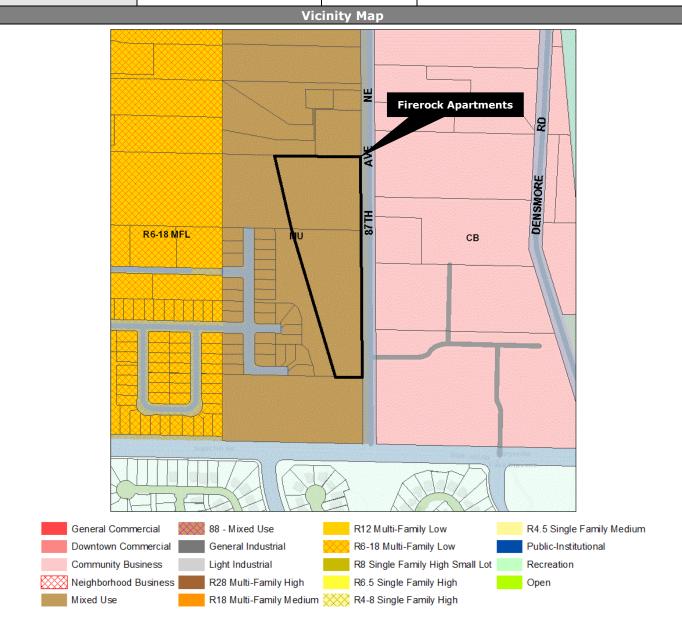


ADMINISTRATIVE SITE PLAN APPROVAL - FIREROCK APARTMENTS

Community Development Department * 80 Columbia Avenue * Marysville, WA 98270
(360) 363-8100 * (360) 651-5099 FAX * Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION										
Project Title	Firerock Apartments			Da	Date of Report		April 13, 2021			
File Number	PA20-048			At	Attachments		Site plan (Exhibit 32) and SEPA MDNS (Exhibit 35)			
Administrative Recommendation	Approve the multi-family site plan subject to the conditions of approval contained in Section 2.0.					in				
		ВАС	CKGROUN	D S	UMMAR	Υ				
Owner/Applicant	Ryan C. Larsen – Land Pro Group, Inc.									
Request		Administrative site plan approval in order to construct a 96-unit multi-family complex consisting of two buildings and associated site improvements.								
SEPA Status	SEPA MDNS were file.	SEPA MDNS issued March 24, 2021. The appeal period expired April 8, 2021; no appeals were file.							ppeals	
Site Address	3106 87 th Avenue NE				APN (s)		590700030201; 00590700029100 ortion of)			
Legal Description (abbreviated)	See site plan	ee site plan for legal description			Section	01	Township	29	Range	05
Comprehensive Plan	MU-WR	Zoning	MU-WR		Shoreline Environment		onment	N/A		
Water Supply	Current		roposed		Sewer Supply Current Septic		Current		Proposed	
	City	City City					City			
Present Use of Property	Single family	Single family residence.								
		RE	VIEWING	AC	GENCIES	;				
Marysville		Local Agencies & State & Fo		Fe	deral	County			Other	
Building Fire District Land Development Parks Planning Police Public Works	Arlington (city) Community Transit Everett (city) Frontier Lake Stevens (city) Lake Stevens SD 4 Marysville SD 25 PUD No. 1		US Army Corps of Engineers BNSF DAHP DOE WDFW WSDOT WUTC		Health District Planning Public Works - Land Development Public Works			∑ Tulalip Tribes ∑ Stillaguamish Tribe		
ACTION										
Administrative	City Coun	cil	Quasi-	Jud	licial	☐ Pla	nning Commi	ssion		
Date of Action	April 14, 2021 Approv		ved	☐ Denied			☐ Continued			
STAFF										
Name Angela Gemmer Title Senior Planner Phone 360.363.8240 E-mail agemmer@marysvillewa.gov										

SURROUNDING USES						
	Comprehensive Plan	Zoning	Land Use			
Site	Mixed Use – Whiskey Ridge	MU-WR	Single family residence on acreage			
North	Mixed Use – Whiskey Ridge	MU-WR	Single family residence and vacant land			
East	Community Business – Whiskey Ridge	CB-WR	Single family residences and vacant land across 87 th Avenue NE. White Barn Medical (PA20-049) land use application is pending for APN 00590700031800.			
South	Mixed Use – Whiskey Ridge	MU-WR	Single family residence on acreage			
West	Mixed Use – Whiskey Ridge	MU-WR	Single family subdivision and vacant land			



1.0 FINDINGS AND CONCLUSIONS

1. **Description of Proposal**

The applicant is requesting Administrative Multi-Family Site Plan Approval in order to construct a 96-unit multi-family residence on 5.67 net acres (6.12 gross acres), and associated site improvements including, but not limited to, landscaping, parking, open space, and stormwater facilities. In order to achieve twenty-eight (28) of the units, the applicant is proposing Residential Density Incentives (RDI) as allowed by Marysville Municipal Code (MMC) Chapter 22C.090 (see Section 16(b) below).

2. **Project History**

A formal land use application was filed on October 1, 2020, and deemed complete on October 9, 2020. Notice of this application was provided in accordance with MMC Section 22G.010.090, *Notice of development application*. One letter was received from the public which is addressed in Section 14 below.

3. Site Location

The subject property is located within the City of Marysville, on the west side of 87th Avenue NE north of Soper Hill Road. The site address is 3106 87th Avenue NE, and the property is identified by Assessor's Parcel Numbers (APNs) 00590700030201 and 00590700029100 (portion of).

4. Site Description

The northeastern portion of the site is currently developed with a vacant single family residence, lawn and trees. The northwestern portion of the site is forested. The southern portion of the site is undeveloped and is vegetated with shrubs and scattered trees. Topography slopes downward from east to west. Slopes along the western portion of the site range from 0 to 25 percent. A linear wetland is located along the western property line along the sloped area. The United States Department of Agriculture (USDA) Natural Resources Conservation Services (NRCS) has classified the on-site soils as Tokul gravelly loam.

