



ADMINISTRATIVE SITE PLAN APPROVAL

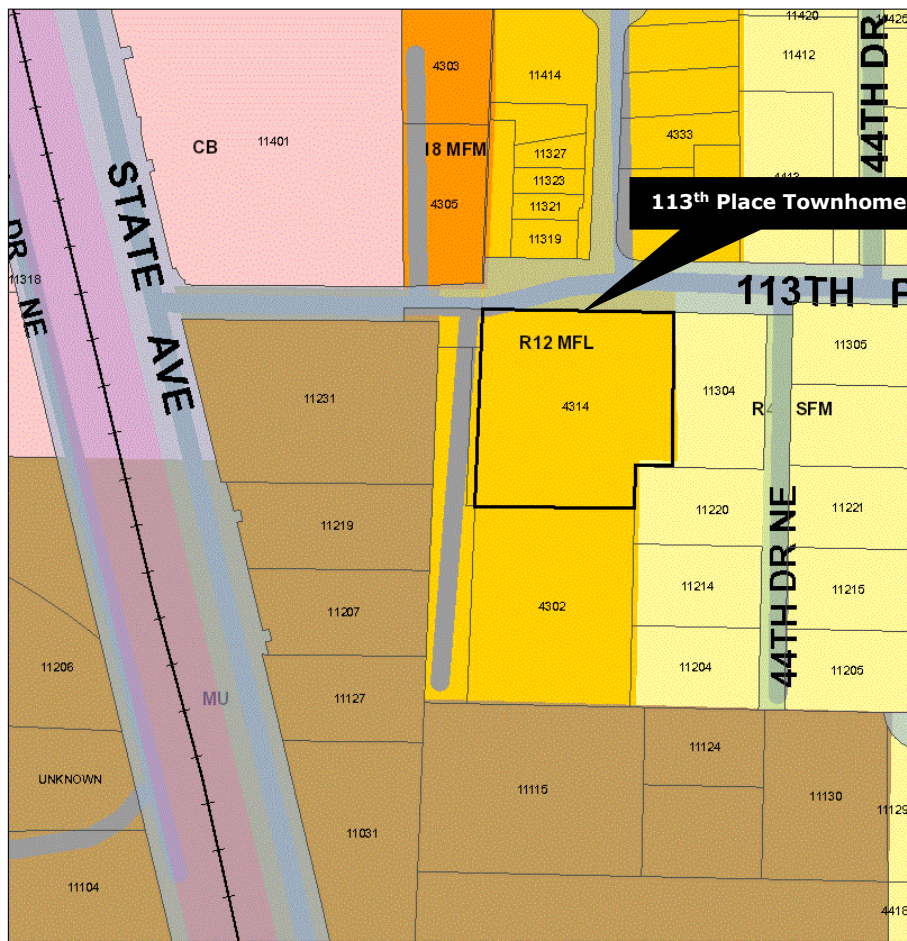
Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00

PROJECT INFORMATION									
Project Title	113 th Place Townhomes			Date of Report	March 30, 2021				
File Number	PA20-042			Attachments	Site plan (Exhibit 41)				
Administrative Recommendation	Approve the townhouse site plan subject to the conditions of approval in Section 2.0.								
BACKGROUND SUMMARY									
Owner/Applicant	RESG Homes, LLC								
Request	Administrative site plan approval in order to construct a 17-unit townhouse and associated site improvements.								
SEPA Status	Exempt pursuant to WAC 197-11-800								
Site Address	4314 113 th Place NE			APN(s)	30050900402200				
Legal Description (abbreviated)	See Site Plan			Section	09	Township	30	Range	05
Comprehensive Plan	MFL	Zoning	R-12	Shoreline Environment			N/A		
Water Supply	Current		Proposed		Sewer Supply	Current		Proposed	
	City		City			Private (septic)		City	
Present Use of Property	Single family residence.								
REVIEWING AGENCIES									
Marysville	Local Agencies & Districts			State & Federal		County		Other	
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input checked="" type="checkbox"/> Land Development <input checked="" type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lakewood SD 306 <input checked="" type="checkbox"/> Marysville SD 25 <input checked="" type="checkbox"/> PUD No. 1 <input checked="" type="checkbox"/> Ziplly			<input type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input type="checkbox"/> DOE <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC		<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input checked="" type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works		<input checked="" type="checkbox"/> Tulalip Tribes <input checked="" type="checkbox"/> Stillaguamish Tribe	
ACTION									
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> City Council	<input type="checkbox"/> Quasi-Judicial	<input type="checkbox"/> Planning Commission						
Date of Action	March 30, 2021	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> 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	Multi-Family, Low Density	R-12	Single family residence
North	Multi-Family, Low Density	R-12	Single family residences and duplexes across 113 th Place NE right-of-way
East	Single Family, Medium Density	R-4.5	Single family residences
South	Multi-Family, Low Density & Single Family, Medium Density	R-12 & R-4.5	Single family residence
West	Multi-Family, Low Density & Mixed Use	R-12 & MU	Access driveway and single family residence

