

PRELIMINARY SHORT PLAT (SP) AND PLANNED

RESIDENTIAL DEVELOPMENT (PRD) 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 PM

PROJECT INFORMATION												
Project Title	Clancy Short Plat Planned Residential Development			Date of Report		May 18, 2021						
File Number	SP20-006			Attachments		Preliminary Short Plat PRD Map (Exhibit 17)						
Administrative Recommendation		low the co	nstruction Section 2.0	of a 7-lot	resident	anned Residential Development (PRD) dential PRD, subject to the conditions of						
BACKGROUND SUMMARY												
Owner/Applicant	James Clancy											
Request	Preliminary Short Plat and Planned Residential Development approval in order to subdivide a 1.62-acre property into seven (7) single-family lots.											
SEPA Status	This project is categorically exempt from SEPA review pursuant to MMC 22E.030.090.											
Location	4600 Block of 61st Drive NE			APN (s)	30053	400404700						
Legal Description (abbreviated)	File No. 20-0	Parcel A, City of Marysville BLA, File No. 20-001, AFN 202007215006			34	Township	30	Range	05			
Comprehensive Plan	SFM Zoning R-4.5		Shoreline	reline Environment		N/A						
Water Supply	Current Proposed N/A Marysville		Sewer Supply		Current N/A		Proposed Marysville					
Present Use of Property	Vacant land				14/17		ridi yaviiic					
REVIEWING AGENCIES												
Marysville	Local Agencies & Districts		State & Federal		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 Lakewood SD 306 Marysville SD 25 PUD No. 1		US Army Corps of Engineers BNSF DOE WDFW WSDOT WUTC		☐ P	Health District Planning Public Works - Land Development Public Works		∑ Tulalip Tribes ∑ Stillaguamish Tribe				
ACTION												
Administrative	City Council		Quasi-Judicial		P	☐ Planning Commission						
Date of Action	05/19/2021		Approved		☐ Denied			Continued				
STAFF												
Name Kate Tourtellot Title Senior Planner Phone 360.363.8216 E-mail ktourtellot@marysvillewa.gov												

	SURROUNDI	ING USES			
	Comprehensive Plan	Zoning	Land Use		
Site	Single Family, Medium Density	R-4.5	single family residence		
North	Single Family, Medium Density	R-4.5	single family residence		
East	Single Family, Medium Density	R-4.5	single family residence		
South	Single Family, Medium Density	R-4.5	single family residence		
West	Single Family, Medium Density	R-4.5	single family residence		
	Vicinity Ma	р			
OPEN OPEN	4STH ST NE	Clancy PRD Short Plat SP20-006	ASTIN PL NE		

R6-18 Multi-Family Low

R6.5 Single Family High

R4-8 Single Family High

R8 Single Family High Small Lot

General Industrial

R28 Multi-Family High

R18 Multi-Family Medium

Light Industrial

Downtown Commercial

Neighborhood Business

Community Business

Mixed Use

Public-Institutional

Recreation

Open

1.0 FINDINGS AND CONCLUSIONS

1. Description of Proposal

Keystone Land, applicant, has requested Preliminary Short Plat and Planned Residential Development Approval in order to subdivide 1.62-acres into seven (7) single-family lots and construct associated improvements.

2. Project History

An application was filed on November 24, 2020 and was deemed complete on December 1, 2020. Notice was provided in accordance with MMC Section 22G.010.090, *Notice of development application*. As of the date of this decision, no comments from the public have been received.

3. Site Location

The subject property is located at the south terminus of 61st Drive NE, accessed through Emerald Terrace, and identified as Assessor's Parcel Number (APN) 30053400404700.

4. Site Description

The site is currently vacant. The entire site slopes gently from the southeast down to the northwest. According to the Geotechnical Report prepared by Earth Solutions NW, LLC, date November 23, 2020, the native soil consists primarily of medium dense to dense sandy silt. Vashon till (Qvt) was identified as the primary geologic unit.

5. Critical Areas

No critical areas were found on site or adjacent to the site.

6. Access and Circulation

Access to the site will be through the Emerald Terrace Plat via = 61st Drive NE which will be extended into the site. The extension will terminate in a cul-de-sac that serves all lots directly or by a shared drive.

7. Traffic Impacts

A Traffic Impact Analysis (TIA) was prepared by Gibson Traffic Consultants, Inc. dated October 28, 2020. According to the TIA, the proposed development would generate approximately 66.08 Average Daily Trips (ADT), 5.18 AM peak hour trips (AMPHT), and 7 PM peak hour trips (PMPHT).