5. **Surrounding Uses**

The subject property is zoned Mixed Use – Whiskey Ridge (MU-WR). Surrounding uses include both single family residences on acreage and vacant land to the north, south, and east across 87th Avenue NE, and a single family residential subdivision and vacant land to the west. To the east, there are pending land use applications on APNs 00590700031800 and 00590700030500 for White Barn Medical (PA20-049) and White Barn Grading and Utilities (PA20-051).

6. **Critical Areas**

A Critical Areas Study and Buffer Enhancement Plan prepared by Wetland Resources, Inc. dated September 17, 2020, identifies one wetland on-site, Wetland A. As noted in Section 4 above, Wetland A is a linear wetland located along the western property line along a sloped area; this wetland is approximately 99,300 square feet, and is part of a larger wetland complex which extends off-site to the north and south. Wetland A is classified as a Category III wetland which requires a 75-foot protective buffer pursuant to MMC Section 22E.010.100(4). A 15-foot structure setback from the edge of the wetland buffer is required pursuant to MMC Section 22E.010.380.

With the development, the applicant is proposing the following wetland buffer impacts: 2,630 square feet of buffer averaging to accommodate the parking area; completion of a trail connection within the buffer to the Plat of Belle Haven to the west (the connection

across the wetland was constructed with Belle Haven); and temporary impacts and restoration of 947 square feet of buffer with the installation of a stormwater dispersion trench. The applicant has demonstrated compliance with the mitigation sequencing set forth in MMC Section 22E.010.110(1). With the buffer width averaging proposal, an equivalent area of additional buffer will be provided to replace the 2,630 square feet of averaged buffer, and compliance with the buffer width averaging provisions set forth in MMC Section 22E.010.100(5)(a)&(c) has been demonstrated. The applicant will enhance the buffer area adjacent to the trail in order to comply with MMC Section 22E.010.100(8)(c), and the area that will be temporarily impacted by installation of the dispersion trench will be restored.

The majority of the existing wetland buffer is degraded and dominated by invasive Himalayan blackberry. MMC Section 22E.010.100(3) requires degraded buffer areas to be enhanced; therefore, the applicant is proposing to enhance 35,937 square feet of degraded buffer by removing non-native invasive plants and replanting with native trees and shrubs. Maintenance and monitoring will be provided consistent with MMC Section 22E.010.160.

7. Utilities

There is an 8-inch water main within 87th Avenue NE, and a 12-inch sanitary sewer main within Soper Hill Road. The water main must be extended along the portion of the new east-west connector road between 83rd Avenue and 87th Avenue NE which will be constructed with this project. Sanitary sewer must be extended along the project's 87th Avenue NE frontage, and a dry line may be required to be extended along the portion of the new east-west connector road. Water, sewer, and surface water capital improvement fees are required for the new dwelling units.

8. Stormwater Drainage

The proposal will be required to be developed in compliance with the Washington State Department of Ecology's 2012 Stormwater Management Manual for Western Washington as amended in December 2014. The Preliminary Drainage Report prepared by Thomas P. Abbott, P.E. dated September 2020, indicates that all runoff from developed/disturbed surfaces will be collected, detained, treated and released to natural drainage courses at mitigated rates using a continuous runoff simulation model. Flow control mitigation of onsite stormwater runoff will be achieved by routing collected stormwater from onsite and tributary frontage areas through a network of catch basins and closed pipes to a detention vault facility located on the northwestern portion of the site. Enhanced water quality treatment is proposed to be achieved via a BioPod underground media filtration structure located downstream of the detention facility.

9. Access, Circulation, and Frontage Improvements

The multi-family residences will be served by two accesses. The first access will be from 87th Avenue NE which borders the east property line; this access is generally located on the southern half of the site. The second access will be off of the portion of the east-west connector that will be constructed along the northern property line, and is identified on the plans as 'Road A'. The accesses both connect to a central drive aisle.

Frontage improvements will be constructed along 87^{th} Avenue NE, and half-street improvements will be constructed for the east-west connector between 83^{rd} Avenue NE and 87^{th} Avenue as described in Section 10 below.

10. Traffic Impacts and Mitigation

A Traffic Impact Analysis (TIA) was prepared by Gibson Traffic Consultants dated July 2020. According to the TIA, the proposed development would generate approximately 522 Average Daily Trips (ADT), 35 AM peak hour trips (AMPHT), and 42.24 PM peak hour trips (PMPHT).

The City Engineer reviewed the information on file for the project and issued a written concurrency recommendation dated March 23, 2021 informing the developer of the project's impacts and mitigation obligation pursuant to Chapter 22D.030, *Traffic Impact Fees and Mitigation*. Pursuant to MMC Section 22D.030.070(1)(d), an applicant is required to make a written proposal for mitigation of the impacts to the Public Works Director, based on the concurrency recommendation. The applicant accepted the traffic concurrency recommendation on March 23, 2021. The conditions of the concurrency determination are as follows:

- a. In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity improvements for the development as set forth in MMC 22D.030.070(3). Traffic impact fees shall be vested at a rate of \$6,300.00 per new PM peak hour trip (PMPHT). The estimated impact fee is \$266,112.00. Calculation: (96 units x 0.44 PMPHT per unit x \$6,300 per new PMPHT).
- b. The City's Transportation Plan shows an east-west connector roadway between 83rd Avenue NE and 87th Avenue NE at approximately 32nd Street NE which is along the subject property's northern property line. The applicant shall construct half street improvements for this connector along the northern property line per Engineering Design and Development Standards (EDDS) Standard Plan 3-206-001. The half street improvements are to include a minimum 20-foot asphalt pavement width, curb, gutter, sidewalk, landscape strip and street lighting. The road shall be extended westerly to within 50 feet of the west property boundary to allow for future continuation of the road. The sidewalk location inside of the wetland buffer shall be modified to remove the planter strip in order to minimize the wetland and buffer disturbance, and provide room for a future developer to add a retaining wall within the dedicated right-of-way, if needed, for the future wetland crossing. A catch basin will be required at the end of the proposed road, and stormwater will be required to be routed to a level spreader trench to disperse runoff towards the wetland (the level spreader must be within the outer 25 percent of the wetland buffer and applicable critical areas requirements shall be addressed during civil construction plan review). A thickened edge shall be provided across the end of the road to collect and convey runoff to the catch basin. The thickened edge shall be removed when the road is extended across the wetland.
- c. The applicant shall dedicate sufficient right-of-way for the 32nd Street NE connector to accommodate the construction of this connector and to enable the connector roadway to be extended across the wetland in the future.
- d. The applicant shall be required to construct frontage improvements along the property's 87th Avenue NE frontage consistent with City of Marysville Engineering Design and Development Standards (EDDS).
- e. The applicant shall be required to dedicate the necessary right-of-way on 87th Avenue NE to enable build-out of 87th Avenue NE consistent with EDDS standards. The estimated right-of-way dedication necessary for these improvements is five feet.
- f. The development shall pay proportionate share impact fees towards the construction of a compact roundabout at the intersection of Soper Hill Road and 87th Avenue for the PM peak hour trips (PMPHT) from the project which travel through that intersection. The project is anticipated to impact the intersection of Soper Hill Road

and 87th Avenue with a total of 26 PM peak hour trips; therefore, a total of \$44,200.00 (26 PM peak hour trips x \$1,700.00 per trip) in impact fees will be required to be paid to mitigate for these impacts.

11. Park Impacts

Pursuant to MMC Chapter 22D.020, the applicant shall mitigate City of Marysville parks impacts through payment of the park impact fee in effect at the time of building permit issuance.

12. School Impacts

Pursuant to MMC Chapter 22D.040, the applicant shall mitigate school impacts through the payment of the school impact fee in effect at the time of building permit issuance.

13. **SEPA**

A State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance (MDNS) was issued on March 24, 2021 (Exhibit 35). The appeal period expired April 8, 2021; no comments or appeals were received on the MDNS.

14. **Public Comments/Neighborhood Items of Concern.** One citizen provided written comments on the project. Below is a summary of their concerns along with City staff's response to the concerns.

<u>Public Concern:</u> Concern regarding preservation of pair of unique, significant trees located on site adjacent to the existing residence and general protection of on-site trees, and protecting the environment.

<u>Staff Response</u>: The citizen letter was provided to the applicant. It appears that one of the proposed multi-family residences will be located where the significant trees are presently located, so unfortunately, it will not be feasible to retain the specific significant trees that are of concern. The site is encumbered by a wetland and associated buffers along the western portion of the site which will be placed into a Native Growth Protection Area/Easement (NGPA/E) for permanent protection. Trees and shrubs within the NGPA/E will be permanently preserved, and mitigation plantings will be installed where mitigation is required by code. Street trees and other ornamental landscaping will also be installed with the project.

15. Agency Review

A *Request for Review* of the proposed project was sent to the following Local, County, State, and Federal Agencies and Districts:

- a. Snohomish County Public Utility District No. 1: No comments received.
- b. Tulalip Tribes: No comments received.
- c. Stillaguamish Tribes: No comments received.
- d. City of Lake Stevens: Melissa Place, Senior Planner, provided several comments and questions that were outlined in an email dated December 2, 2020 (see Exhibit 20). A subsequent letter dated March 8, 2021 was provided in response to the applicant's resubmittal. This letter states, "The Traffic Impact Analysis for the project was not revised to address our previous comments to evaluate cumulative traffic impacts to the Soper Hill area and key intersections. As per the applicant's response, it was not revised as the City of Marysville's traffic reviewer found their TIA acceptable. The City of Lake Stevens concurs with the City of Marysville as this project will not trigger the 171 PM peak hour trips that is the threshold for the roundabout intersection improvement. That said, this project contributes to the overall trips at the intersection with the White Barn Medical Office adding 117 trips and Firerock adding 42 for a

combined total of 159. This leaves a remainder of 12 trips that will likely be triggered by the next phase of the White Barn commercial site. The City of Lake Stevens is committed to the safety of Soper Hill Road and its intersections, and requests that Marysville require the construction of the roundabout per the ILA on whichever upcoming development meets or exceed the 12 trip threshold that remains.

Staff Response: The comments provided by the City of Lake Stevens have been noted. The City's Traffic Engineer Manager reviews traffic impacts for each project, and will comment on project impacts and required road improvements, including the Soper Hill Road and 87th Avenue NE roundabout. In a memo from the City's Traffic Engineer Manager regarding the White Barn Medical Office project dated March 5, 2021, it is noted that construction of the Soper Hill Road and 87th Avenue NE roundabout will be required when 173 PM peak hour trips are reached. SEPA MDNS Condition 15 for the Firerock Apartments requires traffic impact fees be paid on a proportionate share basis for trips through the Soper Hill Road and 87th Avenue NE intersection.