Vicinity Map



- | | | | |
|-----------------------|-------------------------|---------------------------------|---------------------------|
| General Commercial | 88 - Mixed Use | R12 Multi-Family Low | R4.5 Single Family Medium |
| Downtown Commercial | General Industrial | R6-18 Multi-Family Low | Public-Institutional |
| Community Business | Light Industrial | R8 Single Family High Small Lot | Recreation |
| Neighborhood Business | R28 Multi-Family High | R6.5 Single Family High | Open |
| Mixed Use | R18 Multi-Family Medium | R4-8 Single Family High | |

1.0 FINDINGS AND CONCLUSIONS

1. Description of Proposal

The applicant is requesting Administrative Site Plan Approval in order to construct a 17-unit townhouse project on a 1.14 acre site, and associated site improvements including, but not limited to, landscaping, parking, and stormwater facilities.

2. Project History

A formal land use application was filed on September 8, 2020, and deemed complete on September 22, 2020. Notice of this application was provided in accordance with MMC Section 22G.010.090, *Notice of development application*. As of the date of this decision, written public comments were received from one couple; the public comments are addressed in Section 13 below.

3. Site Location

The subject property is located within the City of Marysville, east of State Avenue on the south side of 113th Place NE. The property is identified by Assessor's Parcel Number 30050900402200 and is addressed 4314 113th Place NE.

4. Site Description

The site is developed with a single family residence and small outbuildings, and is generally flat. The site is primarily lawn with some trees and shrubs. The USDA Soil Conservation Services has classified the on-site soils as Ragnar fine sandy loam.

5. Surrounding Uses

The subject property is zoned R-12 Multi-Family, Low Density. Surrounding uses include single family residences and duplexes to the north across 113th Place NE, and single family residences to the west, south, and east.

6. Critical Areas

There are no critical areas located on, or within 600 feet of, the subject property.

7. Utilities

There is a 6-inch cast iron (CI) water main and an 8-inch sanitary sewer main located in 113th Place NE. The townhouses will be connected to water and sanitary sewer. Water, sewer, and surface water capital improvement fees are required for the new townhouse dwelling units. The project is also subject to sewer recovery contract number 294.

8. Stormwater Drainage

The proposal will be developed in compliance with the Washington State Department of Ecology's 2012 *Stormwater Management Manual for Western Washington* (SMMWW) as amended in December 2014. The Construction Drainage Report prepared by LDC, Inc. dated August 2020 and amended December 2020, indicates that all runoff from developed and 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 flow through a network of catch basins and closed pipes to an infiltration gallery facility located in the northwest corner of the property. The residential nature of the project requires "basic" water quality treatment. The proposed infiltration gallery infiltrates 100 percent (more than 91 percent which meets DOE SMMWW requirements) of the runoff directed to it and thus can be used for water quality treatment.

9. **Access, Circulation, and Frontage Improvements**

Access to the townhouses will be via a private drive aisle located off of 113th Place NE. Frontage improvements will be constructed along the project's 113th Place NE frontage. Right-of-way shall be dedicated to the City, as determined by the City Engineer, prior to final building inspections being granted.

10. **Traffic Impacts and Mitigation**

The City Engineer reviewed the information on file for the project and issued a written concurrency recommendation dated February 19, 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 February 25, 2021. The conditions of the concurrency determination is 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 \$77,238.00. Calculation: (17 units x 0.78 trips per unit = 13.26 trips) – (1 trip SFR credit) = 12.26 trips).
- b. The applicant shall be required to construct frontage improvements along the property's 113th Place NE frontage, and dedicate right-of-way if necessary.

