



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

December 22, 2022

Merle Ash
Land Technologies, Inc.
18820 3rd Avenue NE
Arlington, WA 98223

Re: Dell's Nursery Rezone – *Technical Review 1*
PA 22041

Dear Merle,

After preliminary review of the above referenced proposal, the Planning Division has the following comments:

1. Include File Number PA22041 on all future site, civil construction, landscape and lighting plan submittals.
2. Prior to issuing a SEPA Threshold Determination, a preliminary critical areas report and mitigation plan shall be required to be submitted, in accordance with MMC Chapter 22E.010 *Critical Areas Management*.
3. Attached are citizen comments. Please ensure your response memo addresses these comments. In addition to the attached comments CD also received a phone call from a concerned citizen related to the proposed off-center driveway alignment with 42nd Avenue NE and potential ingress and egress site distance issues related to the elevated BNSF RR crossing. Please review for sight distance and provide a response.
4. Provide an existing conditions survey of the site that depicts, or references, if unable to depict, all of the encumbrances outlined in the Title Report prepared by First America Commitment, dated October 11, 2021.
5. Amend Sheet P1, as follows:
 - a. Rows of parking are required to be located no greater than 45' from a minimum 5' wide landscaped island. Parking stalls P19 – P28, P47 – 57 do not comply with this requirement. Additionally, a landscaped island is required on the north side of P44, north and south side of P45 & P46 and north side of P87.
 - b. The proposed solid waste collection areas shall be landscaped on the north and south sides with a minimum 5' wide landscape island.
 - c. Provide bicycle parking calculations in accordance with MMC 22C.130.060.
 - d. Provide carpool parking calculations in accordance with MMC 22C.130.030(3).
 - e. Provide a detail of the required carpool parking signage. Signs must be posted indicating these spaces are reserved for carpool use before 9:00 a.m. on weekdays.
 - f. Add the following notes:
 - Prior to civil construction plan approval, the applicant shall be required to demonstrate compliance with the applicable landscaping standards

outlined in MMC 22C.020.250(4) and MMC Chapter 22C.120 *Landscaping and Screening*.

- . Prior to building permit issuance, the applicant shall be required to demonstrate compliance with the Site Design Utilizing Crime Prevention Through Environmental Design (CPTED) Principles outlined in MMC 22C.020.250(5).
 - . Prior to building permit issuance, the applicant shall be required to demonstrate compliance with the Building Design – Human-Scale Standards outlined in MMC 22C.020.250(6).
 - . Prior to building permit issuance, the applicant shall be required to demonstrate compliance with the Building Design – Architectural Scale standards outlined in MMC 22C.020.250(7).
 - . Prior to building permit issuance, the applicant shall be required to demonstrate compliance with the Building Design Details standards outlined in MMC 22C.020.250(9).
 - . Prior to building permit issuance, the applicant shall be required to demonstrate compliance with the Building Materials standards outlined in MMC 22C.020.250(10).
 - . Prior to building permit issuance, the applicant shall be required to demonstrate compliance with the Blank Walls standards outlined in MMC 22C.020.250(11).
 - . Prior to building permit issuance, the applicant shall be required to demonstrate compliance with the Building Entrance standards outlined in MMC 22C.020.250(12).
 - . Prior to building permit issuance, the applicant shall be required to demonstrate compliance with the Storage Space and Collection Points for Recyclables standards outlined in MMC 22C.020.320.
 - . Where lighted signs and illuminated areas are permitted, such illuminating devices shall be shaded and/or directed so as not to visibly create a nuisance to any residential property.
 - . Mechanical equipment located on the roof, facade or external portions of a building shall be architecturally screened so as not to be visible from adjacent properties at street level or the public street.
 - . Equipment or vents which generate noise or air emissions shall be located on the opposite side of the building from adjoining residential property.
 - . Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility to the public. If such elements are mounted in a location visible from the street, pedestrian pathway, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.
 - . Signage shall comply with the applicable provisions outlined in Chapter 22C.160 MMC.
6. Amend Sheet P2 to depict, or reference, if unable to depict all encumbrances outlined in the Title Report, prepared by Chicago Title, dated September 15, 2022.
7. The following are cursory review comments related to the preliminary landscape plan. A final landscape plan that includes that includes the elements outlined in MMC 22C.120.030(2), will be required to be approved, prior to civil construction plan approval:
- a. The site and landscape plans do not match.

- b. Rows of parking are required to be located no greater than 45' from a minimum 5' wide landscaped island. Parking stalls P19 – P28, P47 – 57 do not comply with this requirement. Additionally, a landscaped island is required on the north side of P44, north and south side of P45 & P46 and north side of P87.
 - c. The proposed solid waste collection areas shall be landscaped on the north and south sides with a minimum 5' wide landscape island.
 - d. Provide parking area landscape calculations on Sheet L-1. 10% of the parking areas are required be landscaped with L4 landscaping. The landscape buffers required along 104th Street NE shall not be included within the calculation.
 - e. Provide a root barrier detail. Root barriers are required to be installed within the planter strip along 104th Street NE.
 - f. Add the landscape maintenance notes outlined in MMC 22C.120.180.
8. Prior to civil construction plan approval an illumination shall be approved and designed in accordance with [MMC 22C.130.050](#)(3)(d), as follows:
- a. 25' maximum height;
 - b. Fixtures shall be full cut-off, dark sky rated, with lower fixtures preferable so as to maintain a human scale;
 - c. Pedestrian scale lighting (light fixtures no taller than 15 feet) is encouraged in areas of pedestrian activity. Lighting shall enable pedestrian to identify a face 45 feet away in order to promote safety;
 - d. Parking lot lighting shall be designed to provide security lighting to all parking spaces;
 - e. Lighting shall be shielded in a manner that does not disturb residential uses or pose a hazard to passing traffic. Lighting should not be permitted to trespass onto adjacent private parcels nor shall light source (luminaire) be visible at the property line.
 - f. Fixture design shall incorporate unique design features that coincide with the architectural design of the building(s); and
 - g. Also see [MMC 22C.020.250](#)(4)(d) for exterior lighting requirements.
9. Building design review comments forthcoming.

