



# ADMINISTRATIVE BINDING SITE PLAN (BSP) AND PLANNED RESIDENTIAL DEVELOPMENT (PRD) APPROVAL

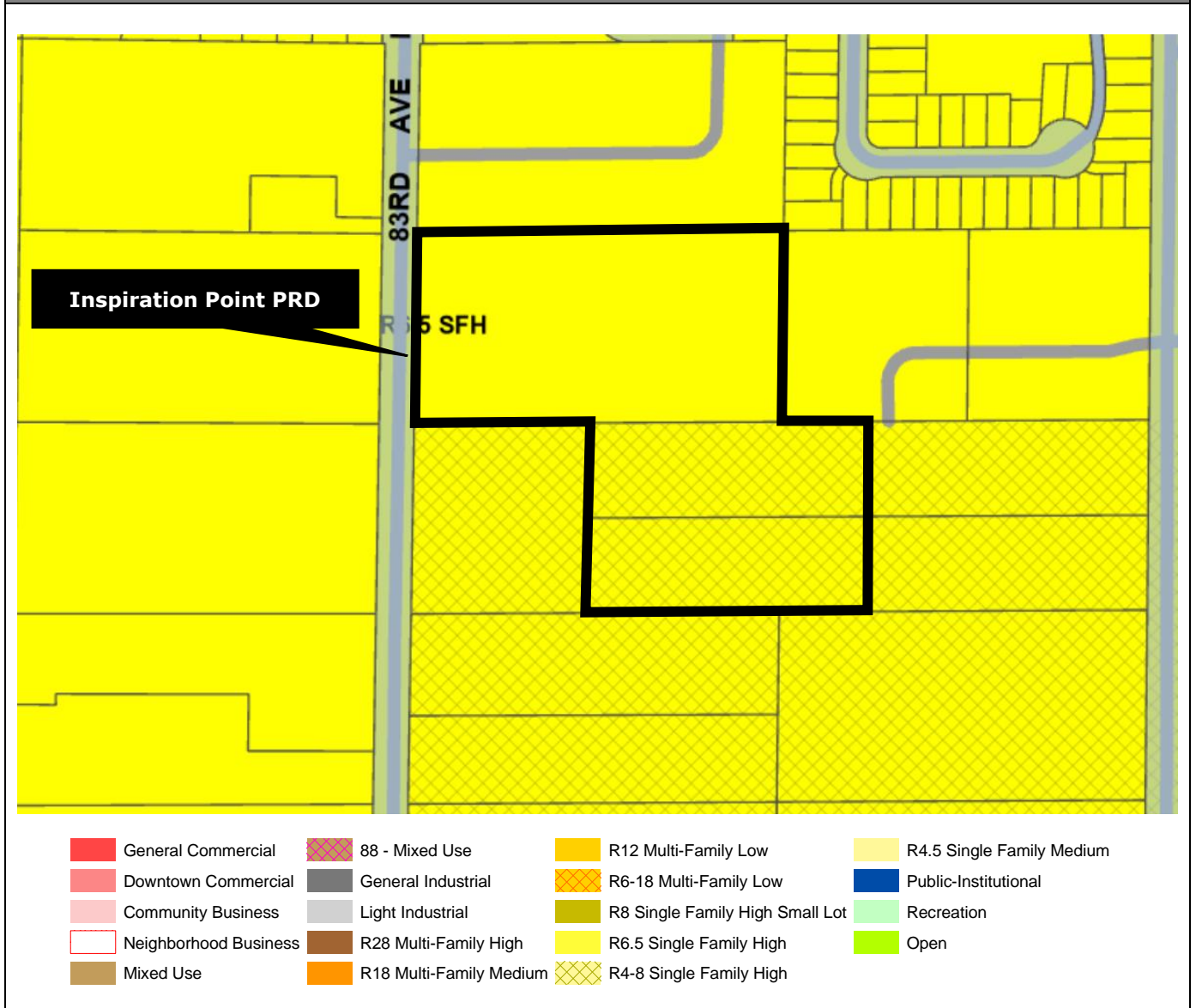
Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270  
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION									
<b>Project Title</b>	Inspiration Point PRD			<b>Date of Report</b>	December 8, 2021				
<b>File Number</b>	PA21-040			<b>Attachments</b>	Preliminary BSP/PRD map (Exhibit 41) and MDNS (Exhibit 37)				
<b>Administrative Recommendation</b>	Approve the Administrative Binding Site Plan (BSP) and Planned Residential Development (PRD) request to allow the construction of a 52 lot single-family subdivision on 8.247 acres.								
BACKGROUND SUMMARY									
<b>Applicant</b>	Joe Ferrick, WRLDC LLC								
<b>Request</b>	Administrative Binding Site Plan and Planned Residential Development approval in order to subdivide 8.247 acres into 52 detached single-family lots.								
<b>SEPA Status</b>	SEPA MDNS issued November 19, 2021. Appeal period expired December 3, 2021; no appeals were filed.								
<b>Site Address</b>	5421 83 <sup>rd</sup> Ave NE and two unaddressed parcels to the southeast			<b>APN(s)</b>	00590700006500, 00590700007901 and 00590700007903				
<b>Legal Description (abbreviated)</b>	See File PA21-040			<b>Section</b>	36	<b>Township</b>	30	<b>Range</b>	05E
<b>Comprehensive Plan</b>	SFH WR-SFH	<b>Zoning</b>	R-6.5 & WR-R4-8	<b>Shoreline Environment</b>			N/A		
<b>Water Supply</b>	<b>Current</b> Private (well)	<b>Proposed</b> Marysville		<b>Sewer Supply</b>	<b>Current</b> Private (septic)		<b>Proposed</b> Marysville		
<b>Present Use of Property</b>	Single-family residences and accessory structures on acreage and vacant parcels.								
REVIEWING AGENCIES									
<b>Marysville</b>	<b>Local Agencies &amp; Districts</b>		<b>State &amp; Federal</b>		<b>County</b>		<b>Other</b>		
<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 checked="" type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input checked="" type="checkbox"/> Zipl <input checked="" type="checkbox"/> Lake Stevens (city) <input checked="" type="checkbox"/> Lake Stevens School Dist. <input checked="" type="checkbox"/> PUD No. 1 <input checked="" type="checkbox"/> Comcast		<input checked="" type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input checked="" type="checkbox"/> DAHP <input checked="" type="checkbox"/> DNR <input checked="" type="checkbox"/> DOE <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC		<input checked="" 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						
<b>Date of Action</b>	December 8, 2021	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Continued					
STAFF									
<b>Name</b> Kate Tourtellot	<b>Title</b> Senior Planner	<b>Phone</b> 360.363.8216	<b>E-mail</b> <a href="mailto:ktourtellot@marysvillewa.gov">ktourtellot@marysvillewa.gov</a>						