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. **Public Comments/Neighborhood Items of Concern**

One couple provided written comments on the proposed project. Below is a summary of the citizen's concern along with City staff's response to the concern.

Public Concern: Request to have the existing three foot chain link fence along the common property line with 11304 44th Drive NE replaced with a solid wood eight foot fence.

Staff Response: The property 11304 44th Drive NE is zoned R-4.5 Single Family, Medium Density. Since the 113th Place Townhomes will be a townhouse development, the developer will be required to provide a 20-foot setback of the townhouses from the common property line with 11304 44th Drive NE, and install a 10-foot wide, Type L1 landscaping buffer with a 6-foot tall, sight-obscuring fence on the common property line (the maximum allowed fence height is six feet tall in residential zones). The Type L1 landscape buffer is the densest buffer required by code and includes trees and shrubs. The applicant has proposed to install a 6-foot tall, sight-obscuring cedar fence.

14. **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. *Marysville Fire District*: In a memo dated October 13, 2020, the Marysville 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 City of Marysville amendments to the fire code. Proposed buildings will require approved fire sprinkler and alarm systems appropriate for the proposed occupancy types. IRC townhomes require a NFPA 13-D residential sprinkler system in each unit with no riser room and no FDC required. Separate fire protection system plans must be submitted to the City for Fire Marshall approval.
 - 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 IFC Appendix B, and depends on building sizes, construction types, and sprinkler systems. The minimum required fire flow for hydrants protecting multi-family buildings is 1,500 gpm. 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.
 - Maximum hydrant spacing for the proposed use is 300' apart. Fire hydrants shall be provided in approved locations. The City Engineering Design and Development Standards (EDDS) requires hydrants be located at least 50 feet away from buildings (minor deviations allowed). The proposed hydrant should be relocated to the north. Provide water main extensions which comply with City Water Design Standard 2-060, Hydrants, including 5-inch Storz fittings with blue reflective to be provided in the roadways located four inches off the hydrant side of the road. Fire hydrants with approved water supply must be in service prior to building construction.
 - The access roadway and turnaround areas should be marked and/or signed "NO PARKING - FIRE LANE" to maintain unobstructed emergency access.
 - Fire extinguishers are required in approved locations – minimum 2A-10B-C UL rated.
 - Recommend the buildings to be constructed here include fire-resistant exterior construction (such as hardiplank type siding).
 - Access planned appears adequate for fire apparatus. A private roadway 22-foot wide is shown on the plan. A minimum 20 foot wide fire apparatus access road is required, except a minimum 26 foot wide fire apparatus access is required in the immediate vicinity of any building more than 30 feet in height (3-stories) for ladder truck operations, and within 20 feet on both sides of fire hydrants.
 - The 'Y' turnaround area appears acceptable. The turnaround extends 60-feet from the edge of pavement (IFC Appendix D shows 60-foot Y turnaround example).
 - Access for firefighting operations along all sides of the building is required. A minimum 10 foot access is required for all multi-family dwellings. All parts of the building exterior should be accessible for firefighting by an approved route around the building, and be within 150 feet of fire apparatus access (within

200 feet for sprinklered buildings). An adequate access for fire apparatus must be in service prior to any building construction.

- 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.

In a memo dated December 17, 2020 from David VanBeek, Assistant Fire Marshall, it was determined that the revised site plan was acceptable for fire access. The remaining Marysville Fire District comments are to be addressed during civil construction plan or building permit review as applicable.

15. **Application Review**

MMC 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.

Staff Comment: Pursuant to MMC 22C.010.060, townhouses are permitted outright in the R-12 zone. The proposed project meets the allowable density and dimensional standards of the R-12 zone.

- b. Density of residential development in urban growth areas.

Staff Comment: The base density allowed in the R-12 zone is 12 dwelling units per net project acre, and the maximum density is 18 dwelling units per net project acre through the application of the residential density incentive (RDI) provisions outlined in MMC Chapter 22C.090.