The City Engineer and Traffic Engineer Manager reviewed the TIA, and issued a written concurrency recommendation dated May 13, 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 traffic impacts to the City Engineer, based on the concurrency recommendation. The applicant accepted the traffic concurrency recommendation on May 18, 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 as set forth in MMC 22D.030.070(3), for the development. Traffic impact fees shall be vested at a rate of \$6,300.00, per PMPHT.

- b. The applicant shall be required to construct frontage improvements along internal short plat road(s), including removal of the temporary cul-de-sac within the plat of Emerald Terrace, prior to final plat approval. Roadway improvements, channelization, site access and lighting plans will be required to be reviewed and approved by the City Engineer, prior to construction plan approval
- c. The joint use private drive serving lots 6 and 7 shall be constructed with scored concrete, paving blocks, bricks, or other ornamental pavers to clearly indicate that the entire surface is intended for pedestrians as well as vehicles. A detail of the surfacing of the joint use private drive will be required to be provided on the civil construction plans and approved by the City Engineer.
- d. The applicant shall be required to dedicate public right-of-way in order to accommodate the required frontage improvements along the internal plat road(s) in accordance with MMC 12.02A.110(1)(c), Dedication of Road right-of-way Required setbacks. The City Engineer shall determine right-of-way widths and required dedication.

8. Utilities

The following utilities will be provided to each lot:

Storm drainage: According to the Stormwater Site Plan Report for Clancy Property, 2nd Submittal: April 2021, prepared by Land Technologies, Inc., all stormwater facilities will be designed in accordance with the 2012 Department of Ecology Stormwater Management Manual for Western Washington as amended in 2014 (SWMMWW). Stormwater will be collected into bioretention cells for treatment before being piped to an existing stormwater facility within the adjacent Emerald Terrace Plat. The applicant has secured a 30-foot stormwater easement through Emerald Terrace lots 9, 10 and 11, connecting the on-site Clancy SP bioretention facility to the existing Emerald Terrace stormwater system. Treated stormwater is then discharged into the Snohomish River Estuary.

Water: An 8-inch ductile iron (DI) main is located in 61st Drive NE. The water line will be extended on site to serve the proposed lots.

Sewer: A 10-inch sanitary sewer main is located in 61st Drive NE and will be extended on site to serve the proposed lots.

9. SEPA

The proposed seven lot Preliminary Short Plat and Planned Residential Development is categorically exempt from environmental review per Marysville Municipal Code (MMC) 22E.030.090(1)(a).

10. Agency Comments

A *Request for Review* of the proposed development was sent to the following Local, County, State & Federal agencies and districts:

- a. Marysville Fire District: The proposed fire hydrant location at the end of the culde-sac is acceptable. The following relate to fire code compliance for this project:
 - The project shall comply with the current fire code requirements (2015 IFC) including WA State and local City of Marysville amendments to the fire code.

- Fire marshal approval of fire access and fire hydrant/water supply system is required as 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 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.
- The minimum required fire flow for hydrants protecting SFR dwellings is 1,000 gpm (with 20-psi minimum residual pressure) for dwellings not exceeding 3,600 square feet in size.
- Existing fire hydrant spacing along the roadway appears adequate. The city GIS water map shows the two closest hydrants along the roadway frontages are spaced less than 600' apart.
- Maximum hydrant spacing for the proposed use is 600' apart.
- Provide water main extensions with hydrants along the new roadway in approved locations with maximum spacing of 600 feet apart. Fire hydrants with approved water supply must be in service prior to building construction.
- Fire hydrants shall comply with city Water Design Standard 2-060 Hydrants, including 5" 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 homes to be constructed may require residential sprinkler installation for reasons, including: if any are three or more stories tall, if fire flow from hydrant does not meet fire code requirements, if any part of homes is further than 200' from the public road ROW with no hydrant provided on-site, or to mitigate access deficiencies.
- Where residential fire sprinklers may be required the developer should install a water service per Standard Plan 2-090-001 Full ¾′ X 1″ Meter Service. Under this plan, a 1″ tap is made at the water main and 1″ piping is run to the 1″ meter setter. If in the end a ¾″ water meter will suffice then all that is required is to install two reducer bushings with the ¾″ water meter. A single service tap should be used where sprinklers are required, not a double service installation.
- Access planned appears adequate for fire apparatus. Access of 28' wide is shown on the plan.
- Turnaround provision is required for dead-end access in excess of 150 feet long.
- An adequate access route 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 proposed gas piping, electrical equipment, fire protection piping and hydrants located where they could be subject to vehicle damage.
- Access for firefighting operations along all sides of all buildings is required.
 A minimum 5' wide access is required for SF dwellings. All parts of building exteriors should be accessible for firefighting by an approved

route around the building, and be within 150 feet of a minimum 20' wide fire apparatus access.