Enclosed are copies of comments received from other City departments, and reviewing agencies. Revised application materials must be accompanied with a written response detailing how each of the items outlined above and attached hereto have been addressed, and what sheet the change(s) can be found.

If you have any questions regarding these comments, or would like to set up a technical review meeting, please contact me at cholland@marysvillewa.gov or by phone at 360.363.8207.

Sincerely,

Chris Holland

Chris Holland
Planning Manager

cc: Haylie Miller, CD Director



MARYSVILLE
WASHINGTON

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

MEMORANDUM

To: Chris Holland, Planning Manager

From: Shane Whitney, Civil Plan Reviewer

RE: Dell's Nursery Rezone, File# PA22-041
Rezone for Warehouse & Mixed Use
4131 104th Street & Parcel # 30051600200200

Date: 12/2/2022

The following comments are offered after review of the above referenced application.

1. **Existing utilities:**
 - a. Sanitary sewer: The sewer manhole adjacent to the project is shown on record drawing S684.
 - b. Water: There is a record drawing available, I can't access the file at this time.
 - c. Storm: There is no enclosed conveyance fronting the project.
2. Per MMC 14.03.250, utilities are to be extended along the street frontages of the proposed project.
 - a. Sewer will need to be extended along the projects frontage of 104th Street, it is currently shown that way on the supplied documents.
 - b. A 10 inch water main currently fronts the project, no extension is required.
 - c. Storm drainage facilities shall be provided for the improvements that the applicant will build along 104th Street.
3. **Frontage Improvements:** Frontage improvements are required per MMC 12.02A.090 on all projects. 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.
 - a. 104th Street NE is a local access street. The ultimate road section shall be compliant with standard plan 3-202-002. The project will need to construct half street improvements.
4. **Dedication Requirements:**
 - a. The project will need to ensure that there is a 25 foot half width or right-of-way.

5. **Access:**
 - a. The minimum width of a commercial driveway is 24-feet and the maximum is 40-feet.
 - b. The traffic circulation pattern within the project must be compliant with the Fire Marshalls requirements.

6. **Drainage:** All projects in the city of Marysville must comply with requirements stipulated under the MMC 14.15.040 and 14.15.050.
 - a. Stormwater drainage: The city has adopted the 2019 SWMWW, the supplied report will need to be compliant with that. The report shall demonstrate compliance with all 9 minimum requirements. In the next submittal please ensure that the citing references in the next submittal are accurate. The following specific items will need to be addressed in future submittals:
 - I. A conveyance analysis will be necessary at time of civil submittal.
 - II. The report will need to clarify where the runoff will be directed to from the widening of 104th Street.
 - b. I did not see in the geotechnical report that was provided that an infiltration rate was provided. An addendum will be required.
 - c. The maximum allowed impervious surface coverage for the General Commercial Zoning designation is 85%.

Other Comments:

7. Survey control datum NAVD-88 and NAD-83 are required to be used. Civil construction plans will not be accepted in any other datum.

8. Trench restoration is to be completed in accordance with section 3-703 of the EDDS. A full lane or full street overlay may be required.

9. The onsite grading and placement of any retaining walls must be compliant with section 22D.050.030 of the MMC.

10. There is a concern about the lack of queuing space between the access and the railroad tracks. The applicant should contact BNSF about any concerns they may have with the short distance from the railroad's right-of-way and the possible need to shift the access to the west.

11. A right of way use permit for all work proposed within City right of way is required. Cost for the ROW permit is \$250.00. ROW permit fees must be paid before right of way permit issuance.

12. The applicant is responsible for identifying any existing well or septic systems on site or on adjacent properties. If there are any existing septic systems on site they need to be decommissioned based on the Snohomish Health District standards. If there are any wells on site they need to be decommissioned based on Department of Ecology standards.

13. Engineering construction plan review fees will be due prior to release of approved civil construction plans.

Engineering construction plan review per MMC 22G.030.020:

Residential = \$250.00 per lot or unit (for duplex or condominium projects),

\$2000.00 minimum for first two reviews, \$120.00/hour for each subsequent review.

Multiple residential/commercial/industrial = \$250.00 base fee + \$135.00 per hour.

14. Engineering construction inspection fees will be due prior to project final or building final whichever comes first.

Engineering construction inspection fees per MMC 22G.030.020:

Residential = \$250.00 per lot/unit (for duplex or condominium projects),

\$2000.00 minimum

Multiple residential/commercial/industrial = \$250.00 base fee + \$135.00 per hour.

Bond administration fee = \$20.00/lot or unit, with a minimum amount being \$250.00

15. **All civil construction plan submittals are to be routed directly to Kacey Simon, Civil Plan Reviewer.** The first *civil construction* plan submittal is to consist of a plan set, a copy of the drainage report, and a copy of the geotechnical report. **Once the documents are ready to be submitted, we will provide you a link to where the materials can be uploaded to.**

a. Review timing:

i. First review = 5 weeks

ii. Second review = 3 weeks

iii. Third review = 3 week

iv. Subsequent reviews will be 3 weeks.

16. Please be advised these comments are in reference to specific items and do not imply a full review of the proposed application. Additional comments which may change the design requirements will be provided during the civil construction plan review process.

If you have additional questions regarding the above comments, please contact me at ksimon@marysvillewa.gov or at (360) 363-8280.

cc: Ken McIntyre, PE, Development Services Manager



MARYSVILLE
PUBLIC WORKS

MEMORANDUM

TO: Chris Holland, Planning Manager

FROM: Kim Bryant, Water Operations Supervisor
Tim King, Utility Construction Lead II
Ryan Keefe, Water Operations Lead II

DATE: November 29th, 2022

SUBJECT: Dell's Nursery Rezone, PA22041

Public Works Operations has reviewed the Dell's Nursery Rezone submittal and has the following comments:

1. Plans show the addition of 2" water meter along side existing water meter. Will existing water meter still be used? If one of the services is intended to be used for irrigation, appropriate backflow prevention is required.