The applicant has proposed utilizing RDI benefits: 5a. *Located near transit routes*, 7b. *Creation of perimeter buffer*, 7e. *Private park and open space facilities*, 9a. *Integration of LID measures in project design*, and 10a. *Construction of an identified pedestrian deficiency (fee in lieu)*. The following is the RDI calculation for the proposed development:

RDI Calculation

Benefit 5a: 5% increase near transit	= 0.65	(13 x 0.05)
Benefit 7b: Creation of perimeter buffer	= 0.74	(372 LF/500 LF)
Benefit 7e: 5 bonus units per acre of park	= 0.31	(0.063 x 5)
Benefit 9a: 10% increase for LID integration	= 1.3	(13 x .10)
Benefit 10a: pedestrian deficiency (fee in lieu)	= 1	(\$15,000 per unit)
Total RDI Bonus	= 4	
Base Allowance	= 13	(12 du/acre x 1.10 acre)
TOTAL ALLOWED UNITS	= 17	

The proposed development is proposing a density of 15 ½ dwelling units per acre (17 dwelling units per net acre/1.10 net acres) which complies with the density allowance outlined in MMC 22C.010.080(2).

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

Staff Comment: The Comprehensive Plan designation for the subject property is Multi-Family, Low Density. 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

Multi-family Land Use Policies

Policies: LU-46, LU-50

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.

Staff Comment: The project site is currently zoned R-12 Multi-Family, Low Density. The R-12 zone is a low density multiple-family residential zone. The major types of new housing development will be attached and detached single-family residential, duplexes, apartments and condominiums. The density is 12 units per acre; the maximum is limited to 18 units per acre.

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

16. **In House Days**

Pursuant to MMC Section 22G.120.370, 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 42 in-house days from the date of completeness.

17. **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 Site Plan Approval** for the 113th Place Townhomes subject to the following conditions:

1. The site plan date stamped March 23, 2021 (Exhibit 41) is the approved site layout; provided that: the labeling for the parking spaces currently designated as 'G1' and '2' shall be reversed.
2. 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 \$77,238.00. Calculation: (17 units x 0.78 trips per unit = 13.26 trips) - (1 trip SFR credit) = 12.26 trips).
3. The applicant shall be required to construct frontage improvements along the property's 113th Place NE frontage, and dedicate right-of-way if necessary.
4. The applicant shall submit payment to Marysville School District No. 25 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 unless deferred until a time preceding final building inspections being granted.
5. 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 unless deferred until a time preceding final building inspections being granted.
6. Prior to building permit issuance, the applicant shall contribute \$15,000 for the bonus unit proposed pursuant to MMC 22C.090.030(4), Residential Density Incentive Benefit 10(a), unless an alternate RDI is proposed.
7. Prior to civil construction plan approval, a final landscaping plan complying with the standards set forth in MMC Chapter 22C.120, *Landscaping and Screening*, shall be submitted for review and approval.
8. Prior to building permit issuance, building elevations demonstrating compliance with MMC Section 22C.010.290, *Site and building design standards*, shall be submitted for review and approval.
9. All mechanical equipment shall be organized, proportioned, detailed, screened, landscaped, and/or colored to be an integral element of the building and minimize visual impacts from the ground level of adjacent streets and properties. For example, screening features should utilize similar building materials and forms to blend with the architectural character of the building.
10. All power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or lines shall be placed underground either by direct burial or by means of conduit or ducts providing service to the building.

11. 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, in order to ensure safety and security; enhance and encourage evening activities; and provide a distinctive character to the area. The lighting plan date stamped March 23, 2021 shall be implemented prior to final building inspections being granted.
12. Prior to final building inspections being granted, any existing on-site septic systems or wells shall be abandoned in accordance with Snohomish Health District requirements.
13. 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 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.
14. Declaration or covenants shall be required to be recorded, prior to final building inspections being granted for the development, including provisions which address the following:
 - a. Maintenance of the common areas, drive-aisles, drainage system, open space, landscaping and other private improvements within the development.
 - b. Provisions for storage parking of boats, RVs, non-operable vehicles and similar vehicle storage so as not to reduce the proposed parking within the development and enforcement of these provisions.
 - c. Parking enforcement provisions.
 - d. If the garage units are used for the required parking calculations, then a covenant shall be required that the garage facilities are used for parking of vehicles (only) and not used for storage.

These covenants or restrictions shall be reviewed and approved by the Community Development Department and Marysville Fire District prior to recording.

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: 03/30/2021 **Signature:** *Haylie Miller*
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.