- e. *Marysville Fire District:* In a memo dated October 20, 2020, the Fire District provided the following comments related to fire code compliance for this project:
 - The project shall comply with the current fire code requirements (2015 IFC) including Washington state and local amendments to the fire code.
 - Fire marshal approval of fire access and fire hydrant/water supply systems is required and will be part of the civil construction plan review and approval process. It is the developer's responsibility to see that adequate water for fire protection is attainable. The minimum required fire flow is determined using International Fire Code (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.
 - The minimum required fire flow for hydrants protecting multi-family apartments is 1,500 gpm (with 20-psi minimum residual pressure).
 - Existing fire hydrant spacing along 87th Avenue NE appears inadequate. The City GIS water map shows the two closest hydrants along the roadway frontages are spaced 1,100 plus feet apart. Fire hydrants shall be provided in approved locations. Fire hydrants on an approved water main extension are required within the site for this development. Provide water main extensions with hydrants along the new roadways and at all road intersections in approved locations with a maximum spacing of 300 feet apart. Fire hydrants with approved water supply must be in service prior to building construction.
 - Fire hydrants meeting city specifications shall be installed on all extensions of the city water system at the time such extensions are construction. All hydrants shall be owned and maintained by the city. The location and frequency of fire hydrants shall be specified by the city utility department and fire department; provided, that fire hydrants in multi-family residential zones shall be spaced not more than 300 feet apart pursuant to MMC Section 14.030.050.
 - Fire hydrants shall comply with City Water Design Standard, 2-060 *Hydrants*, including 5-inch Storz fittings, with blue reflective hydrant markers to be provided in the roadways, located four inches off the centerline on the hydrant side of the road.
 - Future buildings to be constructed will require residential sprinkler installation and alarm systems appropriate for the proposed occupancy types. NFPA 13R

type sprinkler systems are required with one-hour separated riser rooms (riser room separated by fire resistive construction). The riser room location for both buildings is not identified on the plans. Separate fire protection system plans must be submitted to the City for Fire Marshal approval.

- Building sprinkler systems require a fire department connection (FDC) in an approved location away from the building near a fire hydrant (FDCs to be within 3 to 10 feet from hydrants). FDC locations for the buildings are not shown on the utility plan. The location of fire hydrants and FDCs requires approval on civil plans.
- Underground fire sprinkler piping plans require Fire Marshal approval on civil construction plans. A location in the sprinkler riser room is required for the DCDA backflow prevention for the fire sprinkler systems.
- 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.
- Access planned appears inadequate for fire apparatus. A minimum 25 foot wide fire apparatus access is required in the immediate vicinity of any building more than 30 feet in height for ladder operations, and within 15 to 30 feet from the building along one entire side of the building. An adequate access route for fire apparatus must be in service prior to any building construction.
- Recommend the roadways be posted "NO PARKING" to maintain unobstructed emergency access.
- Access for firefighting operations along all sides of all buildings is required. A
 minimum 10 foot access is required for multi-family buildings. Access
 walkways to all exterior doors and openings should be provided.
- All parts of building exteriors should be accessible for firefighting by an approved route around the buildings, and be within 150 feet of a minimum 20 foot wide fire apparatus access (within 200 feet allowed for sprinklered buildings).
- Approved access to building openings shall be provided for firefighting operations by walkways to exterior doors with key boxes (Know 3200 series recessed model) provided for immediate access (IFC 504/506).
- Recommend the buildings include fire-resistant exterior construction (such as hardiplank type siding).

Staff Response: The Fire District's comments are to be addressed during civil construction plan or building permit review as applicable.

16. **Application Review**

MMC Section 22G.010.140(3) requires the City to determine whether or not the project is consistent with the following items described in the applicable plans and regulations:

- a. Type of land use permitted at the site, including uses that may be allowed under certain circumstances, such as planned residential development and conditional uses, if the criteria for their approval have been satisfied.
 - <u>Staff Comment</u>: Pursuant to MMC 22C.020.060, multi-family residences are permitted outright in the Mixed Use Whiskey Ridge (MU-WR) zone. The proposed project meets the allowable density and dimensional standards of the MU-WR zone.
- b. Density of residential development in urban growth areas.

<u>Staff Comment</u>: The base density permitted in the MU-WR zone is 12 dwelling units per acre. The maximum density in the MU-WR zone is 18 dwelling units per acre through the application of the residential density incentive provisions set forth Chapter 22C.090 MMC.

The applicant has proposed utilizing RDI benefits: 3a. Community image, 6a. Active open space/detention, 7e. Private park and open space facilities, 10a. Construction of an identified pedestrian deficiency (fee in lieu), and 11a. Critical area buffer enhancement. The following is the RDI calculation for the proposed development:

RDI Calculation

Benefit 3a: Community image (fee in lieu) = 14 (\$15,000 per unit)

Benefit 6a: Active open space/detention = 2.7 (0.54 acres x 5 du/acre)

Benefit 7e: Private park and open space = 1.05 (0.21 x 5 du/acre)

Benefit 10a: Pedestrian deficiency (fee in lieu) = 10 (\$15,000 per unit)

Benefit 11a: Critical area buffer enhancement = 0.83 (0.83 acres x 1 du/acre)

Total RDI Bonus = 28.58

Base Allowance = $68 (12 \text{ du/acre } \times 5.67 \text{ net ac.})$

TOTAL ALLOWED UNITS = 96

The proposed development is proposing a density of 16.9 dwelling units per acre (96 dwelling units per net acre/5.67 net acres) which complies with the density allowance outlined in MMC 22C.020.080(2).

c. Availability and adequacy of public facilities identified in the Comprehensive Plan.

<u>Staff Comment</u>: The Comprehensive Plan designation for the subject property is Mixed Use – Whiskey Ridge. There are adequate water, sewer, and other public facilities to serve the proposed development. The proposed development and subsequent use of the property will be consistent with the pertinent development policies outlined in the Marysville Comprehensive Plan, as conditioned herein.

