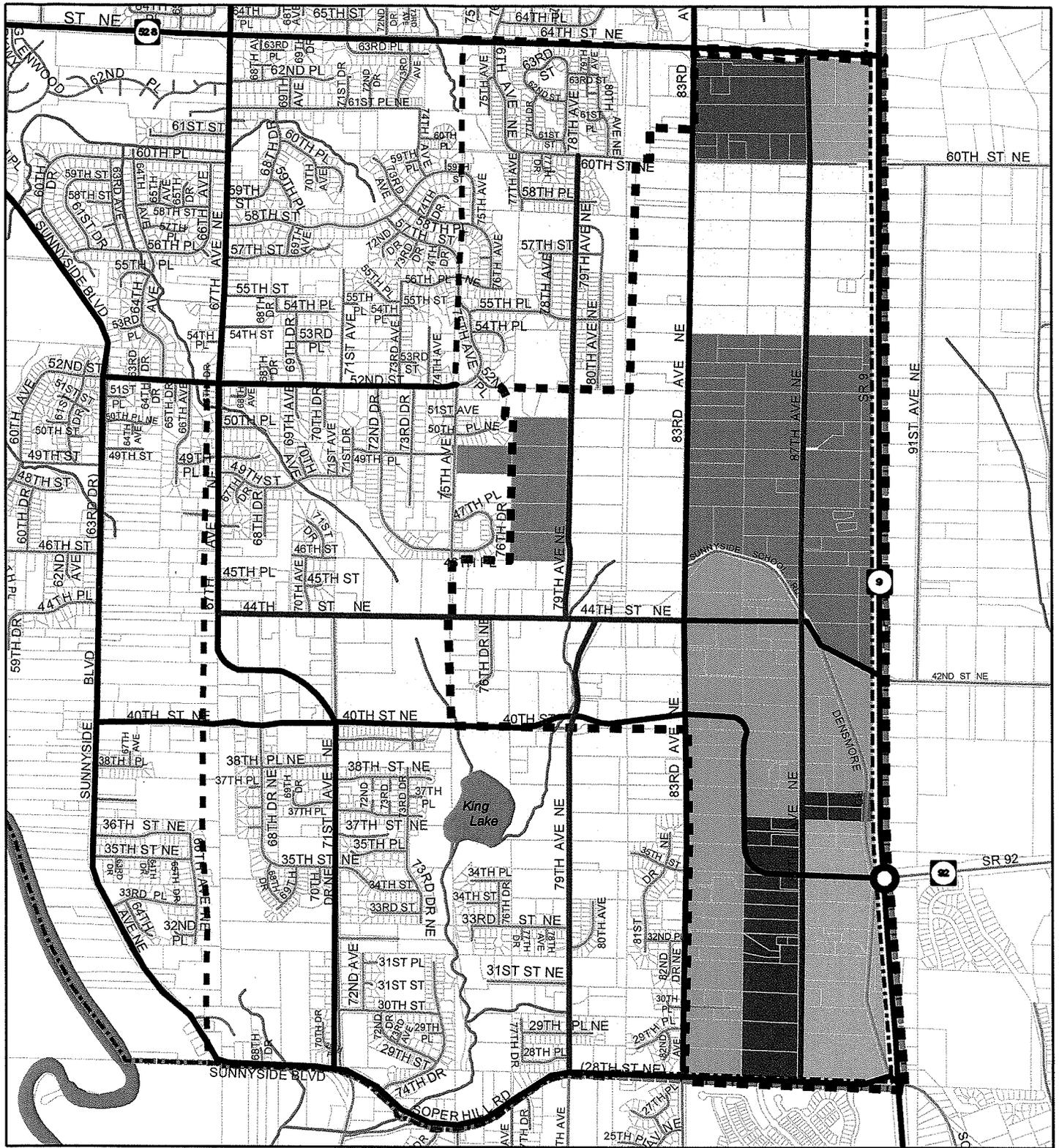
This proposal is a non-project action. Therefore, the proposal in and of itself will not increase demands on transportation or public services and utilities. The map and text amendments are proposed to provide future road connections in order to provide a road network system that can handle the future transportation demands in the area.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to transportation, public services and utilities.

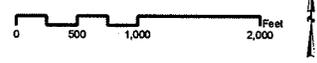
7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No known conflict. The Growth Management Act requires that development regulations be consistent with adopted GMA comprehensive plans.



City of Marysville
East Sunnyside/Whiskey Ridge
Master Plan
East Sunnyside Neighborhood

May 14, 2007



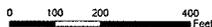
- | | | | | | |
|--|------------------------------|--|--------------------|--|---------------------|
| | Marysville City Limits | | Proposed Arterials | | Community Business |
| | Marysville Urban Growth Area | | PRINCIPLE | | Mixed Use |
| | East Sunnyside Neighborhood | | MINOR | | Multi-Family Medium |
| | Master Plan Expansion Area | | COLLECTOR | | Multi-Family Low |
| | Parcels | | | | Single Family 4.5-8 |
| | | | | | Single Family 6.5 |
| | | | | | Recreation |



**Whiskey Ridge Master Plan
Proposed 40th St NE to SR 92 Alignment**



Pertee



Wednesday, July 18, 2007

To whom it may concern,

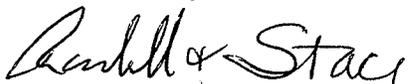
We have lived on 87th avenue for about 12 years. It is a nice quiet rural area. We have raised our three children here. Now our quiet country way of life is being threatened by the new proposed road plan. We didn't like the original plan of putting in a new road between 87th and 83rd, but the new plan has 87th widened to 5 lanes. This would in effect put the road almost right outside of my front door. When we first moved into this house we set our trees back from the road in event that the road might be widened and sidewalks added. Now our trees would be destroyed along with most of our front yard. And this plan does not only affect our family, but another 14+ of our neighbors. Some of the homes would quite possibly have to be moved to make room for the widened road. The original plan would be placing the new road in open areas. Although this would affect 5 families, it is a much smaller amount then the 14+ the new plan would involve.

It has been stated in one of the meetings that running the road straight to 83rd because it would be too close to highway 92 was out of the question, but yet 87th is much closer to Highway 92. It is claimed that by putting a round a bout on 87th would alleviate this problem. Why not run the road to 83rd and then widen 83rd? 83rd is a wider road already and is the typical route in the area. You would still have to put a round a bout on 87th, but not have to widen the road or put a new road in the area.

My wife has attended many of the hearing meetings and has not heard what the traffic increase for the area would be. I believe that this is a very important impact and needs to be taken into affect before the decision is made. There are many families with small children on 87th. The increase in the traffic would put these children in harms way. It would also be a danger to every family that would need to pull out of their driveway.