If the applicant has any questions about these comments, I can be contacted at (360) 363-8163 or kbryant@marysvillewa.gov.



MARYSVILLE
PUBLIC WORKS

To: Chris Holland
From: Billy Gilbert Water Quality Lead
Subject: PA22041
Date: 12/2/2022

In response to your request for review of the above project, please note the following items.

- Plumbing system is subject to applicable requirements of MMC Chapter 14.10 “Water Supply Cross-Connections” and WAC 246-290-490. This is a Table 9 facility.
- A RPBA is required directly downstream of any domestic water meter. For the purpose of premise isolation of the domestic water line.
- A Double Check Detector Assembly (DCDA) is required for any fire line that is connected to the city’s water system.
- A Reduced Pressure Backflow Assembly (RPBA) is required immediately downstream of any irrigation meter and in an above ground hotbox if a chemical/fertilizer injection system is installed. If the irrigation system is not chemically injected, a DCVA is sufficient for this application. The DCVA may be installed in a in-ground meter type box or vault.
- On-site inspections are to be performed by the City of Marysville Cross Connection Control Specialist at rough-in and final. 48 hours notice is required, prior to inspection.
- Testing of all backflow prevention assemblies, by a Washington State Certified Backflow Assembly Tester, is required prior to occupancy use per MMC 14.10.120. Test report shall be forwarded to the City of Marysville Water Quality Office, prior to occupancy.

Any questions regarding these comments, and scheduling for onsite inspections should be directed to Billy Gilbert 360-363-8143 crossconnection@marysvillewa.gov

(360) 363-8100

Public Works
80 Columbia Avenue
Marysville, WA 98270



MARYSVILLE
PUBLIC WORKS

MEMORANDUM

TO: Chris Holland, Planning Manager
FROM: Brooke Ensor, NPDES Coordinator
DATE: 11/29/2022
SUBJECT: PA22-041 Dell's Nursery Rezone

Surface Water does not have any comments specific to the rezone. The following comments are applicable to the construction elements.

1. The culvert at the bottom of the hill is undersized and has caused flooding issues in the past. A description of this problem can be found in the 2016 Surface Water Comprehensive Plan.
2. The City has adopted the 2019 Stormwater Management Manual for Western Washington.
3. For commercial projects triggering minimum requirements #6 Runoff Treatment and #7 Flow Control will be required to record a covenant/easement for all of the facilities that will become privately owned and maintained (attached). A draft should be submitted with Civil Plan review documents. An online copy of this form can be found by visiting the City web site:
<http://www.marysvillewa.gov/96/Community-Development> then clicking on "Permit applications, forms and fees" then "Engineering Services."

If you have questions regarding these comments, please contact me at 360-363-8288 or bensor@marysvillewa.gov.

cc: Matt Eyer, Storm/Sewer Supervisor

(360) 363-8100

Public Works
80 Columbia Avenue
Marysville, WA 98270



Stormwater Covenant and Easement

Community Development Department 80 Columbia Avenue Marysville, WA 98270

(360) 363 -8100 Phone (360) 651-5099 FAX Office Hours: Monday – Friday 7:30 AM -4:00 PM

Instructions Page

For the Developer:

Does your Project trigger minimum requirements #6 Runoff Treatment, or #7 Flow Control AND the facility(ies) will be on private property?

If “no” then this covenant does not need to be recorded.

Otherwise, please complete the enclosed documents. The draft document should be submitted for review with the other civil plan documents. It does not need signatures at that time. Exhibit B- Facilities Maintenance Plan should include a map showing where the storm water features are located on the property and describe the maintenance requirements. Once the infrastructure is built, review the document. If construction altered the stormwater utility layout update the appropriate information. The documents must be signed by all parties with an ownership interest in the property (include additional signature blocks and notary acknowledgement forms as necessary). Have the final document signatures notarized. Record before final occupancy is issued.

Recording notes:

- Do not write within the one-inch border
- Type or print legibly and in an easily readable font
- Print documents single sided and provide original copies with original signatures

When Recorded, Return to:

City of Marysville
Community Development
80 Columbia Ave
Marysville, WA 98270

**Stormwater Covenant and Easement
(MMC 14.15.155)**

DOCUMENT TITLE: <i>Project Name</i> Stormwater Covenant and Easement
Grantor: <i>Property Owner Name</i>
Grantee: CITY OF MARYSVILLE, a Municipal Corporation
Legal Description (abbreviated):
Assessor's Parcel(s):
Address:
Reference Number(s):
City of Marysville Project No: City of Marysville Building Permit No:
Note The Auditor/Recorder will rely on the information provided on this form. City staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

Stormwater Covenant and Easement (MMC 14.15.155)

This Stormwater Covenant and Easement (the "Agreement") is executed in favor of the City of Marysville (the "City") by the undersigned owner(s) (the "Grantor") of the following described real property situated in the City of Marysville, Snohomish County, State of Washington (the "Property") (insert complete legal description):

(attach Exhibit A if necessary to fit full legal description)

WHEREAS, pursuant to Marysville Municipal Code Chapter 14.15, as may be hereafter amended, a condition of developing the Property requires that it have adequate stormwater drainage; and

WHEREAS, the Grantor has installed a private storm drainage system for the Property; and

WHEREAS, such a private storm drainage system will require ongoing maintenance as detailed in the approved Facility Maintenance Plan to ensure it operates as designed;

WHEREAS, the private storm drainage system includes the following specified drainage control facilities, which are documented in the drainage control plan drawing(s), as amended by record drawing(s) on file with the City of Marysville. The following runoff treatment or flow control facilities are onsite:

	Detention or Infiltration Pond		BMP T8.20 Sand Filter vault
	Detention or Infiltration Vault		BMP T8.30 Linear Sand Filter
	BMP T5.15 Permeable Pavements		BMP T8.40 Media Filter Drain
	Detention Tank/Pipes		BMP T9.10 Basic Biofiltration Swale
	BMP T5.16 Tree Retention and Tree Planting		BMP T9.20 Wet Biofiltration Swale
	BMP T5.17 Vegetated Roofs		BMP T9.30 Continuous Inflow biofiltration Swale
	BMP T5.20 Rainwater Harvesting		BMP T9.40 Basic Filter Strip
	BMP T5.30 Full Dispersion area		BMP T10.10 Wetponds-Basic and Large
	BMP T6.10 Presettling Basin		BMP T10.20 Wetvaults
	BMP T7.10 Infiltration Basins		BMP T10.30 Stormwater Treatment Wetlands
	BMP T7.20 Infiltration trenches		BMP T10.40 Combined Detention and Wetpool Facilities
	BMP T7.30 Bioretention Cells, Swales and Planter Boxes		BMP T11.10 API (Baffle type) Separator bay
	BMP T7.40: Compost-amended Vegetated Filter Strips (CAVFS)		BMP T11.11 Coalescing Plate (CP) Separator Bay

	BMP T8.10 Basic Sand Filter basin	Ecology approved Emerging Technology Manufacturer: Device Name:
	BMP T8.11 Large Sand Filter basin	

Now, therefore, the Grantor, on behalf of Grantor and Grantor's heirs, successors, and assigns, agrees to the following and hereby creates a covenant running with the land that shall be binding upon all parties and their heirs, successors, and assigns forever:

- (1) The Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns, agrees to and shall:
 - (a) inspect and maintain the above described drainage control facilities in accordance with the provisions of Marysville Municipal Code (MMC) Title 14, the approved Facility Maintenance Plan (attached hereto as Exhibit B and incorporated by this reference), and any other provisions applicable to the facilities, as now and hereafter in effect;
 - (b) implement the terms of the drainage control plan required for development; and
 - (c) inform all future purchasers, heirs, successors, and assigns of the existence of the drainage control facilities and other elements of the drainage control plan and the limitations of the drainage control facilities.

- (2) The Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns, hereby grants permission for authorized representatives of the City of Marysville to enter onto the Property for inspection, monitoring, correction, or abatement of conditions related to the Property's drainage control plan, drainage control facilities, MMC Title 14, or any other MMC provision applicable to drainage control, as now and hereafter in effect.

- (3) If the private storm drainage system is not maintained in accordance with the approved or record drawing design, the Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns grants the City the right to inspect and repair the system and assess reasonable costs for the work that may be charged against the Property, the Property owner, or any beneficiary.

- (4) The Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns:
 - (a) Agrees and acknowledges that the City is not responsible for the adequacy or performance of the drainage control plan or the drainage control facilities;
 - (b) Agrees to accept any and all risks of harm, loss, injury, or damage related to the drainage control plan or the drainage control facilities; and
 - (c) Hereby waives any right to assert any and all present and future claims against the City, whether known or unknown, for any harm, loss, injury, or damage occurring either on or off the Property, related to the drainage control plan, the drainage control facilities, or drainage

or erosion on the Property, except only for such harm, loss, injury, or damage that directly results from the sole negligence of the City.

- (5) This Agreement shall be recorded in the real estate records of the Auditor's Office of Snohomish County, Washington. If any provision of this Agreement is held invalid, the remainder of the Agreement is not affected.
- (6) The obligations of the Grantor and each of the Grantor's heirs, successors, and assigns under this Agreement shall terminate when that person sells, devises, or transfers the Property, or his or her interest therein, unless the obligation arises out of a claim of negligence or intentional act of that person.

Now, therefore, to this end, the Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns, hereby grants a perpetual easement to the City of Marysville and its authorized representatives to enter the Property, inspect the private storm drainage system, and make necessary repairs, with any expenses incurred being chargeable against the Property, the Property owner, and any beneficiary.

By: _____ Date: _____

Type signer's name here, Type signer's title or affiliation

Type company name here

Type address here

Type City, State, Zip here

By: _____ Date: _____

Type signer's name here, Type signer's title or affiliation

Type company name here

Type address here

Type City, State, Zip here

ACKNOWLEDGEMENT

(Individual)

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that _____
_____ is the person who appeared before me, and said person
acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary
act for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, 20_____.

(Legibly print name of notary)

NOTARY PUBLIC in and for the State of

Washington, residing at _____

My commission expires _____

(Entity)

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that _____
_____ is the person who appeared before me, and said person
acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute
the instrument and acknowledged it as the _____
of _____ to be the free and voluntary act of such party for the uses
and purposes mentioned in the instrument.

DATED this _____ day of _____, 20_____.

(Legibly print name of notary)

NOTARY PUBLIC in and for the State of

Washington, residing at _____

My commission expires _____

ACKNOWLEDGEMENT

(Individual)

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that _____
_____ is the person who appeared before me, and said person
acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary
act for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, 20_____.

(Legibly print name of notary)

NOTARY PUBLIC in and for the State of
Washington, residing at _____

My commission expires _____

(Entity)

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that _____
_____ is the person who appeared before me, and said person
acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute
the instrument and acknowledged it as the _____
of _____ to be the free and voluntary act of such party for the uses
and purposes mentioned in the instrument.

DATED this _____ day of _____, 20_____.

(Legibly print name of notary)

NOTARY PUBLIC in and for the State of

Washington, residing at _____

My commission expires _____

EXHIBIT A

LEGAL DESCRIPTION

(Insert complete legal description):

Situated in the City of Marysville, County of Snohomish, State of Washington.