The following development policies outlined in the Comprehensive Plan that are specifically pertinent to this request and were used to establish appropriate conditions are as follows:

LAND USE ELEMENT

General Development Land Use Policies

Policies: LU-9, LU-11
Mixed Use Land Use Policies
Policies: LU-149, LU-155

ENVIRONMENTAL ELEMENT

Earth Goals and Policies

Policies: EN-19, EN-21

Water: Quality, Wetland and Watershed Protection, Storm Water Runoff,

Drainage, Shoreline Goals and Policies

Policies: EN-38

TRANSPORTATION ELEMENT

Mobility Options

Policies: T-25, T-26

Sustainable Transportation Systems and the Environment

Policies: T-34

Level of Service Standards and Concurrency

Policies: T-41

UTILITIES ELEMENT

Policies: UT-3, UT-5, UT-8, UT-10

PUBLIC FACILITIES & SERVICES ELEMENT

Police, Fire, Library

Policies: PS-1, PS-3, PS-9, PS-10, PS-11 Water, Sewer, Storm Drainage, Solid Waste Policies: PF-1, PF-2, PF-7, PF-9, PF-23

d. Development Standards.

<u>Staff Comment</u>: The project site is currently zoned Mixed Use – Whiskey Ridge (MU-WR). The purpose of the MU-WR zone is to provide for pedestrian- and transit-oriented high-density employment uses together with limited complementary retail and higher density residential development in locations within activity centers where the full range of commercial activities is not desirable. The base density is 12 units per acre; the maximum density is 18 units per acre subject to the application of the residential density incentive requirements set forth in Chapter 22C.090 MMC.

After review of the application materials, site plan and information on file with the City, it has been determined that the proposed multi-family site plan, as conditioned herein, complies with all of the applicable design and development standards outlined in Title 22 – *Unified Development Code*.

17. In House Days

Pursuant to MMC Section 22G.090.380, a decision on the application shall be made within 120 days from the date of the letter of completeness. A decision on this application was made 45 in-house days from the date of completeness.

18. Conclusion

The proposed development, as conditioned herein, will make appropriate provisions for the public use and interest, health, safety, and general welfare.

2.0 DECISION

Based on the foregoing findings and conclusions, and review of the City's regulatory authority to implement the policies, standards, and regulations of the Comprehensive Plan and MMC, the Community Development Director hereby grants preliminary **Administrative Multi-Family Site Plan Approval** for Firerock Apartments subject to the following conditions:

- 1. The site plan date stamped March 22, 2021 is the approved site layout (Exhibit 32); provided that, a complete pedestrian connection will be required from the south side of Building 1 to the open space area, or as otherwise approved.
- 2. Prior to civil construction plan approval, a final landscaping plan complying with the standards set forth in the *East Sunnyside/Whiskey Ridge Design Standards and Guidelines*, Chapter 22C.120 MMC, *Landscaping and Screening*, and MMC Section 22C.010.290, *Site and building design standards*, shall be submitted for review and approval. The landscape plans shall include details on proposed playground equipment and other amenities, and a Type L4 landscape buffer along the western border of the parking lot.
- 3. The applicant shall submit payment to Lake Stevens School District No. 4 for school impacts caused by the development in accordance with MMC Chapter 22D.040, School Impact Fees and Mitigation. School mitigation fees will be based on the fee schedules in

- effect at the time an individual building permit application is accepted by the City, and will be required to be paid prior to building permit issuance.
- 4. The applicant shall submit payment to the City of Marysville for park impacts caused by the development in accordance with MMC Chapter 22D.020, *Parks, Recreation, Open Space and Trail Impact Fees and Mitigation*. Park mitigation fees will be based on the fee schedules in effect at the time an individual building permit application is accepted by the City, and will be required to be paid prior to building permit issuance.
- 5. The applicant shall implement residential density incentives sufficient to earn the twenty-eight (28) bonus dwelling units proposed in accordance with Chapter 22C.090 MMC, Residential Density Incentives. Where RDI proposing fee in lieu are pursued, payment shall be made prior to building permit issuance. Other RDI shall be implemented prior to a Certificate of Occupancy being granted for the first building in the project, or as otherwise approved.
- 6. Prior to civil construction plan approval, a lighting site plan shall be submitted which identifies lighting equipment, locations and standards, and implements the following design standards as required by the *East Sunnyside/Whiskey Ridge Design Standards and Guidelines*, Section D.3.1 Lighting Standards and Guidelines. Appropriate lighting levels shall be provided in all areas used by pedestrians or automobiles, including building entries, walkways, parking areas, circulation areas, and other open space areas.

New developments shall provide site lighting that meets the following design criteria through implementing measures such as:

- a. All public areas shall be lighted with average minimum and maximum levels as follows:
 - Minimum (for low or non-pedestrian and vehicular traffic areas) of 0.5 foot candles;
 - Moderate (for moderate or high volume pedestrian areas) of 1-2 foot candles;
 and
 - Maximum (for high volume pedestrian areas and building entries) of 4 foot candles.
- b. Lighting shall be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.
- c. Parking lot lighting fixtures shall be non-glare and mounted no more than 25 feet above the ground, with lower fixtures preferable so as to maintain a *human scale*. Requests for higher lighting fixtures may be considered with the approval of the *Director*. All fixtures over 15 feet in height shall be fitted with a full cut-off shield.
- d. Pedestrian-scaled lighting (light fixtures no taller than 15 feet) is encouraged in areas with high anticipated pedestrian activity. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety.
- e. Lighting should not be permitted to trespass onto adjacent private parcels nor shall light source (luminaire) be visible at the property line. All building lights shall be directed onto the building itself and/or the ground immediately adjacent to it. The light emissions should not be visible above the roofline of the building. Light fixtures other than traditional cobra heads are encouraged.
- 7. Ongoing facility maintenance provisions are required for the park/open space areas, and must be submitted for review and approval. Said maintenance provisions shall be