We had opposed the annexation and still feel that Marysville's taking of this area was done without consideration of the families in the area. Since the annexation, we have seen nothing but increases of our power bill, a new storm water bill and an increase of our property taxes. Now a large part of our property is being threatened by the proposed widening of, what is now, a quiet road. We understand that it is being done in the name of progress, but we feel that the cost to our neighbors and us is too great. Let us at least keep our quiet neighborhood the way it is, even if it is for just a little while longer.

Respectfully,



Randall and Staci Garka
3725 87th Ave NE

RECEIVED

JUN 18 2007
CITY OF MARYSVILLE
COMMUNITY DEVELOPMENT

From: Carmen Rasmussen
To: luciejohns@hotmail.com
Date: 07/17/2007 1:20:52 PM
Subject: Re: Potential Hwy 92 route

Lucie-

Thank you for your input into the proposed road configuration. As you may know, the Planning Commission is planning a public hearing regarding this issue on July 24th.

The Planning Commission hearing agenda and info is located on the city website:
http://ci.marysville.wa.us/CommunityDev/planning/activities/complan_amend_07/072407%20PC%20Packet.pdf

If you are unable to access this information on the website, I'm sure that the Community Development Department can get you a copy of the agenda by mail.

The info about the meeting is as follows:

Marysville Planning Commission Public Hearing - July 24, 2007, 6:30 p.m. in the City Hall Council Chambers, 1049 State Ave. A public hearing will be held on the proposed 2007 Marysville Comprehensive Plan Amendments.

Your input will be valuable at this public hearing and I encourage you to attend and give your perspective on this matter.

Thank you!
Carmen Rasmussen
City Councilmember

>>> "Lucie Johns" <luciejohns@hotmail.com> 07/10/07 10:33 AM >>>
Councilwoman Rasmussen,

It seems to me that the potential route for the extension of Hwy 92 to the west becomes more and more confusing. My home will be greatly affected by the current proposal to route it down 87th Ave. Originally it was to go down 83rd or along the line between 83rd and 87th. These routes were deemed to be problematic because of having a cross stop too close to Hwy 9. Now that problem is apparently gone by using roundabouts on 87th! Why not use them in either of the other two configurations which would impact far fewer homes and would make more sense for through traffic. I feel we would all be forced to sell our homes due to safety concerns and the aesthetics inherent in living on a busy road.

Thank you for your consideration,
Lucie Johns
3623 87th Ave NE
Marysville, WA 98270

425-397-7389

CC: ghirashima@ci.marysville.wa.us

From: " don" <dgbakker@earthlink.net>
To: <ghirashima@ci.marysville.wa.us>
Date: 07/15/2007 9:43:37 PM
Subject: FW: proposed 40th St NE to SR 92 alignment on 87th Ave NE

----- Original Message -----

From: don
To: ghirashima@ci.marysville.wa.us
Sent: 7/8/2007 1:39:33 PM
Subject: proposed 40th St NE to SR 92 alignment on 87th Ave NE

July 8, 2007

From: Don Bakker
3811 87th Ave NE
Marysville, WA 98270

To: Gloria Hirashima, Community Development, City of Marysville

I am very much apposed [against] the proposed 40th ST..NE. To SR 92 alignment on 87th AVE. NE. I have over 400ft. of road frontage on 87th Ave. with nice yards, trees, landscaping, rockeries, drive-ways, and I don*t want to lose that along with half my driveways and yards. I planned my home with a nice yard and driveway and don*t want to lose it to a busy road.

This is a bad idea it will totally disrupt our nice neighborhood, it is the wrong thing to do!

1. The traffic would be terrible!
2. We couldn*t even get out of our driveways!
3. We would lose property value, half our yards and driveways!

My home is where my heart is, its my hobby, I have designed and built it all and to have the city of Marysville make all these changes and force annexation on us propose these roads, increase our property taxes charge us the maximum for surface water management, its all very disheartening it cuts very deep emotionally, and causes great stress on many people.

We do not want gridlock, road rage, tons of traffic brought to us thru our neighborhood that has lots of kids, people walking and animals enjoying our quiet neighborhood.

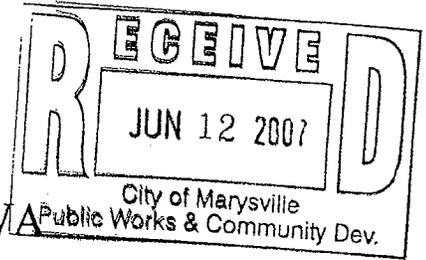
Marysville needs to fix what they have, improve the roads that are already in place because the proposed roads would put traffic into the streets of Marysville were there already is traffic gridlock. that people are wanting to avoid now.

Please don*t bring a major highway through our neighborhood, it will be so negative to our families, kids, animals, and all the traffic noise would take away from the country setting that this area has always been for so many families.

Mayor Kendall has stated he wants to be sure we are going in the right direction. This is the wrong direction, to disrupt our wonderful neighborhood.

Thanks for your attention.

Sincerely,
Don Bakker
425-335-0751



To: The City Planning Department of Marysville, WA

I would like to again encourage you to take another look at the other road options.

The "connector road," as it is being called, is not a good choice for several reasons.

1) This road would disrupt and displace many homes and families. Is the city prepared to wait for a very long time, possibly eternity, to put the road in? Existing home owners are not wanting or willing to sell. As you can see, we love our homes and our area.

2) This proposed road lowers the value of our property. Even just having this road on a proposed land use map, lowers the value of our land. Would you want to buy land that will have a road divide it? I think not. How many people buy a home for the street? How many people want to buy a home that has four to five main roads so close to it? This road would make our land and home undesirable, and worth a lot less.

3) If the proposed connector is planned to help the fire department get down the hill, it is estimated to save only about twelve seconds. The curves in the road do slow down speeders, where a straight shot, especially down a hill, will have more problems with people speeding.

4) There are eagles nests and wet lands that will be unlawfully disturbed. The eagles nests are right where the connector road would go. There are wet lands by where the connector is planned as well as east of 40th St. where there are plans to connect to Highway 9.

Again, our proposal is to use the existing roads, making improvements to them. The reasons for using the existing roads include:

1) It would be less disruptive to the existing Marysville citizen families located in the area.

2) It would be less costly, using existing roads and materials, than displacing families and buying the land. It would be less costly time wise and economically, to use the existing roads.

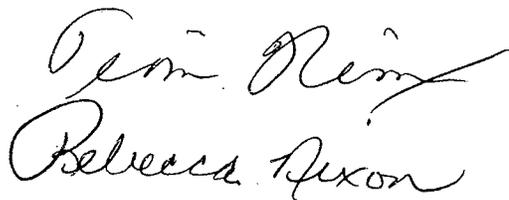
3) It would be less disruptive to the natural habitat, endangered animals and to the preserved wetlands.