EXHIBIT B

FACILITIES MAINTENANCE PLAN



MARYSVILLE
PUBLIC WORKS

MEMORANDUM

TO: Chris Holland – Planning Manager

FROM: Jesse Hannahs, P.E. – Traffic Engineering Manager

DATE: December 1, 2022

SUBJECT: PA 22-041 – Dell’s Nursery Rezone

I have reviewed the site plan submittal for the proposed Dell’s Nursery Rezone at 4131 104th ST NE and have the following comments:

- 1) Traffic impact fees will be required from the City and depending on trip generation/distribution, may be required from the County and State.
- 2) A Traffic Impact Analysis (TIA) will be required.
 - a. TIA is acceptable.
- 3) Frontage improvements shall be required upon 104th ST NE including additional asphalt pavement, curb, gutter, landscape strip, sidewalk and street lighting.
 - a. 104th ST NE:
 - i. Roadway shall be per EDDS 50’ ROW residential roadway with 28’ of asphalt roadway width, curb/gutter, landscape strip and 5’ sidewalk.
- 4) Per EDDS 3-506, street lighting will be required upon all public street frontages as part of civil construction plans.
 - a. Street Lighting upon public residential streets shall be PUD installed fiberglass pole installation type street lighting.
 - i. Street shall be designed as collector arterial utilizing 100 watt equivalent LED fixtures.
 - ii. Spacing of fixtures should be approximately 180’-220’.
 - iii. As part of civil construction approval proposed PUD street lighting locations will be provided by the City to the developer for submission to PUD and incorporation into the PUD site electrical plans.
 - iv. Snohomish County PUD Process:
 1. For residential plats, contact PUD Plats via email at plats@snopud.com and include a PUD Plats application to begin Snohomish PUD process.
 2. For specific questions regarding street lighting, contact Eddie Haugen of Snohomish County PUD at (425) 783-8276 or wehaugen@snopud.com for more information.
- 5) Channelization and Signing Plan shall be required as part of civil construction plans for all public roadways.
- 6) Undergrounding of overhead utility lines upon frontage shall be required.

(360) 363-8100

Public Works
80 Columbia Avenue
Marysville, WA 98270

MEMORANDUM

Date: **November 30, 2022**

PA22-041

To: **Chris Holland, Planning Manager**

From: **Michael Snook, Building Official**

Re: **Project Name:** Dell's Nursery Rezone

Applicant: 104th Street LLC

Proposal: The applicant is requesting State Environmental Policy Act Review, Critical Areas Confirmation, Site Plan Approval and Concurrent Rezone from Medium Density, Single-family (R4.5) to General Commercial (GC) in order to construct two single story office/warehouse buildings totaling approximately 30,600 SF.

Address: 4131 104th Street NE

In response to your request for review of the above project. Please see requirements below;

1. Applicant shall comply with any and or all provisions the 2018 Edition of the International Building, Residential, Mechanical, 2018 Uniform Plumbing Codes, and current Washington State Amendments.
2. All plans and permit applications will be required to be submitted electronically as part of their submittal process. One (1) complete set of building plans, structural calculations, Geotech Report, and 2018 Washington State Energy Code work sheets.
3. Contact our office if you have questions in regards to permit applications, checklists and/or handouts that you and/or your design team will be preparing plans for on your project.
4. If any demolition of structures is proposed, and you are unsure if permit/s will be required for the removal of any existing structures. Please contact the Building Division at 360-363-8100, to ask any specific questions. An asbestos report will be required for each demo permit.
5. A Geotechnical report shall be submitted to the City for this project. This is to be an in-depth report to address the following:
 - Soil Classification
 - Required Drainage Systems
 - Soil Compaction Requirements
 - Type of Footings, Foundations, and Slabs Allowed
 - Erosion Control Requirements
 - Retaining Walls
 - Fill and Grade
 - Final Grade

Please provide the below information in regards to the 2018 International Building requirements;

1. The building structure will be required to be designed under the 2018 IBC, Chapter 16, and Structural Design Requirements. The seismic zone criteria is to be established under the guidelines of a Washington State Licensed Architect and/or Structural Engineer.
2. Please provide scaled floor plans with square footage of each room, open areas, and all levels throughout the building.

3. For the main structure, show on the plans the type of building materials proposed, and if required, what type of fire-resistant construction will be required.
4. Construction shall comply with the 2018 IBC, Chapter 5 “General Building Heights and Areas”, and any “Area Modifications”.
5. Exterior walls are to comply with the 2018 International Building Code, Chapter 6. This includes allowable openings under the 2018 IBC, Chapter 7. Site plan is to show the distance from the proposed structure to the property lines, from all sides of the building.
6. Buildings shall be accessible to all areas to persons with physical disabilities per the 2018 IBC, Chapter 11. This includes the Washington State Amendments, and ICC A117.1.-2017. (For the community house)
7. Accessible parking stalls shall be shown on the site plan and meet the requirements of the 2018 IBC, Chapter 11. (For the community house)
8. Restrooms shall be provided per the Washington State Amendments of the 2018 IBC, Chapter 29, and the 2018 UPC. (For the community house)
9. All Mechanical Equipment shall be screened from public view under MMC Provisions. Please indicate how this will be achieved on your building plan, elevation submittal sheets.
10. A Fire Sprinkler system may be required. The applicant is to verify this requirement with the Fire Marshal’s Office.
11. Per the Marysville Municipal Code, Chapter 14.10, Cross-connection devices are required on the domestic and fire sprinkler water supply. Prior to final acceptance, all required backflow devices are to be tested by an independent third party testing agency.
12. All Electrical installations are to be permitted, inspected and approved through the City. The current code is NEC 2020 with WCEC Amendments. A separate application, plans, and plan review will be required.
13. Deferred Electronic Submittals applications for the community house are to be submitted per the requirements below;
 - The registered design professional in charge of the project shall review and stamped each set of plans and specifications approved.
 - The registered design professional in charge of the project shall provide a letter stating that the plans and specifications have been reviewed and that package is general conformance with the design of the building.
 - The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.
 - The deferred submittal items shall not be installed until the deferred submittal documents have been reviewed and approved by the Building Official.
14. Special Inspection will be required. The list of the type of inspections shall be indicated on the plans by the Engineer of Record. The owner is to notify the City of the registered special inspection agency prior to permit issuance.

Building application for plan review will be approximately 4-6 weeks for first-time plan review comments.

We look forward to your project coming to our City!