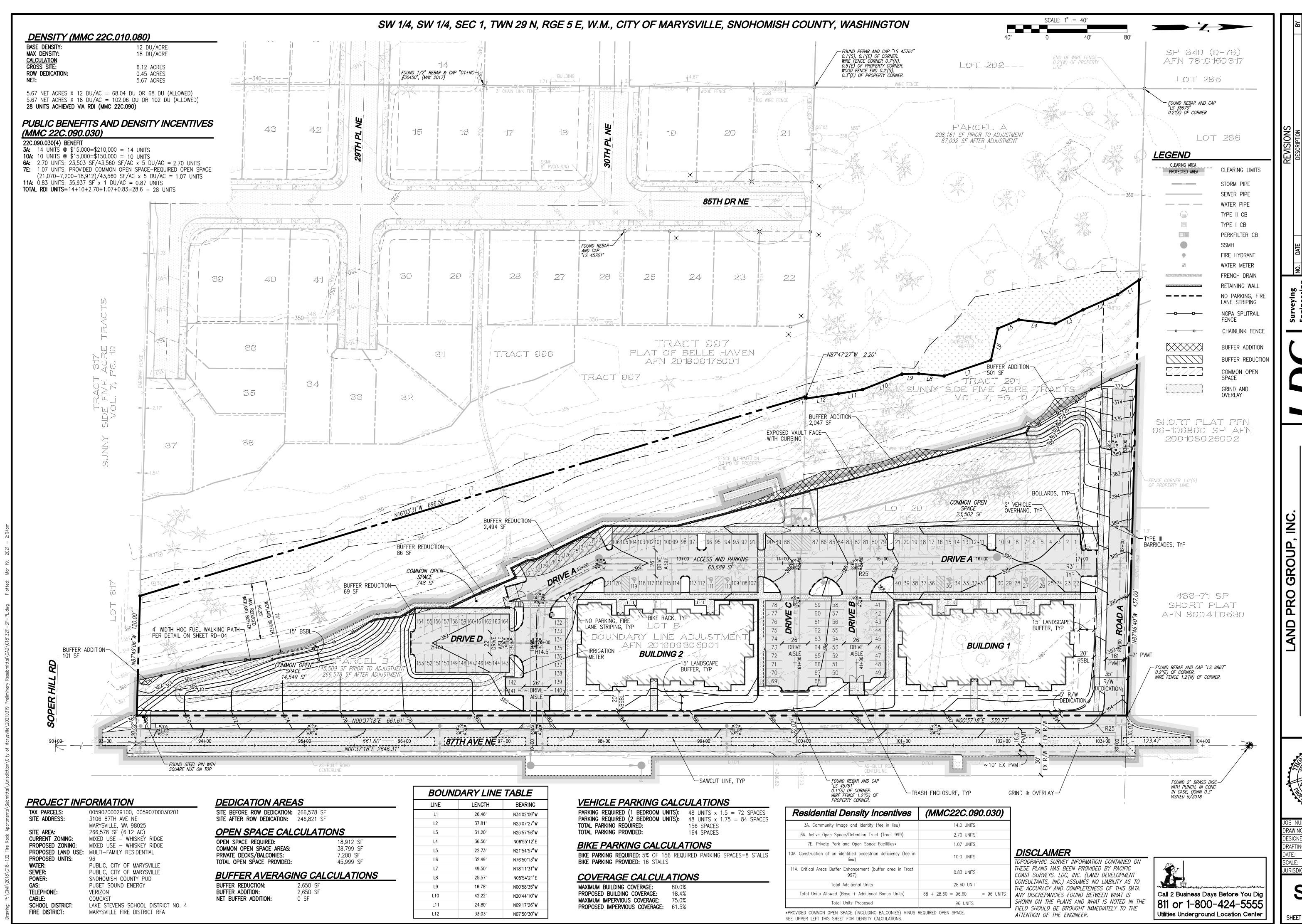
- recorded with the Snohomish County Auditor's Office, and a conformed copy provided, prior to a Certificate of Occupancy being granted for the first building in the project.
- 8. Prior to building permit issuance, the applicant shall demonstrate compliance with the *East Sunnyside/Whiskey Ridge Design Standards.*
- 9. The site shall be subject to the following standards set forth in the *East Sunnyside/Whiskey Ridge Design Standards and Guidelines*, Section F.21, Maximum Wall Height Along Public Streets or Sidewalks, which requires that:
 - a. The maximum height of solid (more than 50% opaque) free-standing walls, fences, or hedges in any front yard or other location between the street and the façade shall be 3-1/2 feet unless a taller wall is required, per the *Director*, to mitigate significant noise and traffic.
 - b. The maximum height of any decorative wall or fence which allows visibility (no more than 50% opaque), such as a wrought iron or split rail fences, shall be 6 feet. Such fences shall be set back from the sidewalk at least 3 feet to allow for landscaping elements to soften the view of the fence.
- 10. The project is subject to the eighteen (18) mitigation measures outlined in the SEPA Mitigated Determination of Non-Significance issued on March 24, 2021 (Exhibit 35).

Prepared by: Angela
Reviewed by: Chris

This **Administrative Site Plan Approval** is issued under MMC Section 22G.010.150(h). Administrative decisions may be appealed to the Hearing Examiner in accordance with MMC 22G.010 – Article VIII, Appeals. Appeals must be filed within fourteen (14) calendar days of the date of administrative site plan approval.

Date: 4/14/21 Signature: Haylie Miller, Community Development Director

The above recommendation, including conditions of preliminary approval, are subject to change if the proposed phasing parameters, land uses or any other information provided by the applicant or their authorized representative proves inaccurate.



REVISIONS

DATE

DESCRIPTION

2-17-21 REVISED PER CITY COMMENTS DATED 11-16-20
3-19-21 REVISED GENERAL SITE INFO PER CITY COMMENTS DATED 3-17-21

TPA

TPA

Planning
Planning

Rent

Nue NE 1851 Central Pl S, #101

Woodinville
20210 142nd Avenue NE
10 Woodinville WA 08073

PARTMENTS

SINGLE ALANGE

S P.