4) The proposed road from 40th to Highway 9 goes across clearly marked wetlands. Are you planning on building a bridge? How are you proposing to legally get over the wetlands?

I ask if any of you have personally gone out to this area, gotten out of your cars and walked around? This is a very important decision, effecting many people. It is important to make the correct decision.

We, along with our lawyers, are prepared to hire a transportation planner to help find alternatives. We are willing to meet with you before or after the workshop. We are prepared and willing to do what is needed to work with you to come to a viable resolution.

Thank you,

Handwritten signatures of Tim and Beccie Nixon. The signature for Tim is written above the signature for Beccie.

Tim and Beccie Nixon
4024 71st Ave. N.E.
Marysville, WA 98270
425-335-7764

Amendment #4

*Rec'd
7/24/07
KW*

COMMENT SHEET
City of Marysville Public Hearing
Revised Whiskey Ridge/Sunnyside Road and Zoning Plans
Tuesday, July 24, 2007

Name: Ken White
Address: 3303 87th Av NE, Marysville, WA 98270
Phone Number: 425-377-0282 Email: white_kenw@msn.com

1. Please identify aspects of the alternative that you like or agree with, and why:

NA—I believe the project is unnecessary.

2. Please identify aspects of the alternative that you dislike or do not agree with, and why:

- *Homeowners pay more.* Using 87th to make the connection with Hwy 92 lowers the cost impact for developers to build an entire new road by expanding an existing road, and shifts the cost to homeowners as this plan affects 14 property owners instead of five in the previous plan.
- *It impacts more homeowners.* If the road change is made, the density along 87th would change, and the effect could be more than just 14 homes, it could be as high as 30+ homes.
- *It affects smaller property owners more.* There are many more 1 acre properties on 87th. With less property to offer to developers than the larger 5 acre pieces, the impact of this road adjustment would be felt much more than the larger pieces.
- *The small property owners will lose money.* If the city buys 10 feet more of someone's property and pays "fair market price" for the land, the property owner might lose two dwelling units because there would no longer be enough property to allow more. Those two dwelling units would fetch around \$120,000 (developers pay per dwelling unit that can be built on a piece of property. Currently the price is from \$45K to \$65K per unit). That is a loss of \$90,000 for the property owner.
- *It is grossly unfair and unnecessary.* It spends millions of dollars and impacts more current life-long homeowners in order to shift as few of 2,000 vehicles over the next twenty years.

3. Questions:

- Are you certain this plan is legal under the state's Growth Management Act? For example, how will the plan affect adjacent wetlands?
- Does this plan help developers to pay less impact fees, thus putting more burden on homeowners? Do developers continue to receive discounted impact fees for transportation?
- Finally, WHY CHANGE THE PLAN? What didn't work with the previous plan? Did you forget something in the previous plan, or are the developers pressuring you for lower costs?
- Does this plan result in effecting more new trips in the next two decades than the previous plan?

Proposed Road

met
7/24/07

①

Meeting July 24th 7 PM

I am very much ^{against} _{opposed} the proposed 40th. St. NE. to SR 92 Road alignment on 87th Ave. NE.

This is a bad idea:

- 1) It would totally disrupt our nice neighborhood.
 - 2) The traffic would be terrible.
 - 3) We would lose property value.
 - 4) It would take away a lot of our yards & driveways.
 - 5) It would be very difficult to get out of our driveways with all the ~~traffic~~ increased traffic.
 - 6) We do not want gridlock, road rage, tons of traffic brought to us thru our neighborhood that has lots of kids, people walking and animals enjoying our quiet neighborhood.
- 1) We are in the country because we want it this way.

Cont.

②

Marysville needs to Fix the existing Roads that are in place, because the proposed roads would put traffic into the Streets of Marysville were there already is traffic gridlock.

Don't ruin our neighborhood only to make Marysville streets more crowded.

People are wanting to avoid Marysville streets now.

Am asking you not to bring a major highway through our neighborhood

It will be so negative to our families, homes, Kids, animals, and all the increased traffic noise would take away from the country setting that this area has always been for so many families.

cont.

say
1st

I have lived on this property for Sixty years, I plan on retiring & enjoying the home and property I have built & designed, We like it the way it is.

cont.

>

Mayor Kendall has stated he wants to be sure we are going in the right direction.

This is the wrong direction for many, many, reasons to disrupt our wonderful neighborhood.

[We need to preserve our neighborhood]

Thank You

Don Babka

3811 87th AV NE

Mansville

Ken
7/24/07
Ken

COMMENT SHEET
City of Marysville Public Hearing
Revised Whiskey Ridge/Sunnyside Road and Zoning Plans
Tuesday, July 24, 2007

Name: Ken Pinnell
Address: 3826 87th Ave. NE
Phone Number: 425-531-1132
Email Address: KPinnell@comcast.net

Amendment #60

Please identify aspects of the alternative that you like or agree with, and why:
I do not agree with the alternative... see my comments below.

Please identify aspects of the alternative that you dislike or do not agree with, and why:

Roundabouts: Delay the response time for the fire department. According to the fire chief he would prefer to not have any speed bumps, roundabouts or other items in the roads that delay his response time. If my house is on fire, and I am trapped inside, the extra 5 seconds could be the difference between life and death for me or anyone in my family.

Share the burden: The plan as outlined creates a huge burden for the homes on 87th Ave. There are many one and two acre properties who will take much more of the burden than the other properties. I understand that the city will pay me for the additional dirt needed to build the wider road, but that dirt that I will HAVE to give up (even if fair market) is for the cost of the dirt... not the loss of developable units. If I get 30k for my property (10' wide x 300' long = 3000 sf x \$10/sf = \$30,000), I will likely loose two dwelling units (2 x \$55,000 = \$110,000). That means that I am now loosing \$80,000 (over a years salary). I understand that the larger properties could also loose that same density, but remember I only have one acre and I cannot replace what I currently have for what I will now get for my property. I loose big time. The burden needs to be shared by all.

Burden continued: The new alternate would effect approximately 14 properties (half of them are smaller like mine). The older road plan would only effect about 5 properties. Properties that could make more adjustments to property lines and distances between homes and such, and maybe not loose any homes.

Please do not forget about the smaller properties on within your newly annexed area.

Other comments:

The need for properly designed roads is critical. I understand that a road is necessary and am willing to back a well funded, properly thought out and *evenly* distributed road plan.

**PLANNING STAFF REPORT ON
REQUEST FOR AMENDMENT
TO THE
CITY OF MARYSVILLE COMPREHENSIVE PLAN
CITY INITIATED AMENDMENT REQUEST #7**

The following is a review of a staff-initiated request for an amendment to the City of Marysville
Comprehensive Plan.

File No.: PA 07043

Date of Report: 7/13/07

Nature of Request: Comprehensive plan map amendment to Lakewood land use designation and zoning. Map amendment would affect Figures 4-2, 4-87 and 4-91 of the City of Marysville Comprehensive Plan general land use and neighborhood maps.