- The city address committee will determine road names and address numbers for the lots.
- b. Tulalip Tribes: No comments received.
- c. Stillaguamish Tribes: No comments received.
- **11. 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>: The proposed project will create lots for single-family residences, which are permitted outright in the R-4.5 zone per MMC 22C.010.060, Permitted uses.

b. Density of residential development in urban growth areas.

<u>Staff Comment</u>: The base density permitted in the R-4.5 zone is 4.5 dwelling units per net project acre. The applicant is proposing a planned residential development (PRD), which allows for an additional 20 percent increase over the base density through the application of the residential density incentive provisions outlined in Chapter 22C.090 MMC.

Based on zoning, the base density allowed is six units (1.34 net project acres X 4.5 du/acre = 6.03 units). The 20 percent PRD bonus allows for one additional lot (6 du X 20% = 1.21 units). The applicant is proposing seven (7) single-family lots on 1.34 net project acres, which complies with the allowed density.

The applicant is using Residential Density Incentive (RDI) 7(c), Project Design – Installation of perimeter fencing or landscaping, which allows one bonus unit per 500 lineal feet of perimeter fencing or landscaping installed. The applicant proposes to install 802 lineal feet (LF) of perimeter fencing around the project that is not otherwise required by code; therefore, 1.6 bonus units is earned (802 LF/ 500 LF per bonus unit = 1.6 bonus units).

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 Single Family, Medium Density. 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 the overall short subdivision request, and were used to establish appropriate conditions, are as follows:

LAND USE ELEMENT

General Development Land Use Policies

Policies: LU-3, LU-5, LU-7, LU-8, LU-10

Residential

Policies: LU-20, LU-23, LU-26, LU-27, LU-28, LU-31

Single Family *Policies:* LU-43

HOUSING ELEMENT

Policies: HO-15, HO-21, HO-29

ENVIRONMENTAL ELEMENT

Policies: EN-1, EN-2, EN-9, EN-10, EN-12, EN-13, EN-16, EN-28, EN-29, EN-

32, EN-38, EN-40, EN-44

TRANSPORTATION ELEMENT

Transportation System Efficiency and Safety

Policies: T-7

Financing and Implementation

Policies: T-48

PARKS AND RECREATION ELEMENT

Policies: PK-13

UTILITIES ELEMENT

Policies: UT-1, UT-3

PUBLIC FACILITIES & SERVICES ELEMENT

Police, Fire, Library

Policies: PS-1, PS-3, PS-9

Schools

Policies: SC-6

Water, Sewer, Storm Drainage, Solid Waste *Policies*: PF-1, PF-2, PF-18, PF-20 PF-26

d. Development Standards.

<u>Staff Comment</u>: The project site is zoned R-4.5 Single Family, Medium Density. It allows detached single-family residences at a density of 4.5 dwelling units per net project acre. The major type of new development will be detached single-family residences.

Bulk & Dimensional Standards: The proposed short plat will meet all bulk and dimensional requirements set forth in MMC Section 22C.010.080, *Densities and Dimensions*.

Open Space Standards: Fifteen percent of the net project area is required to be dedicated as open space as required by MMC Section 22G.080.100. As proposed, 27.8 percent of the net project area will be reserved for open space. Of the 15 percent required open space, 35 percent must be for active recreation: the subject application proposes 59 percent of the open space be dedicated for active recreation. Improvements within the open space area will include, but are not limited to, a joint use bioretention cell/active recreation field, children's play equipment, picnic area, benches, pedestrian pathways, and fencing.

PRD Decision Criteria: As proposed and conditioned, the PRD meets all of the requirements set forth in 22G.080.050, *Procedures for review and approval*,

including subsections (a) Consistency with Applicable Plans and Laws, (b) Quality Design, (c) Design Criteria (i), (iii), and (iv), (d) Public Facilities, (e) Consistency with adjacent single family development, (f) Perimeter Design, (g) Open Space and Recreation, (h) Streets, Sidewalks, and Parking, (i) Landscaping, and (j) Maintenance Provisions.