S WASHINGTON

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JOB NUMBER:	C18132
DRAWING NAME: C181	32P-SP-PL
DESIGNER:	TPA
DRAFTING BY:	CRA
DATE:	9-22-20
SCALE:	1"=40'
JURISDICTION: CITY OF	MARYSVILLE

SP-01

SHEET 3 OF 9



SEPA MITIGATED DETERMINATION OF NON-SIGNIFICANCE MARYSVILLE AND TRAFFIC CONCURRENCY DETERMINATION

Community Development Department • 80 Columbia Avenue • Marysville, WA 98270 (360) 363-8100 • (360) 651-5099 FAX • Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION						
Project Title	Firerock Apartments		File No.	PA20-048		
Detailed Project Description	The applicant is requesting State Environmental Policy Act (SEPA) review for a 96-unit apartment complex consisting of two buildings and associated site improvements.					
Site Address	3106 87 th Avenue NE		APN (s)	00590700030201		
Legal Description (abbreviated)	SEE SITE PLAN.					
	OWNER	APPLICAN	T	CONTACT		
Name	Firerock Investments, LLC	Ryan C. Larsen/ Land Pro. Group, Inc.		Ryan C. Larsen/ Land Pro. Group, Inc.		
Address	10515 20 th Street SE, #116	10515 20 th Street SE, #202		10515 20 th Street SE, #202		
City, State, ZIP	Lake Stevens, WA 98258	Lake Stevens, WA 9	8258	Lake Stevens, WA 98258		
	THRESH	OLD DETERMINATI	ON			
Lead Agency	☐ City of Marysville					
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. There is no comment period for this DNS This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on this DNS. This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14-days from the date below. Comments must be submitted by:						
This MITIGATED DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14-days from the date below. Comments must be submitted by: Wednesday, April 7, 2021						
SEPA CONTACT						
Name	Angela Gemmer		Title	Senior Planner		
Phone	360.363.8240		E-mail	agemmer@marysvillewa.gov		
RESPONSIBLE OFFICIAL						
Name	Allan Giffen Title			CD Director		
Address 80 Columbia Avenue, Marysville, WA 98270						
Prepared by: Angela Reviewed by: Chris						
Allan Giffen			March 24, 2021			
Allan Giffen, Community Development Director			Date	Date		

ENVIRONMENTAL IMPACTS The proposed construction and subsequent use of the property could result in the following adverse environmental impacts. Increase in the amount and rate of stormwater runoff and attendant pollutants from the introduction of 1. paved and building roof surfaces. Increase in erosion, surface water pollutants, siltation and sedimentation as a result of site preparation 2. and construction. Increase in demand for police, fire protection, parks and other public services generated as a result of the 3. development. 4. Increase in noise, dust, light and glare from construction activity and subsequent use of the site. Increase in vehicular traffic on 87th Avenue NE and Soper Hill Road as well as other City streets in the 5. vicinity. **MITIGATION MEASURES** The following mitigation measures are required to minimize the probable significant adverse environmental impacts as a result of the proposed development activity. The applicant and contractor shall strictly adhere to the recommendations outlined in the Preliminary Drainage Report prepared by LDC, Inc. dated September 2020, and the Geotechnical Engineering Report prepared by Terra Associates, Inc. dated August 6, 2020 and amended September 29, 2020, and future supplemental reports and amendments, during construction of the project. Prior to a Certificate of 1. Occupancy being granted, the applicant shall provide a letter from the project engineer to verify that final site grading has been completed consistent with the approved grading plans; that all recommendations outlined in the geotechnical assessment and subsequent amendments have been followed; and that all fill has been properly placed. All grading adjacent to, or drainage onto, areas with slopes in excess of 15 percent shall conform to the 2. requirements set forth in MMC Chapter 22E.010, Article IV, Geologic Hazard Areas, and the recommendations of the licensed geotechnical engineer for the project. The western portion of the site contains slopes of 15 to 25 percent which may constitute a moderate geologic hazard under MMC Section 22A.020.060. Pursuant to MMC Section 22E.010.290(2), the following assurance is required of the applicant and/or the qualified scientific professional for geologic hazard areas and will be required to be addressed prior to a Certificate of Occupancy being issued. A legally enforceable agreement prepared by the applicant, which shall be recorded as a covenant and noted on the face of the 3. deed or plat, and executed in a form satisfactory to the city of Marysville, acknowledging that the site is located in a geologic hazard area; the risks associated with development of such site; and a waiver and release of any and all claims of the owner(s), their directors, employees, successors or assigns against the city of Marysville for any loss, damage or injury, whether direct or indirect, arising out of issuance of development permits for the proposal. Prior to civil construction plan approval, the applicant shall demonstrate that the natural topography of the site is preserved to the extent feasible, and that the proposal complies with the design criteria set forth in MMC Section 22D.050.030(4). Any retaining wall will be required to have a nice aesthetic and 4. have the appearance of stone or rock (no ecology block walls); details must be provided on the civil construction plans. Retaining walls shall be screened with landscaping along the walls, as necessary, to ensure that the walls are properly screened. The applicant shall obtain all necessary Federal, State, and local permits for impacts to critical areas, as 5. necessary, prior to beginning any land disturbing activities. Prior to civil construction plan approval, the applicant shall submit a final Critical Areas Report and Mitigation Plan which provides for mitigation of all critical areas and buffer project impacts. The applicant 6. shall acquire mitigation bank credits for wetland impacts from an approved mitigation bank as necessary. Documentation demonstrating acquisition of said credits shall be provided to the Planning Division prior to civil construction plan approval if mitigation bank credits will be pursued.