**SURROUNDING USES**

	<b>Comprehensive Plan</b>	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Single Family High Density	R-6.5 SFH & WR-R-4-8	Single-family residences on acreage and vacant parcels
<b>North</b>	Single Family High Density	R-6.5 SFH	Kings Court at the Ridge, a 24-lot single-family development
<b>East</b>	Single Family High Density	R-6.5 SFH & WR-R-4-8	Glenrock, a 30-lot single-family development, and single-family residences on acreage
<b>South</b>	Single Family High Density	WR-R-4-8	Prospector PRD, a 127-lot single family planned residential development
<b>West</b>	Single Family High Density	R-6.5 SFH & WR-R-4-8	Single-family residence on acreage

**Vicinity Map**



**1.0 FINDINGS AND CONCLUSIONS**

**1. Description of Proposal**

Joe Ferrick with WRLDC, LLC, applicant, has requested Preliminary Binding Site Plan (BSP) and Planned Residential Development (PRD) approval in order to subdivide 8.247-acres into 52 detached single-family lots. The existing single-family residences and accessory structures are proposed to be demolished.

**2. Project History**

An application was filed on August 18, 2021 and deemed complete on August 27, 2021. Notice was provided in accordance with MMC Section 22G.010.090, *Notice of development application*. No comments were received from the public.

**3. Site Location**

The subject site consists of three properties between 83<sup>rd</sup> Avenue NE and 85<sup>th</sup> Avenue NE, the parcel with an existing residence is addressed 5421 83<sup>rd</sup> Ave NE, Marysville. See Exhibits 6 and 7 for a complete list of addresses and tax parcel ID numbers. Surrounding uses include existing single-family residences and accessory structures on acreage and single-family residences on small lots. Similar development proposals are currently under review or development for the properties to the north, east and south of the subject site.

**4. Site Description**

The subject property consists of 8.247-acres that slopes gradually from east to west with elevations ranging from approximately 440 feet above mean sea level (msl) at the northeast corner of the subject property down to approximately 400 feet msl at the western boundary along 83<sup>rd</sup> Avenue NE.