I. EVALUATION:

A. Request

The City of Marysville has conducted a Lakewood Triangle Access Study to review proposed arterial connections and access to the Lakewood Areas. (Exhibit 1, Lakewood/Smokey Point Arterial Streets). The Study has resulted in recommendations to construct new arterial connections within the Lakewood neighborhood as well as new arterial connections between the Lakewood and Smokey Point neighborhoods.

The staff report to City-initiated comprehensive plan amendment #3 depicts the proposed connections. This will alter the current connection plan in several figures of the City's Comprehensive Plan. It will result in 156th Street being constructed as a major east-west corridor arterial potentially within six years. The east-west arterial was previously shown in our comprehensive plan and some planning/design funding was identified within the 20 year transportation plan. However, the Lakewood Triangle Access Study recommends immediate construction of a bridge overcrossing for this corridor. The recommended schedule for the improvement to address existing traffic and level of service in Lakewood is within six years.

In response to this corridor construction, changes to 156th Street north side land use designations are proposed on the north side of 156th Street NE. The existing comprehensive plan designates portions of the north side of 156th Street NE as residential. This proposed amendment would designate the north side of 156th Street NE as commercial, General Commercial to the east edge of the Burlington Northern Railroad tracks.

B. Conformance with SEPA

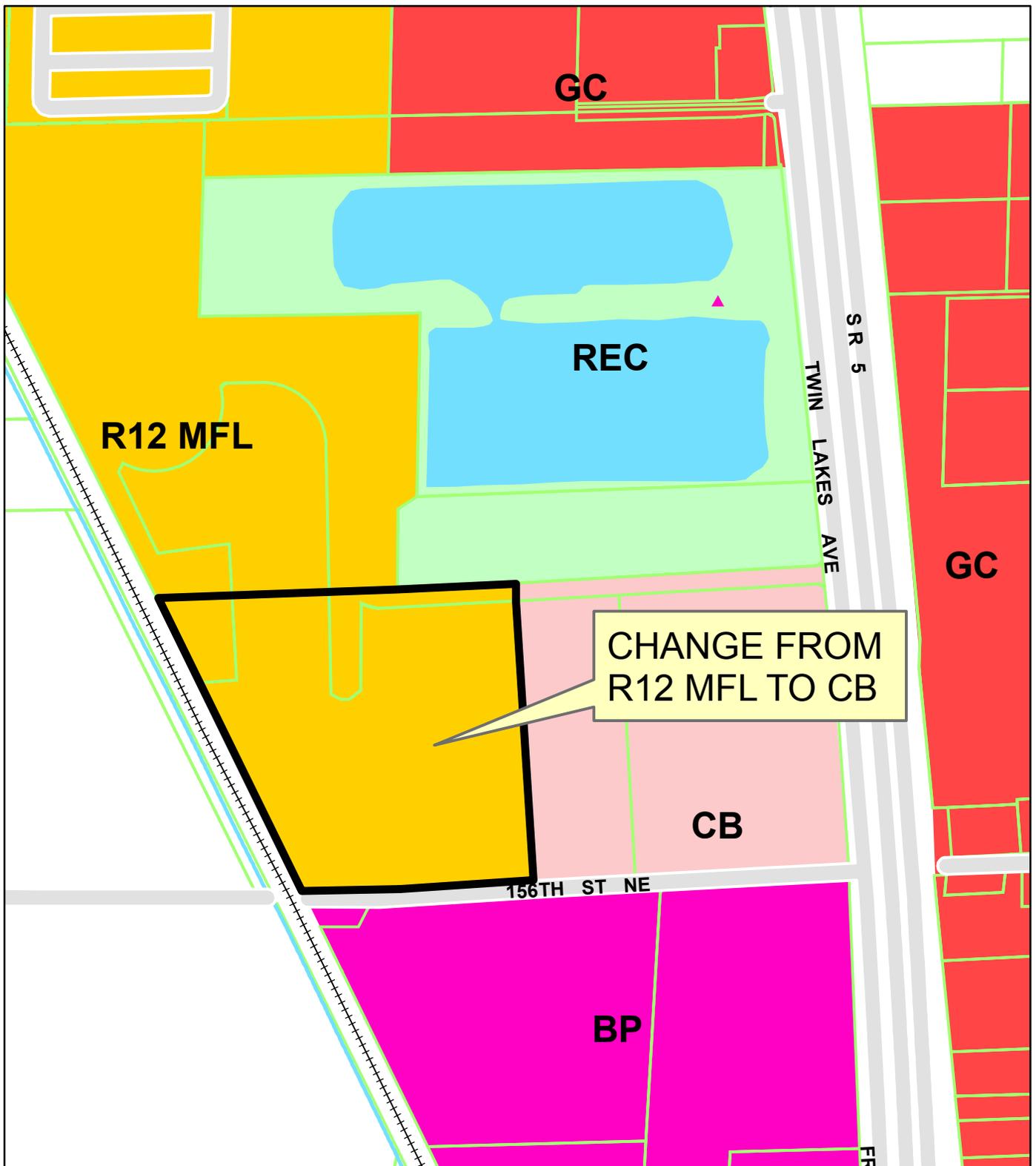
The comprehensive plan amendment request is reviewed and processed in accordance with Title 18, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA).

REVIEW & ANALYSIS:

- 1) The map amendment is appropriate, given the access and traffic volumes anticipated on 156th Street NE. A commercial use along the principal arterial will be more appropriate than residential. Due to the planned improvements which include a bridge, the bridge landings will be west of Twin Lakes Blvd and reach grade approximately mid-point between Twin Lakes Blvd and the BNR tracks. This will require access to be taken further west for properties along Interstate 5. This has an impact on land uses north of 156th Street NE.
- 2) The north side of 156th Street NE is currently zoned Community Business immediately south of Twin Lakes Park. This proposal would include land use designation change to General Commercial and extend the designation to the west to the BNR tracks.

RECOMMENDATION:

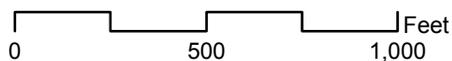
Revise the plan maps as shown.



2007 Marysville Comprehensive Plan Amendments
Amendment #7



- BP - BUSINESS PARK
- CB - COMMUNITY BUSINESS
- GC - GENERAL COMMERCIAL
- MFL - MULTI-FAMILY LOW



**CITY OF MARYSVILLE
ENVIRONMENTAL CHECKLIST
RCW 197-11-960**

**Staff Initiated Comp Plan Amendment No. 7
Lakewood Land Use Amendment**

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicant:

This environmental checklist asks you to decide some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply". In addition, complete the *Supplemental Sheet for Non-Project Action (part D)*.