If I may be of any further assistance, please feel free to contact me.

Michael Snook, Building Official, 360-363-8210 or msnook@marysvillewa.gov during office hours 7:30 am – 4:00 pm, Monday through Friday.



Marysville Fire District

YOUR RISK PREVENTION TEAM
1094 Cedar Avenue, Marysville WA 98270

Phone (360) 363-8500
Fax (360) 659-1382

To: Chris Holland, Planning Manager
From: Thomas Maloney, Deputy Chief/Fire Marshal
Date: November 17, 2022
Subject: PA22-041 4131 104th Street NE Dell's Nursey Rezone

I have completed a preliminary review of the plans for this project proposing development of a 3.19-acre site for a two-story office building/warehouse use with construction of a 31,600 SF for both buildings. ***Fire alarm and fire sprinkler systems will be required for all buildings. Fire does not oppose the rezoning.***

The concept site plan shows the buildings located west of the BNSF tracks with one access located off of 104th Street NE. The drive aisle on site has a turnout proposed on the east portion of the site. There is not access to the rear portions of the buildings as required for aerial access. ***Access shown appears inadequate. Access minimum 26' wide meeting additional city fire code requirements for aerial fire apparatus access will be required depending on the building height. See MMC 9.04.503.1.5.***

Plans do not show proposed water main extensions or fire hydrants. ***Water main extensions with approved fire hydrants will be required onsite. The building sprinkler system FDC is required to be located within 3' to 10' from a fire hydrant.***

The City GIS water map shows a 10" water main in 104th Street NE. ***The current spacing of existing roadway fire hydrants does not appear to meet the current fire code requirements for this use. Maximum hydrant spacing of 300' apart is allowed.***

No information about available fire flow is provided for the fire hydrants near this site. ***The developer will be required to provide that information.***

Additional comments related to fire code compliance for this project are noted below:

1. The project shall comply with current fire code requirements (2018 IFC) including WA State and local City of Marysville amendments to the fire code, city design standards, and applicable NFPA standards, including IFC Chapter 33 and NFPA 241 construction codes.
2. Any fire code required construction permits (IFC section 105.7) are obtained through Marysville Community Development at 501 Delta Avenue.
3. Fire marshal approval of fire access and fire hydrant/water supply systems is required as part of the civil construction plan review and approval process.
4. It is the developer's responsibility to see that adequate water for fire protection is attainable. The minimum required fire flow is determined using IFC Appendix B, and depends upon building sizes, construction types, and sprinkler systems. Proof of fire flow will be required. Documentation/certification of available water supplies for providing the required fire flows is required for final approval of the water system for this project and prior to building construction. Check with the city Public Works Dept. for water system information.

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5. Where a fire pump is required for fire protection water supply it shall be diesel driven, or if electric motor driven shall have an approved backup power generator (diesel, LP, NG fuel).
6. The minimum required fire flow for hydrants protecting commercial buildings is 1,500 gpm.
7. Existing fire hydrant spacing along the roadway appears adequate. The city GIS water map shows the hydrants along the roadway frontage are spaced less than 300' apart. Maximum hydrant spacing for the proposed use is 300' apart.
8. Fire hydrants on an approved water main extension are required within the site for this development. Fire hydrants shall be provided in approved locations, estimate three required.
9. Fire hydrants shall comply with city Water Design Standard 2-060 Hydrants, including 5" Storz fittings, with blue reflective hydrant markers provided.
10. Proposed new buildings will require approved fire sprinkler and fire alarm systems appropriate for the proposed occupancy type. Separate fire protection system plans must be submitted to the city for fire marshal approval and submittal may be deferred from building plans- but allow 6 weeks for initial plan reviews. Plans are sent out for review at additional applicant expense.
11. Buildings with fire sprinkler systems require a riser room with exterior door, the room separated by fire resistive construction, and a fire department connection (FDC) in an approved location away from the building near a fire hydrant (FDC 3'-10' from a hydrant).
12. A location in the sprinkler riser room is required for the sprinkler backflow prevention.
13. Plans for underground fire sprinkler piping shall be shown on civil construction water plans, and submitted for fire marshal review and approval.
14. Fire extinguishers are required in approved locations- minimum 2A-10B-C UL rated.
15. Access planned appears inadequate for aerial fire apparatus. Plans show drive aisles about 24' wide around the building. A minimum 26 feet wide fire apparatus access is required in the immediate vicinity of any building more than 30 feet in height for ladder truck operations, and within 20 feet on both sides of fire hydrants.
16. If vehicle impact protection is deemed required for protection of any equipment it shall comply with IFC Section 312. Guard posts (bollards) are typically required for protection of gas piping, electrical equipment, fire protection piping and hydrants located where they could be subject to vehicle damage.
17. Approved emergency responder radio coverage within the building is required and shall comply with IFC 510 requirements.
18. A radio signal strength survey of the bare ground should be completed prior to construction to determine the existing signal strength for compliance with IFC 510 Emergency Responder Radio Coverage requirements. Additional testing is recommended after sheetrock has been installed, and required for final building acceptance.
19. Approved access to the building's exterior door openings shall be provided for firefighting operations with key boxes (Knox 3200 series recessed model) provided for immediate access (IFC 504/506).

We Care About You!

Chris Holland

From: Gresham, Doug (ECY) <DGRE461@ECY.WA.GOV>
Sent: Tuesday, November 29, 2022 2:16 PM
To: Chris Holland
Subject: [External!] Dell's Nursery Rezone (PA22041)

External Email Warning! Use caution before clicking links or opening attachments.

Chris,

I reviewed the rezone application for Dell's Nursery and have the following concern.

1. The Site Plan and other drawings show the wetland boundary/edge of water based on a 2006 survey. We only trust wetland boundaries for 5 years so did Ed Sewall actually flag this boundary? Or did he just confirm that a 16 year old delineation looked about right? He did his site visits in 2018 and 2020 but it wasn't clear whether he had the boundary resurveyed.