One of the three parcels currently includes a single-family residence surrounded by grass lawn areas and landscaping. The other two parcels are vacant with forested areas.

**5. Critical Areas**

According to the *Wetland and Fish and Wildlife Habitat Assessment Report* prepared by Soundview Consultants dated August 2021, Exhibit 10, there are two (2) potentially regulated wetlands (Wetlands A & B) on the subject properties. Wetlands A and B are classified as Category IV wetlands subject to standard 35-foot buffers per Marysville Municipal Code (MMC) 22E.010.100(4). An additional 15-foot building setback is required from the edge of all critical area buffers per MMC 22E.010.380. No other potentially regulated wetlands, waterbodies, fish and wildlife habitat, or priority species were identified within 300 feet of the subject property.

According to the applicant and their consulting firm, Soundview Consultants LLC, the project was carefully designed to fully utilize the developable upland areas onsite. Unfortunately, because of the location of Wetlands A and B, they will be severely impacted with the construction of the road connecting the three parcels and providing access to 83<sup>rd</sup> Avenue NE. The project requires the necessary and unavoidable total fill (7,768 square feet) of Wetlands A and B.

A full description of the Mitigation Sequencing is described in the *Mitigation Bank Use Plan – Inspiration Point PRD*, prepared by Soundview Consultants, dated October 8, 2021 (Exhibit 30). It should be noted the applicant is compensating for Wetland A, even though it is not required by Marysville Municipal Code Section 22E.010.080(2)(a), which allows for a waiver of compensation requirements for Category IV wetlands smaller than one-tenth of an acre (4,356 square feet), when certain conditions are met.

To minimize temporary impacts, all appropriate best management practices (BMPs) and temporary erosion and sediment control (TESC) measures will be implemented throughout the course of construction.

Compensatory mitigation for the complete fill of Wetlands A and B is proposed to be provided through the purchase of mitigation bank credits from the Snohomish Basin Wetland Mitigation Bank (SBMB), see Exhibit 30. Overall, the proposed project will likely result in a net increase in ecological functions within the Snohomish River Watershed (Water Resource Inventory Area 7) when compared to the existing degraded conditions of the wetland proposed to be impacted.

## **6. Access and Circulation**

The project proposes a single access point onto 83<sup>rd</sup> Avenue NE. In addition to the road accessing 83<sup>rd</sup> Ave NE, three road segments will provide internal access and future connections to developments south and east of the site. Road A connects into the Prospector PRD, providing a secondary access on to 83<sup>rd</sup> Avenue NE. When the properties to the east develop, proposed Road B will connect to 87<sup>th</sup> Ave NE. Proposed Road C provides access to a land locked parcel located between the subject site and the Prospector development to the south.

## **7. Traffic Impacts**

A traffic impact analysis (TIA) was prepared by Gibson Traffic Consultants dated October 2021. According to the TIA, the proposed development will generate approximately 481.44 new Average Daily Trips (ADT), 37.74 AM peak hour trips (AMPHT), and 51.00 PM peak hour trips (PMPHT), Exhibit 31.

The City Traffic Engineering Manager reviewed the TIA, and issued a written concurrency recommendation dated November 10, 2021 informing the developer of the project's impacts and mitigation obligation pursuant to Chapter 22D.030, *Traffic Impact Fees and Mitigation*, Exhibit 35. 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 Public Works Director based on the concurrency recommendation. The applicant accepted the traffic concurrency recommendation on November 26, 2021, Exhibit 40. 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 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). Utilizing single-family detached housing (Land Use Category 210) outlined in the *Institute of Transportation Engineers Trip Generation Manual, 10<sup>th</sup> Edition*, 52 PM peak hour trips are generated during the weekday PM peak hour. Therefore, traffic mitigation in the amount of \$6,300.00 per new PMPHT is anticipated to be generated. A traffic impact fee credit will apply to lot 1.
- b. The applicant is required to construct frontage improvements along 83<sup>rd</sup> Avenue NE and the internal plat roads 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.
- c. The applicant is required to dedicate public right-of-way in order to accommodate the required frontage improvements along 83<sup>rd</sup> Avenue NE and the internal plat roads, 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 the site:

*Storm drainage:* According to the *Preliminary Storm Water Site Plan Report* prepared by Latta Engineering, PLLC dated August 14, 2021, runoff from pollutant generating impervious and pervious areas (all hardscape and lawns) will be routed to a stormwater detention vault with permanent wet pools for flow control and water quality treatment. The proposed stormwater facilities will fully mitigate storm water runoff in accordance with the 2014 SWMM to satisfy the flow duration standards.