The proposed development and subsequent use of the property will comply with the intent of the R-4.5 zone, and as conditioned herein, complies with all of the applicable design and development standards outlined in Title 22 – *Unified Development Code*. The proposed development, as conditioned herein, makes appropriate provisions for the public use and interest, health, safety and general welfare.

- **12. Factors Considered by City Departments:** MMC 22G.090.360, *Review Process Elements considered*, requires the City to review the short plat to determine whether it meets the following criteria:
 - a. Public Use and Interest. Evaluation of the proposed short subdivision to determine whether the public use and interest are served;
 - <u>Staff Comment</u>: After evaluation of the application materials and other supporting documentation available to the City, staff concludes that, as conditioned, the public use and interest are served by the proposed short subdivision.
 - b. Public Health, Safety and General Welfare. Evaluation of the proposed subdivision to determine whether the public health, safety and general welfare have been served and that the subdivision is consistent with the requirements of RCW 58.17.110;
 - <u>Staff Comment</u>: After evaluation of the application materials and other supporting documentation available to the City, staff concludes that, as conditioned, the public health, safety and general welfare have been served and that the short subdivision is consistent with the requirements of RCW 58.17.110;
 - c. Comprehensive Plan. Evaluation of all elements of the comprehensive plan and its consistency with the proposed short subdivision;
 - <u>Staff Comment</u>: The proposed short subdivision and development of the parcel relate to all elements of the Comprehensive Plan. Compliance with the various elements of the Comprehensive Plan is specifically demonstrated in Section 11(c) above.
 - d. Existing Zoning. Evaluation of existing zoning and its compliance with the proposed short subdivision and Article V of this chapter, Land Division Requirements;
 - <u>Staff Comment</u>: The existing zoning and its compliance with the proposed short subdivision and Chapter 22G.090, Article V, Land Division Requirements has been evaluated. Compliance with specific zoning regulations is specifically demonstrated in Sections 11(a)-(d) above.
 - e. Natural Environment. Evaluation of the impacts and provision for mitigation of all impacts on all elements of the natural environment including topography, vegetation, soils, geology and all environmental issues as defined in the State Environmental Policy Act, Chapter 197-11 WAC and Article V of this chapter, Land Division Requirements;

- <u>Staff Comment</u>: The proposal is categorically exempt from the State Environmental Protection Act (SEPA) review.
- f. Drainage. Evaluation of all drainage impacts and provisions made for mitigation of all drainage impacts as defined in the city's comprehensive drainage ordinance and Chapter 22G.090, Article V, Land Division Requirements;
 - <u>Staff Comment</u>: After evaluation of the application materials which includes the *Geotechnical Report* prepared by Earth Solutions NW LLC dated November 23, 2020, and the *Preliminary Stormwater Site Plan Report*, prepared by Land Technologies, Inc., dated November, 2020, and updated April 2021, staff concludes that, as conditioned, the proposed development has evaluated all drainage impacts and will provide mitigation for all drainage impacts as defined in the City's comprehensive drainage ordinance and Chapter 22G.090, Article V, Land Division Requirements;
- g. Open Space. Evaluation of all impacts and provision for open space as defined in Chapter 22G.090, Article V, Land Division Requirements;
 - <u>Staff Comment</u>: After evaluation of the application materials and other supporting documentation available to the City, staff concludes that, as conditioned, the proposed development has evaluated all impacts and made provision for open space as defined in Chapter 22G.090, Article V, Land Division Requirements;
- h. Public Systems Capacity. Evaluation of all impacts and provisions made for mitigation of impacts on public systems including parks, schools and community facilities as defined in Chapter 22G.090, Article V, Land Division Requirements;
 - <u>Staff Comment</u>: After evaluation of the application materials and other supporting documentation available to the City, staff concludes that, as conditioned, all impacts have been evaluated, and provisions have been made for mitigation of impacts on public systems including parks, schools and community facilities as defined in Chapter 22G.090, Article V, Land Division Requirements;
- Public Services. Evaluation of all impacts and provisions made for mitigation of impacts on public services including streets, all public utilities, fire and police protection as defined in Chapter 22G.090, Article V, Land Division Requirements;
 - <u>Staff Comment</u>: After evaluation of the application materials and other supporting documentation available to the City, staff concludes that, as conditioned, all impacts have been evaluated, and provisions have been made for mitigation of impacts on public services including streets, all public utilities, fire and police protection as defined in Chapter 22G.090, Article V, Land Division Requirements;
- j. Floodplain. Identification of short subdivisions proposed in the floodplain and compliance with requirements of this title and Chapter 22E.020 MMC, Floodplain Management;
 - <u>Staff Comment</u>: This requirement is not applicable as the project is not in a floodplain.
- k. Sidewalks. Pursuant to RCW 58.17.060(2), the applicant shall be required to show that sidewalks are provided to assure safe walking conditions for students who walk to and from school.