For non-project actions, the references in the checklist to the words "project", "applicant", and "property or site" should be read as "proposal", "proposer", and "affected geographic area", respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Staff Initiated Comprehensive Plan Amendment No. 7 – Lakewood Land Use Amendment

2. Name of applicant:

City of Marysville

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

**Gloria Hirashima, CD Director
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270
(360) 363-8100**

4. Date checklist prepared:

June 25, 2007

5. Agency requesting checklist:

City of Marysville

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

2007 Marysville Comprehensive Plan Amendment cycle

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

N/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.

Environmental documentation regarding the Marysville Comprehensive Plan includes the following:

- **Draft Environmental Impact Statement dated January 13, 2005**
- **Final Environmental Impact Statement dated April 2005**
- **Snohomish County “Final Environmental Impact Statement for the 10 Year Update”**
- **Snohomish County “Draft Environmental Impact Statement for the 10 Year Update”**
- **Lakewood Triangle Access Study**

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.

None known

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

Marysville City Council approval of a Comprehensive Plan Amendment

11. Give brief, complete description of your proposal, including all 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.)

A non-project action amending Marysville Comprehensive Plan maps for property in the Lakewood neighborhood of Marysville, located north of 156th Street NE. The City of Marysville conducted a "Lakewood Triangle Access Study" to review proposed arterial connections and access to the Lakewood area. The study has resulted in recommendations to construct new arterial connections within the Lakewood neighborhood as well as new arterial connections between the Lakewood and Smokey Point neighborhoods. The proposal would develop 156th Street NE as a principal arterial with a bridge structure overcrossing Interstate 5. As a result of the transportation changes proposed along this street, this proposal would redesignate the north side of 156th Street NE from Multi-Family Low Density to Community Business.

The proposed amendment would affect the following figures and text:

Figures 4-2, 4-87 and 4-91 of the Marysville Comprehensive Plan maps

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 topography 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 to this checklist.

The proposal is a Comprehensive Plan map amendment, affecting property north of 156th Street, south of Twin Lakes Park, in the Lakewood neighborhood. These neighborhoods are located in the northern portion of Marysville's Urban Growth Area (MUGA), west of I-5 (see attached map).

B. ENVIRONMENTAL ELEMENTS

1. Earth
 - a. General description of the site (*bold/italic*): Flat, rolling, hilly, steep slopes, mountainous, other.
The Lakewood area is relatively flat.
 - b. What is the steepest slope on the site (approximate percent slope)?
The steepest slopes on the properties are 3-5%.
 - c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of the agricultural soils, specify them and note any prime farmland.
According to the United States Department of Agriculture – Soil Conservation Service, Soil Survey of Snohomish County the Lakewood area is mainly comprised with Custer Fine Sandy Loam soils.
 - d. Are there any surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

3. WATER

- a. Surface:

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground waters? Give general description, purpose, and approximate quantities if known.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

4. PLANTS

- a. Check or circle types of vegetation found on the site (***bold/italic***): **N/A**
- deciduous tree: alder, maple, aspen, other
 - evergreen tree: fir, cedar, pine, other
 - **shrubs**
 - **grass**

- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site (***bold/italic***): **N/A**

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other:

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

d. Proposed measure to preserve or enhance wildlife, if any:

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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.

No

- 1) Describe special emergency services that might be required.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

b. Noise

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

The property is currently pasture. The adjacent uses are currently agricultural and rural residential uses. The property to the north is a County park.

- b. Has the site been used for agriculture? If so, describe.

Yes, the site has historically been used for agricultural and farming purposes.

- c. Describe any structures on the site.

None.

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

The property is zoned R-12 (multi-family low density).

- f. What is the current comprehensive plan designation of the site?
The property is designated Multi-family low density.
- g. If applicable, what is the current shoreline master program designation for the site?
N/A – The property is not located within shoreline jurisdiction
- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.
Wetlands have been identified on the properties as part of ongoing development review. These areas will be protected pursuant to critical areas regulations within the City of Marysville.
- i. Approximately how many people would reside or work in the completed project?
N/A – Non-project map amendment of the Maryville Comprehensive Plan
- j. Approximately how many people would the completed project displace?
N/A – Non-project map amendment of the Maryville Comprehensive Plan
- k. Proposed measures to avoid or reduce displacement impacts, if any:
N/A – Non-project map amendment of the Maryville Comprehensive Plan
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
N/A – Non-project map amendment of the Maryville Comprehensive Plan

9. Housing

- a. Approximately how many housing units would be provided, if any? Indicate whether high, middle, or low-income housing.
N/A – Non-project map amendment of the Maryville Comprehensive Plan
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
N/A – Non-project map amendment of the Maryville Comprehensive Plan
- c. Proposed measures to reduce or control housing impacts, if any:
N/A – Non-project map amendment of the Maryville Comprehensive Plan

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?
N/A – Non-project map and text amendment of the Maryville Comprehensive Plan. Building height in the RML zone is 35 feet. Building height in Community Business is 55 feet.
- b. What views in the immediate vicinity would be altered or obstructed?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

11. Light and Glare

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- c. What existing off-site sources of light or glare may affect your proposal?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

12. Recreation

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be or next to the site? If so, generally describe.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The attached maps depict existing and future public streets within the Lakewood and Smokey Point neighborhoods.

- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

The closest service to the Lakewood neighborhood is by Community Transit bus service along Smokey Point Boulevard & 172nd Street NE.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A – Non-project map amendment of the Maryville Comprehensive Plan

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

16. Utilities

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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: 

Date: 2/2/07

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not 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 environment.

When answering these questions, be aware of the extent of 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 proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise.

Proposed measures to avoid or reduce such increases are:

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to stormwater discharge, emissions, toxins and noise regulations.

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

The proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect plants, animals, fish or marine life.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to the protection of plants, animals, fish or marine life.

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

The proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not deplete energy or natural resources.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to energy and natural resource protection.

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 proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect environmentally sensitive areas or areas designated for government protection.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to environmentally sensitive areas or areas designated for governmental protection.

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?

The proposal is a non-project map amendment of the Marysville Comprehensive Plan. Future project actions may propose a change in land use through the development standards and provisions outlined in the MMC.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to shoreline and land use impacts.

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

This proposal is a non-project action. Therefore, the proposal in and of itself will not increase demands on transportation or public services and utilities. The map amendments are proposed based on a Triangle Access Study, which provided recommendations for the construction of new arterial connections within the Lakewood neighborhood.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to transportation, public services and utilities.

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

No known conflict. The Growth Management Act requires that development regulations be consistent with adopted GMA comprehensive plans.

**PLANNING STAFF REPORT ON
REQUEST FOR AMENDMENT
TO THE
CITY OF MARYSVILLE COMPREHENSIVE PLAN
CITY INITIATED AMENDMENT REQUEST #8**

The following is a review of a staff-initiated request for an amendment to the City of Marysville
Comprehensive Plan.