Doug Gresham, Wetland Specialist
Washington State Department of Ecology
PO Box 330316
Shoreline, WA 98133-9716
Cell: (425) 429-1846
Email: Doug.Gresham@ecy.wa.gov



November 15, 2022

Chris Holland
 City of Marysville
 80 Columbia Avenue
 Marysville, WA 98270

Dear Mr. Holland:

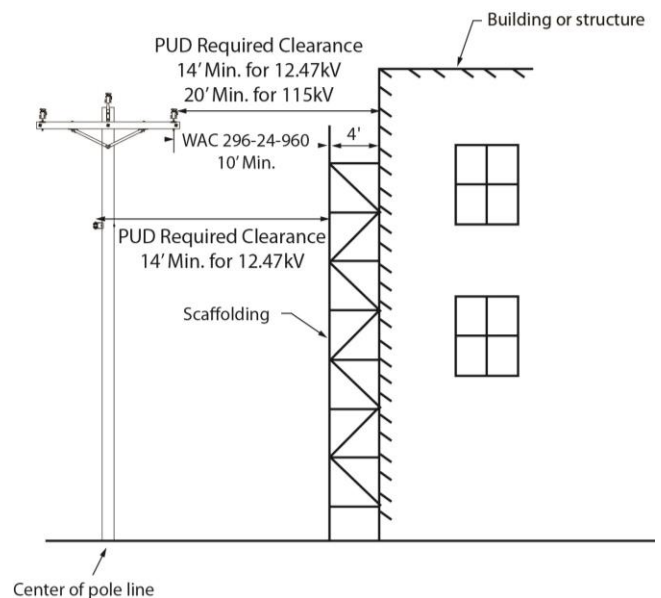
Reference Number: PA22041 Dell's Rezone

District DR Number: 22-10-598

The District presently has enough 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 its property for any electrical facilities that must be installed to serve the proposed development. It is unlikely that easements will be granted on District-owned property, or consents granted within District transmission line corridors.

Please be advised that per WAC 296-24-960 the minimum worker safety clearance from any District distribution conductor is 10 feet. **Therefore, the District requires a minimum 14-foot clearance from any structure to accommodate workers, scaffolding and ladders. Minimum worker safety clearance from 115kV transmission wires is 20 feet.**

Any relocation, removal or undergrounding of District facilities to accommodate this project and the worker safety clearances shall be at the expense of the project developer and must be coordinated with the PUD in advance of final design. Please include any project related utility work in all applicable permits.



Please be aware that if your project is being reviewed by Snohomish County and there are critical areas or buffers within your project as defined by Snohomish County in SCC 30.62A.300, you may be required to do a critical area study. Any utility work that will increase the utility footprint, such as installation, extension or construction is subject to these standards and requirements. New utility construction and installation is only allowed within critical areas or buffers when no alternative location exists and when you mitigate any impacts to the area. Snohomish County can provide the critical area study and has listed its fee structure under SCC 30.86.525. Snohomish PUD requires that, prior to applying for electrical service from the PUD, you address any critical area considerations and obtain the appropriate approvals to proceed with your project.

There are several critical-area permit matters that will need to be addressed for utilities to be installed. All applicable utility work should also be included in the SEPA. Please also include any required utility work in the scope of all applicable land use/development permits including for any planned over- or under-stream and wetland utility crossings and for the storm water permit.

Please contact the District prior to design of the proposed project. For information about specific electric service requirements, please call the District's Everett office at 425-783-8272 to contact a Customer Engineer.

Sincerely,

Mary Wicklund for

Mark Flury, Senior Manager
Transmission & Distribution System
Operations & Engineering

Cc: Merle Ash – merl3@landtechway.com

From: Young, Betty (UTC) <betty.young@utc.wa.gov>
Sent: Monday, November 7, 2022 2:13 PM
To: Chris Holland <CHolland@marysvillewa.gov>
Subject: [External!] RE: [External!] RE: English Crossing (PreA22045)

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Thanks Chris – As stated in the [MUTCD](#), because of the large number of significant variables to be considered, no single standard system of traffic control devices is universally applicable for all highway-rail grade crossings. The appropriate traffic control system to be used at a highway-rail grade crossing should be determined by an engineering study involving both the highway agency (road authority) and the railroad company.

The City of Marysville and the railroad should conduct an engineering evaluation or study of the impacts of the proposal to determine whether the existing protection at the crossing will be adequate or whether improvements are warranted. If the parties determine, through that engineering evaluation/study, that crossing improvements are warranted, the parties would petition the UTC for approval of those improvements prior to construction.

Please let me know if you have any questions.

Betty Young (she/her/hers)

Rail Operations Manager

(360) 292-5470 – Cell

Utilities and Transportation Commission (UTC)

Respect. Professionalism. Integrity. Accountability.

www.utc.wa.gov



Chris Holland

From: Robert herndon <robertherndon_3@hotmail.com>
Sent: Saturday, November 12, 2022 5:01 PM
To: Chris Holland
Subject: [External!] Dels nursery redone

External Email Warning! Use caution before clicking links or opening attachments.

We only have one way in and out of here (Hidden lakes and Indian trails development, 10 extra houses have been added and now someone wants to put in offices on the north side of 104 th. Trains coming by multiple times during the day and night. How are we suppose to deal with the extra traffic this office complex will bring? It's a bad idea. Is the city going to push a street in to help with congestion? I have seen ambulances stuck at the railroad tracks because of trains blocking 104 th. Please don't put these offices in. On the west side of the tracks it's residential. Commercial should stay on the east side of the tracks.

Get [Outlook for iOS](#)

November 15, 2022

City of Marysville
Community Development Dept.
501 Delta Avenue
Marysville, WA 98270

RECEIVED
NOV 22 2022
CITY OF MARYSVILLE
PUBLIC WORKS &
COMMUNITY DEVELOPMENT

File Number PA22-041

Del's Nursery Rezone

To: Community Development Dept,

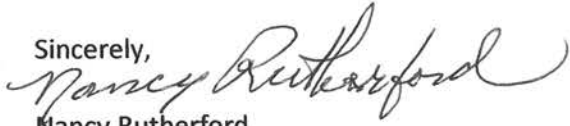
I have lived in Hidden Lakes Estates for forty-five years. I am the longest resident of this neighborhood.