<u>Staff Comment</u>: After evaluation of the application materials and other supporting documentation available to the City, staff concludes that, as conditioned, the requirements of RCW 58.17.060(2) are met. Sidewalks will be constructed on the project's frontage.

13. In-House Days

Pursuant to MMC 22G.090.380, a decision on the application shall be made within 60 in-house days from the date of the letter of completeness. A decision on this application was made fifty-seven (57) in-house calendar days from the date of completeness.

2.0 DECISION

Based on the foregoing findings and conclusions, review of the application materials submitted by the applicant, and the City's regulatory authority to implement the policies, standards, and regulations of the Comprehensive Plan and Marysville Municipal Code, the Community Development Director hereby grants *Preliminary Short Plat and Planned Residential Development Approval* subject to the following conditions:

- 1. The attached Preliminary Short Plat and Planned Residential Development map submitted on April 2, 2021 (Exhibit 17) will be the approved lot configuration.
- 2. Prior to civil construction plan approval, a final landscape plan shall be submitted consistent with MMC 22C.120, *Landscaping and Screening*. All required landscaping, fencing, and open space improvements shall be installed prior to final Short Plat/PRD approval.
- 3. Prior to civil construction plan approval, the civil construction and landscape plans will be required to be amended to incorporate an accessible path or ramp(s) for access into dual use bioretention/active recreation facility Tract 998 to account for the two-foot grade change from the surrounding land. The path or ramp(s) shall be paved and meet accessibility requirements.



- 4. All power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or line shall be placed underground either by direct burial or by means of conduit or ducts providing service to each building.
- 5. The applicant shall be required to dedicate public right-of-way in order to accommodate the proposed extension of 61st Drive NE, in accordance with MMC 12.02A.110(1)(c), *Dedication of Road right-of-way Required setbacks.* The City Engineer shall determine right-of-way widths and required dedication.

- 6. The applicant shall be required to construct the 61st Drive NE frontage improvement extension, including removal of the temporary cul-de-sac within the plat of Emerald Terrace, prior to final short plat/PRD approval. Roadway improvements, channelization, site access and lighting plans will be required to be reviewed and approved by the City Engineer, prior to construction plan approval.
- 7. The joint use private drive serving lots 6 and 7 shall be constructed with scored concrete, paving blocks, bricks, or other ornamental pavers to clearly indicate that the entire surface is intended for pedestrians as well as vehicles. A detail of the surfacing of the joint use private drive will be required to be provided on the civil construction plans and approved by the City Engineer.
- 8. The applicant shall submit payment to the Marysville School District No. 25 for school impacts caused by the new lots in accordance with MMC Chapter 22D.040. 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.
- 9. The applicant shall submit payment to the City of Marysville for park impacts caused by the new lots in accordance with MMC Chapter 22D.020. 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.
- 10. The maximum height of solid (more than 50 percent opaque) free-standing walls, fences, or hedges in any front yard or other location between the street and the façade shall be 3 ½ feet unless a taller wall, fence, or hedge is needed, per the Community Development Director, in order to mitigate significant noise and traffic impacts.
- 11. Prior to final PRD approval, the applicant shall submit to the City for its approval, covenants, deed restrictions, homeowners' association bylaws, and other documents providing for preservation and maintenance of all common open space, parking areas, walkways, landscaping, signs, lights, roads, and community facilities consistent with MMC Section 22G.080.120. All common areas and facilities shall be continuously maintained at a minimum standard at least equal to that required by the City, and shall be approved by the City at the time of initial occupancy. Said restrictive covenants shall also include provisions to address parking enforcement and a statement from a private attorney as the adequacy of the covenants to fulfill the requirement of the PRD.

Prepared by: Kate
Reviewed by: Angela

This **Preliminary Short Plat and Planned Residential Development Approval** is issued pursuant to MMC Section 22G.010.160(1)(a). 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 the Preliminary Short Plat and Planned Residential Development Approval.

Signature: Date: May 19, 2021

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 representatives proves inaccurate.