File No.:	PA 07043
Date of Report:	7/13/07
Applicant:	City of Marysville Community Development Department
Owners:	multiple
Location:	8106, 8110, 8114, 8204, 8207-43 rd Avenue NE
Nature of Request:	Comprehensive plan map amendment and rezone of 8106, 8110, 8114, 8204, 8207-43 rd Avenue NE from General Commercial (GC) to Single-Family High (R6.5).

I. EVALUATION:

A. Request

This proposal is a comprehensive plan map amendment and rezone of 8106, 8110, 8114, 8204, 8207-43rd Avenue NE from General Commercial (GC) to Single Family High (R6.5). This is a map correction. In 1999, the subject parcels were part of a split-zoned parcel with primary lot access off State Avenue. In 1999, the parcel was short subdivided. The rear part of the property was zoned R-18 and developed with access from the east off 43rd Avenue NE. In subsequent comprehensive plan updates, the parcels were inadvertently mapped General Commercial, and zoned GC by the implementing area-wide rezones. These parcels were developed with duplexes in 2001. As duplexes are nonconforming uses in the GC zone, staff recommends a map correction to designate the land R-6.5, Single Family High. The development pattern and access is clearly residential and should be zoned appropriately.

B. Conformance with SEPA

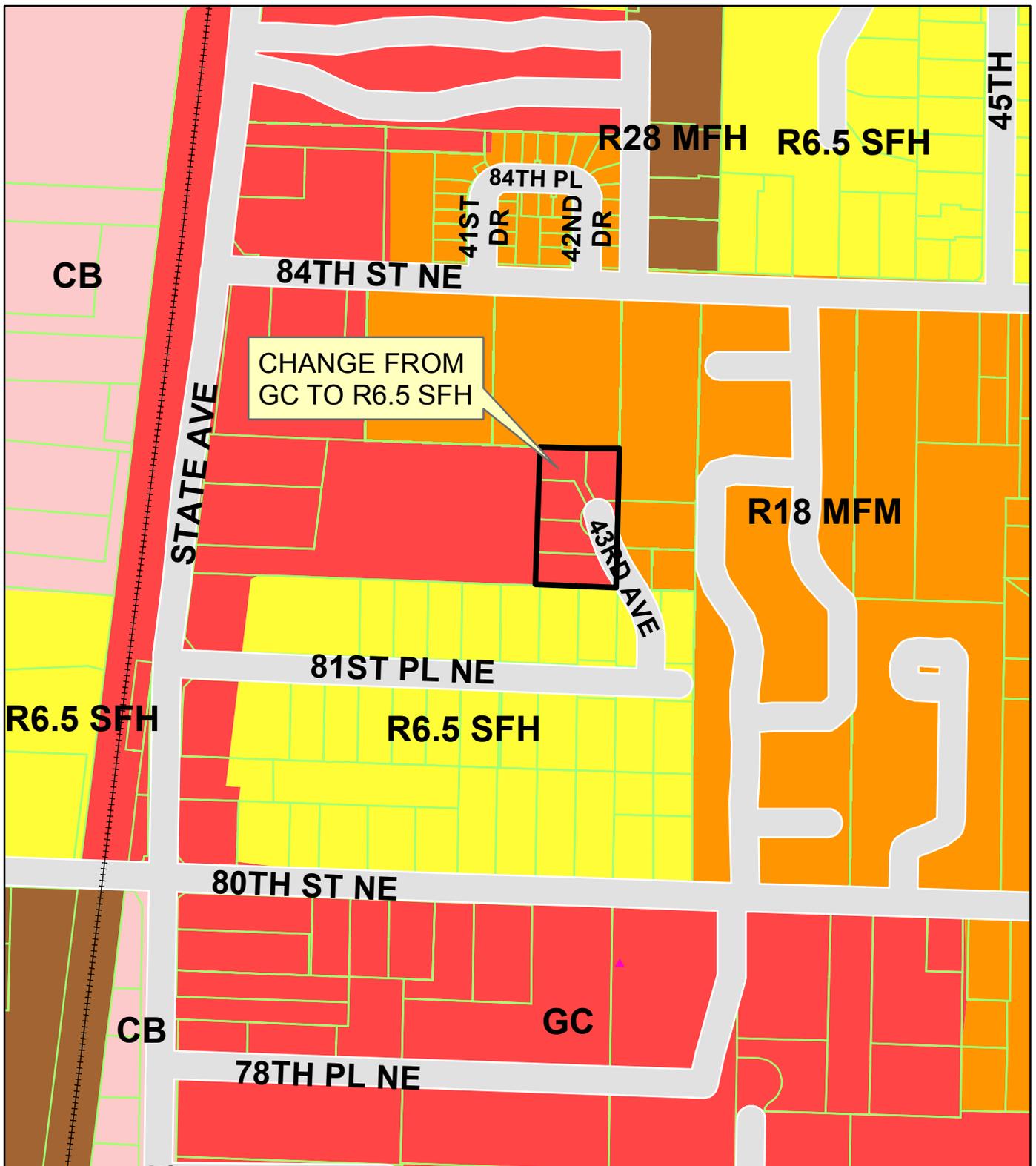
The comprehensive plan amendment request was reviewed and processed in accordance with Title 18, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA). Addendum #11 to the City of Marysville Comprehensive plan update Final Environmental Impact Statement (DEIS) and previously issued addenda was issued by the City on July 2, 2007.

REVIEW & ANALYSIS:

- 1) The map amendment and rezone is appropriate, given the access and existing development of the subject lots.
- 2) While the property appears to have originally been zoned R-18, Multiple Family Medium Residential, the current uses conform with the R-6.5, Single Family High densities and use allowances for duplexes. Therefore, the staff report recommends R6.5 as appropriate land use designation and zone.
- 3) The General Commercial zoning appears to have arisen out of a mapping error and should be corrected.

RECOMMENDATION:

Revise the comprehensive plan and zoning maps to reflect R-6.5, Single Family High land use designation and zoning.



2007 Marysville Comprehensive Plan Amendments
Amendment #8

CB - COMMUNITY BUSINESS
 GC - GENERAL COMMERCIAL
 MFL - MULTI-FAMILY LOW

MFM - MULTI-FAMILY MEDIUM
 MFH - MULTI-FAMILY HIGH
 SFH - SINGLE FAMILY HIGH



**CITY OF MARYSVILLE
ENVIRONMENTAL CHECKLIST
RCW 197-11-960**

**Staff Initiated Comp Plan Amendment No. 8
Pinewood Area Land Use Amendment**

Purpose of Checklist

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicant

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Use of checklist for non-project proposals:

Complete this checklist for non-project proposals, even though questions may be answered “does not apply”. In addition, complete the *Supplemental Sheet for Non-Project Action (part D)*.