When I received notice from The City of Marysville, that a builder was requesting a Site Plan Approval which would require a Rezone from current Single-Family to General Commercial, to construct office/warehouse buildings, I was immediately disheartened and fully want this permit denied for the following reasons:

1. I am certain the city planners are aware there is only one outlet from our neighborhood (we have contacted the city several times about this situation, with little response). The city in the past year permitted twelve more homes to be built in the neighborhood without a reasonable plan to wisely evacuate people should the need arise. Over the last few months, the train has blocked the tracks no less than five times, where people were trapped in the neighborhood. A couple of years ago I was called to help a neighbor who was gasping for breath, when I called 911 the train was blocking the tracks and the aide car could not get in! Given the limited access this neighborhood has, I do not think it is a wise idea to add businesses to the equation. Once the City gives out a Commercial permit the other parcels of land not yet developed will bring in more businesses and more people to evacuate!
2. Secondly, I notice that some of the old-growth trees have already been cut down. These trees have served as a wonderful barrier between our homes and the noise and coal dust coming from the trains. The more trees that are cut down the noise level in our neighborhood and homes will increase. We already have serious amounts of coal dust on our driveway and can't imagine what will happen if more of the old-growth trees are cut down.
3. Lastly, this neighborhood is a housing development and not a business district, there are plenty of parcels of land outside of housing neighborhoods. Build the office buildings and businesses there and leave our neighborhood alone.

Thank you for your consideration, and as you make your decision ask yourself, "If this was your neighborhood what would you want?"

Sincerely,

A handwritten signature in cursive script that reads "Nancy Rutherford". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Nancy Rutherford

10614 41st Ave N. E.

Marysville, WA 98271

360-659-7069

Chris Holland

From: Brittany Belton <BrittanyB@cascadesurveying.com>
Sent: Wednesday, November 30, 2022 11:59 AM
To: Chris Holland
Subject: [External!] RE: Dell's Nursery Rezone (PA22041)

Follow Up Flag: Follow up
Flag Status: Flagged

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Well, I do have some concerns. I live in Hidden Lake Estates. Being a Land Use Planner myself I am not against people building things, but I do have a concern of the traffic impact that this will cause. I am not happy about a huge warehouse going in as well, noting that there is a wetland buffer removal of 3,000 sf. Do you see any concerns with the impact of traffic this will cause? There is only one way in and one way out of 104th. We already have issues with the stupid train lol. That is a lot of parking spaces too that I see on the site plan. I am sorry if I am being harsh but to me this seems a little out of touch given that it is more residential than a commercial area to me. Let me know your thoughts on the traffic impact. If I want to dispute this do I have to get signatures from my neighborhood? Or is this going to go through no matter what?

Thank you for listening and responding back to me

From: Chris Holland <CHolland@marysvillewa.gov>
Sent: Wednesday, November 30, 2022 11:19 AM
To: Brittany Belton <BrittanyB@cascadesurveying.com>
Subject: Dell's Nursery Rezone (PA22041)

Brittany-

Here is a link to the application materials.

[Dell's Nursery Rezone](#)

After you have had an opportunity to review, please let me know if you have any questions.

Thank you,

Chris Holland | Planning Manager

CITY OF MARYSVILLE
Community Development Department
501 Delta Avenue
Marysville, WA 98270

360-363-8000 Office
360-363-8207 Direct Line

cholland@marysvillewa.gov
<http://marysvillewa.gov>

From: Brittany Belton <BrittanyB@cascadesurveying.com>
Sent: Tuesday, November 29, 2022 1:05 PM
To: Chris Holland <CHolland@marysvillewa.gov>
Subject: [External!] Del's Nursery Rezone

External Email Warning! Use caution before clicking links or opening attachments.

Hello Chris, I am curious to where I can find a proposed site plan for this. Can you guide me in the right direction on where I can get more information. File #PA22-041

Thank you

Brittany Belton

Cascade Surveying & Engineering
P.O. Box 326 Arlington, WA 98223
360-435-5551

Chris Holland

From: Brittany Belton <BrittanyB@cascadesurveying.com>
Sent: Wednesday, November 30, 2022 12:12 PM
To: Chris Holland
Subject: [External!] RE: Dell's Nursery Rezone (PA22041)

Follow Up Flag: Follow up
Flag Status: Flagged

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I just now realized this is a rezone which I am against the rezone for this. Just thinking about the traffic issues with the train being there is going to be a big problem. The train gets stopped at 104th a lot. I have had to wait for 2 hours one time for the train to move before I could get through. This will back up traffic on to State Ave.

Thank you

From: Chris Holland <CHolland@marysvillewa.gov>
Sent: Wednesday, November 30, 2022 11:19 AM
To: Brittany Belton <BrittanyB@cascadesurveying.com>
Subject: Dell's Nursery Rezone (PA22041)

Brittany-

Here is a link to the application materials.

[Dell's Nursery Rezone](#)

After you have had an opportunity to review, please let me know if you have any questions.

Thank you,

Chris Holland | Planning Manager

CITY OF MARYSVILLE
Community Development Department
501 Delta Avenue
Marysville, WA 98270

360-363-8000 Office
360-363-8207 Direct Line

cholland@marysvillewa.gov
<http://marysvillewa.gov>

From: Brittany Belton <BrittanyB@cascadesurveying.com>
Sent: Tuesday, November 29, 2022 1:05 PM
To: Chris Holland <CHolland@marysvillewa.gov>
Subject: [External!] Del's Nursery Rezone

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Hello Chris, I am curious to where I can find a proposed site plan for this. Can you guide me in the right direction on where I can get more information. File #PA22-041

Thank you

Brittany Belton

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P.O. Box 326 Arlington, WA 98223
360-435-5551