A Native Growth Protection Area Easement (NGPA/E) shall be required over the critical areas and buffer area. Said easement shall be recorded with the Snohomish County Auditor's Office, and a copy of said easement provided to the Planning Division, prior to a Certificate of Occupancy being granted.

implemented including plantings, fencing, signage, bonding, etc., as applicable.

7.

Prior to a Certificate of Occupancy being granted, all critical areas mitigation measures shall be

To provide the best protection for trees within the on-site critical areas or adjacent to the property that may be impacted during the construction stage, the applicant shall install a temporary, five-foot high, orange clearing limits construction fence in a line generally corresponding to the drip line of any significant 9. tree(s) to be retained. No construction will be permitted within the dripline of trees identified to be saved. All such fencing shall be installed and inspected by the Community Development Department prior to commencement of site work. In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity 10. improvements for the development as set forth in MMC 22D.030.070(3). Traffic impact fees shall be vested at a rate of \$6,300.00 per new PM peak hour trip (PMPHT). The estimated impact fee is \$266,112.00. Calculation: (96 units \times 0.44 PMPHT per unit \times \$6,300 per new PMPHT). The City's Transportation Plan shows an east-west connector roadway between 83rd Avenue NE and 87th Avenue NE at approximately 32nd Street NE which is along the subject property's northern property line. The applicant shall construct half street improvements for this connector along the northern property line per Engineering Design and Development Standards (EDDS) Standard Plan 3-206-001. The half street improvements are to include a minimum 20-foot asphalt pavement width, curb, gutter, sidewalk, landscape strip and street lighting. The road shall be extended westerly to within 50 feet of the west property boundary to allow for future continuation of the road. The sidewalk location inside of the wetland 11. buffer shall be modified to remove the planter strip in order to minimize the wetland and buffer disturbance, and provide room for a future developer to add a retaining wall within the dedicated rightof-way, if needed, for the future wetland crossing. A catch basin will be required at the end of the proposed road, and stormwater will be required to be routed to a level spreader trench to disperse runoff towards the wetland (the level spreader must be within the outer 25 percent of the wetland buffer and applicable critical areas requirements shall be addressed during civil construction plan review). A thickened edge shall be provided across the end of the road to collect and convey runoff to the catch basin. The thickened edge shall be removed when the road is extended across the wetland. The applicant shall dedicate sufficient right-of-way for the 32nd Street NE connector to accommodate the construction of this connector and to enable the connector roadway to be extended across the wetland in 12. the future. The applicant shall be required to construct frontage improvements along the property's 87th Avenue NE 13. frontage consistent with City of Marysville Engineering Design and Development Standards (EDDS). The applicant shall be required to dedicate the necessary right-of-way on 87th Avenue NE to enable build-14. out of 87th Avenue NE consistent with EDDS standards. The estimated right-of-way dedication necessary for these improvements is five feet. The development shall pay proportionate share impact fees towards the construction of a compact roundabout at the intersection of Soper Hill Road and 87th Avenue for the PM peak hour trips (PMPHT) from the project which travel through that intersection. The project is anticipated to impact the 15. intersection of Soper Hill Road and 87th Avenue with a total of 26 PM peak hour trips; therefore, a total of \$44,200.00 (26 PM peak hour trips x \$1,700.00 per trip) in impact fees will be required to be paid to mitigate for these impacts. Decorative street lighting meeting the standards set forth in East Sunnyside-Whiskey Ridge Master Plan 16. and Design Guidelines shall be installed along the project's 87th Avenue NE frontage. Pursuant to MMC Section 22G.120.270(2), all projects shall have all power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or lines (including existing **17.** overhead lines along the project's 87th Avenue NE frontage) placed in underground location either by direct burial or by means of conduit or ducts (with the exception of the city fire alarm system) to provide a clean look to the streetscape. The Department of Archaeology and Historic Preservation's (DAHP) Inadvertent Discovery Plan shall be followed during site construction. If at any time during construction archaeological resources are observed on the project site, work shall be temporarily suspended at the location of discovery and a professional archaeologist shall document and assess the discovery. The DAHP and all concerned tribes shall be 18. contacted for any issues involving Native American sites. If project activities expose human remains, either in the form of burials or isolated bones or teeth, or other mortuary items, work in that area shall be stopped immediately. Local law enforcement, DAHP, and affected tribes shall be immediately contacted. No additional excavation may be undertaken until a process has been agreed upon by these parties, and no exposed human remains should be left unattended.

APPEALS					
 ☑ This MDNS may be appealed pursuant to the requirements of MMC 22E.030.180. There is a 15 day appeal period on the MDNS that commences from the date the MDNS was issued. Any appeal must be addressed to the responsible official, accompanied by a filing fee of \$500.00, and be filed in writing at the City of Marysville Community Development Department, 80 Columbia Avenue, Marysville, WA 98270. The appeal must be received by 4 p.m., Thursday, April 8, 2021. The appeal must contain the items set forth in MMC 22G.010.530. ☐ There is no agency appeal. 					
DISTRIBUTION					
Marysville	Local Agencies & Districts	State & Federal	County	Other	
Building Fire District LD (Shane Whitney) LD (Eng. Svc. Mgr.) Parks Police Public Works (Jesse Hannahs) Public Works (Kari Chennault) Public Works (Jeff Laycock) Public Works (Karen Latimer)	Arlington (city) Arlington Airport Community Transit Everett (city) Lake Stevens (city) Lake Stevens SD 4 Lakewood SD 306 Marysville SD 25 PUD No. 1 (electric) PUD No. 1 (water) Ziply	US Army Corps of Engineers BNSF DOE (Bellevue) DOE (Olympia - Env. Review) DOE (SEPA - Greta Stough) DOE (Shorelands - G. Tallent) WDFW WSDOT WUTC	Health District Planning Public Works - Land Development Public Works	Olympic Pipeline Puget Sound Energy Stillaguamish Tribe Tulalip Tribes Everett Herald	