For non-project actions, the references in the checklist to the words “project”, “applicant”, and “property or site” should be read as “proposal”, “proposer”, and “affected geographic area”, respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:
Staff Initiated Comprehensive Plan Amendment No. 8 – Pinewood Area Land Use Amendment
2. Name of applicant:
City of Marysville
3. Address and phone number of applicant and contact person:
**Gloria Hirashima, CD Director
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270
(360) 363-8100**
4. Date checklist prepared:
June 25, 2007
5. Agency requesting checklist:
City of Marysville
6. Proposed timing or schedule (including phasing, if applicable):
2007 Marysville Comprehensive Plan Amendment cycle
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
N/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.
**Draft Environmental Impact Statement dated January 13, 2005
Final Environmental Impact Statement dated April 2005**
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.
None known
10. List any government approvals or permits that will be needed for your proposal, if known.
Marysville City Council approval of a Comprehensive Plan Amendment
11. Give brief, complete description of your proposal, including all 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.)

A non-project action amending Marysville Comprehensive Plan maps to redesignate property from General Commercial (GC) to Multi-Family Medium (R18) for properties at 8106, 8110, 8114, 8204, 8207-43rd Avenue NE.

The proposed amendment would affect the following figures and text:

Figures 4-2, 4-62 of the Marysville Comprehensive Plan maps

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 topography 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 to this checklist.

The proposal is a Comprehensive Plan map amendment, affecting 8106, 8110, 8114, 8204, 8207-43rd Avenue NE (see attached map).

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (*bold/italic*): Flat, rolling, hilly, steep slopes, mountainous, other.

The area is relatively flat.

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

The steepest slopes on the properties are 5%.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of the agricultural soils, specify them and note any prime farmland.

According to the United States Department of Agriculture – Soil Conservation Service, Soil Survey of Snohomish County the Lakewood area is mainly comprised with Custer Fine Sandy Loam soils.

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

3. WATER

- a. Surface:

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground waters? Give general description, purpose, and approximate quantities if known.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

4. PLANTS

a. Check or circle types of vegetation found on the site (*bold/italic*): **N/A**

- . deciduous tree: alder, maple, aspen, other
- . evergreen tree: fir, cedar, pine, other
- . shrubs
- . grass
- . pasture
- . crop or grain
- . wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- . water plants: water lily, eelgrass, milfoil, other
- . other types of vegetation

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site (***bold/italic***): **N/A**

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other:

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- d. Proposed measure to preserve or enhance wildlife, if any:

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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.

No

- 1) Describe special emergency services that might be required.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

b. Noise

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

N/A – Non-project map and text amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

The property is currently developed for residential uses.

- b. Has the site been used for agriculture? If so, describe.

No.

- c. Describe any structures on the site.

Residential structures – duplexes.

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

The property is zoned General Commercial (GC).

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

The property is designated General Commercial.

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

N/A – The property is not located within shoreline jurisdiction

- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.

No.

- i. Approximately how many people would reside or work in the completed project?
N/A – Non-project map amendment of the Maryville Comprehensive Plan
 - j. Approximately how many people would the completed project displace?
N/A – Non-project map amendment of the Maryville Comprehensive Plan
 - k. Proposed measures to avoid or reduce displacement impacts, if any:
N/A – Non-project map amendment of the Maryville Comprehensive Plan
 - l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
N/A – Non-project map amendment of the Maryville Comprehensive Plan
9. Housing
- a. Approximately how many housing units would be provided, if any? Indicate whether high, middle, or low-income housing.
N/A – Non-project map amendment of the Maryville Comprehensive Plan
 - b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
N/A – Non-project map amendment of the Maryville Comprehensive Plan
 - c. Proposed measures to reduce or control housing impacts, if any:
N/A – Non-project map amendment of the Maryville Comprehensive Plan
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?
N/A – Non-project map and text amendment of the Maryville Comprehensive Plan.
 - b. What views in the immediate vicinity would be altered or obstructed?
N/A – Non-project map and text amendment of the Maryville Comprehensive Plan
 - c. Proposed measures to reduce or control aesthetic impacts, if any:
N/A – Non-project map and text amendment of the Maryville Comprehensive Plan
11. Light and Glare
- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
N/A – Non-project map and text amendment of the Maryville Comprehensive Plan
 - b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- c. What existing off-site sources of light or glare may affect your proposal?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

12. Recreation

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be or next to the site? If so, generally describe.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A – Non-project map amendment of the Maryville Comprehensive Plan

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

16. Utilities

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

N/A – Non-project map amendment of the Maryville Comprehensive Plan

- 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.

N/A – Non-project map amendment of the Maryville Comprehensive Plan

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:  _____

Date: 7/2/07 _____

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not 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 environment.

When answering these questions, be aware of the extent of 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 proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise.

Proposed measures to avoid or reduce such increases are:

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to stormwater discharge, emissions, toxins and noise regulations.

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

The proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect plants, animals, fish or marine life.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to the protection of plants, animals, fish or marine life.

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

The proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not deplete energy or natural resources.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to energy and natural resource protection.

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 proposal is a non-project map amendment of the Marysville Comprehensive Plan. Therefore, the proposal in and of itself will not affect environmentally sensitive areas or areas designated for government protection.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to environmentally sensitive areas or areas designated for governmental protection.

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?

The proposal is a non-project map amendment of the Marysville Comprehensive Plan. Future project actions may propose a change in land use through the development standards and provisions outlined in the MMC.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to shoreline and land use impacts.

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

This proposal is a non-project action. Therefore, the proposal in and of itself will not increase demands on transportation or public services and utilities. The map amendments are proposed based on a Triangle Access Study, which provided recommendations for the construction of new arterial connections within the Lakewood neighborhood.

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

None proposed. Future project level review, will require compliance with the applicable Federal, State and Marysville Municipal Codes related to transportation, public services and utilities.

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

No known conflict. The Growth Management Act requires that development regulations be consistent with adopted GMA comprehensive plans.

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 24, 2007

AGENDA ITEM: Recreation and Conservation Office Resolution for Youth Athletic Fund Grant Application	AGENDA SECTION:	
PREPARED BY: Jim Ballew – Director of Parks and Recreation	AGENDA NUMBER:	
ATTACHMENTS: Resolution	APPROVED BY: J. Ballew	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Summary:

Parks and Recreation is submitting an application with the Recreation and Conservation Office, formerly known as the Interagency Committee for Outdoor Recreation (IAC), through the re-instituted Youth Athletic Fund (YAF). The application is for funds to support the installation of a comprehensive drainage system and two ball deflection net systems at Strawberry Fields Park.

The project estimate is \$100,000 for both elements. The YAF program requires a match of 50% of funding for the total cost of the project. The City is requesting a total of \$50,000 from the RCO and if awarded will be required to match the project at a 50% level up to \$50,000. Funds have been budgeted through the Growth 310 Fund.

If funded, the project can be accomplished in 2008.

RECOMMENDED ACTION: Staff recommends the City Council authorize the Mayor to sign the attached Resolution as required by the Recreation and Conservation Office authorizing the Youth Athletic Funds grant application and commitment of funds in the amount of \$50,000.
COUNCIL ACTION:

CITY OF MARYSVILLE
Marysville, Washington

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARYSVILLE AUTHORIZING APPLICATION(S) FOR FUNDING ASSISTANCE FOR A YOUTH ATHLETIC FACILITIES (YAF) PROGRAM PROJECT TO THE RECREATION AND CONSERVATION FUNDING BOARD (RCFB) AS PROVIDED IN CHAPTER 79A.25 RCW.

WHEREAS, under the provisions of YAF, state funding assistance is requested to aid in financing the cost of property acquisition and/or facility development; and

WHEREAS, the City of Marysville considers it in the best public interest to complete the project described in the application;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON AS FOLLOWS:

1. That Mayor, Dennis L. Kendall be authorized to make formal application to RCFB for funding assistance;
2. Any fund assistance received shall be used for implementation of the project referenced above;
3. City of Marysville hereby certifies that its share of project funding is committed and will be derived from:

Capital Budget 310 GMA – Parks;
4. The City acknowledges that it is responsible for supporting all non-cash commitments to the sponsor share should they not materialize;
5. The City acknowledges that any facility developed with RCFB financial aid must be placed in use as an outdoor recreation facility and be retained in such use for a minimum of 20 years from final reimbursement unless otherwise provided and agreed to by our organization and RCFB;
6. This resolution shall become part of a formal application to RCFB; and

7. The City has provided appropriate opportunity for public comment on this application.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2007.

CITY OF MARYSVILLE

DENNIS KENDALL, MAYOR

Attest:

TRACY JEFFRIES, CITY CLERK

Approved as to Form:

GRANT K. WEED, CITY ATTORNEY

CITY OF MARYSVILLE
Marysville, Washington

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARYSVILLE SUPPORTING SOUND TRANSIT (A REGIONAL TRANSIT AUTHORITY) AND RTID (A REGIONAL TRANSPORTATION INVESTMENT DISTRICT) PROPOSITION #1 FOR REGIONAL ROADS AND TRANSIT SYSTEM, AND URGING VOTER APPROVAL OF SAID PROPOSITION ON THE BALLOT NOVEMBER 6, 2007.

WHEREAS, it has come to the City Council's attention that the Snohomish County Council has placed PROPOSITION #1 REGIONAL ROADS AND TRANSIT SYSTEM before the voters on November 6, 2007 relating Snohomish County's participation in a Regional Transportation Investment District to authorize creation of the Regional Transportation Investment Plan including Sources of Revenue and a Financial Plan; and

WHEREAS, Snohomish County through a lengthy hearing and review process made a finding in Snohomish County Ordinance 07-058 that "it is in the best interest of the residents of the County that the County shall participate and submit the Recommended Plan, including the proposed revenue sources and RTID boundaries recommended in the Recommended Plan, to the voters at the November 2007 election"; and

WHEREAS, the Snohomish County Council found, "...The Recommended Plan and Sound Transit's ST2 Package together identify transportation improvements consisting of road and transit projects that form integral parts of, and are naturally and necessarily related to, a single regional transportation system, as part of a comprehensive approach to transportation investments to help reduce transportation congestion, increase road and transit capacity, promote safety, facilitate mobility of freight and people and improve the health, safety, and welfare."

WHEREAS, Voter Approval. As required by RCW 36.120.070, the electorate that will consider the proposition shall be the voters voting within the boundaries of the proposed RTID. A simple majority of the total persons voting on the ballot proposition is required for approval. The proposition shall not be considered approved unless both a majority of the persons voting on the proposition residing in the proposed RTID vote in favor of the proposition and a majority of the persons voting on the proposition residing within the Sound Transit regional transit authority vote in favor of the proposition.

WHEREAS, the economic vitality of the City of Marysville and the greater Marysville area is dependent upon or affected by the regional transit systems; and

WHEREAS, the Mayor and Marysville City Council wish to urge voters to vote in favor of SOUND TRANSIT (A REGIONAL TRANSIT AUTHORITY) AND RTID (A REGIONAL TRANSPORTATION INVESTMENT DISTRICT) Proposition No. 1 at the upcoming November 6, 2007 election; and

WHEREAS, following the opportunity for public input and equal opportunity for members of the City Council and the public to express opposing views as required by RCW 42.17.130(1);

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON AS FOLLOWS:

The Mayor and City Council of the City of Marysville do hereby urge all registered voters to participate in the November 6, 2007 election, to carefully consider and to vote in favor of the Ballot Measure which reads as follows or as it may hereafter be amended:

**SOUND TRANSIT (A REGIONAL TRANSIT AUTHORITY)
AND
RTID (A REGIONAL TRANSPORTATION
INVESTMENT DISTRICT)**

PROPOSITION #1

REGIONAL ROADS AND TRANSIT SYSTEM

To reduce transportation congestion, increase road and transit capacity, promote safety, facilitate mobility, provide for an integrated regional transportation system, and improve the health, welfare, and safety of the citizens of Washington, shall Sound Transit (a regional transit authority) implement a regional rail and transit system linking Lynnwood, Shoreline, Northgate, Seattle, Bellevue, Redmond, SeaTac airport, Kent, Federal Way and Tacoma as described in the Sound Transit 2 plan, financed by the existing taxes approved by the voters in 1996 and an additional sales and use tax of up to five-tenths of one percent imposed by Sound Transit, all as provided in Resolution No. _____; and shall a regional transportation investment district (RTID) be formed and authorized to implement and invest in improving the regional transportation system by replacing vulnerable bridges, improving safety, and increasing capacity on state and local roads to further link major education, employment, and retail centers as described in Moving Forward Together: A Blueprint for Progress – King Pierce Snohomish Counties, financed by a sales and use tax of up to one-tenth of one percent and a local motor vehicle excise tax of up to eight-tenths of one percent imposed by RTID, all as provided in Resolution No. PC-2007-02; further provided that the Sound Transit taxes shall be imposed only within the boundaries of Sound Transit, and the RTID taxes shall be imposed only within the boundaries of the RTID?

YES.

NO□

PASSED by the City Council and APPROVED by the Mayor this _____ day of
September, 2007.

CITY OF MARYSVILLE

By _____
DENNIS KENDALL, Mayor

ATTEST:

By _____
TRACY JEFFERIES, City Clerk

Approved as to form:

By _____
GRANT K. WEED, City Attorney