*Water:* Water mains will be required to be extended along the project frontage of 83<sup>rd</sup> Avenue NE. Water mains shall also be required to be extended within the project to serve the development.

*Sewer:* Sewer mains will be required to be extended along the project frontage of 83<sup>rd</sup> Avenue NE, along with off-site sewer upgrades. These improvements are being constructed as part of the Prospector Division 2 development, and must be complete prior to final Site Plan and PRD approval.

## 9. SEPA

A State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance (MDNS) was issued on November 19, 2021. The appeal period expired December 3, 2021; no appeals were filed (Exhibit 37).

## 10. Agency Comments: A Request for Review of the proposed development was sent to the following Local, County, State and Federal Agencies and Districts:

- a. *Ziplly (fka Frontier):* No comments received.
- b. *City of Lake Stevens:* Comments were received with concerns relating to Traffic Impact Analysis.  
Staff Comment: The City of Marysville staff met with City of Lake Steven's staff to discuss concerns relating to the traffic mitigation horizon year. All issue are resolved.
- c. *Lake Stevens School District:* No comments received.
- d. *PUD No. 1:* No comments.
- e. *US Army Corps of Engineers:* No comments received.
- f. *Washington State Department of Archeology and Historic Preservation:* No comments received.
- g. *Washington State Department of Ecology:* An e-mail was received on September 27, 2021, from Doug Gresham, Wetland Specialist, outlining the requirements to fill and provide off-site mitigation by purchasing Mitigation Bank credits.  
Staff Comment: As required by the SEPA MDNS and conditions of preliminary plat approval, the applicant is required to provide documentation from the WA Dept. of Ecology's approval as well as purchased mitigation bank credits.
- h. *Snohomish Health District:* No comments received.
- i. *Snohomish County Public Works – Land Development:* No comments received.
- j. *Stillaguamish Tribe:* No comments received.

- k. *Tulalip Tribes*: A letter was received with concerns relating to the proposed fill of the two on-site Category IV wetlands, with off-site mitigation using wetland mitigation bank credits.

Staff Comment: Soundview Consultants revised the Mitigation Plan, Exhibit 30, further detailing the need to fill Wetlands A and B, and providing additional information on the process of evaluating alternatives to avoid, mitigate and/or replace Wetlands A and B on-site. The City of Marysville allows for said action when the applicant demonstrates compliance with Marysville Municipal Code Sections 22E.010.110 *Wetland alternation and mitigation*, MMC 22E.010.120 *Wetland mitigation standards and criteria*, and MMC 22E.010.130 *Wetland mitigation banks*. Additionally, the applicant is proposing to mitigation both Wetland A and B, even though they could have requested the Marysville Community Development Director waive the compensation requirement for Wetland A, per MMC 22E.010.080(2)(c) *Exemptions to wetland regulations*.

**11. 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, single-family residences and associated infrastructure are permitted outright in the R-6.5 SFH and WR-R-4-8 zones.

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

Staff Comment: The subject properties have two zoning designations, with different base and maximum density provisions. The property at 5421 83<sup>rd</sup> Avenue NE is zoned R-6.5 SFH, with a base density of 6.5 dwellings per acre. The base density and maximum density are the same, unless the project is developed as a Planned Residential Development (PRD). With a PRD, the base density can increase by 20 percent, though the application of residential density incentives.

The two vacant parcels southeast of 5421 83<sup>rd</sup> Avenue NE are zoned WR-R-4-8, which has a base density of 4.5 dwelling units per net project acre and a maximum density of 8 dwelling units per net project acre, utilizing Residential Density Incentives outlined in MMC Chapter 22C.090.

The applicant has proposed utilizing RDI benefit 3a *Community Image and Identity*, 6a *Dual Use Retention/Detention Facilities*, 7c *Perimeter Fencing*, and 8a *Energy Conservation*. The following provides the density and RDI calculations for the proposed development:

**BASE DENSITY**

Property zoned R-6.5 SFH	=	24 (3.742 acres x 6.5 du/acre)
Property zoned WR-R-4-8	=	13 (2.856 acres x 4.5 du/acre)
<i>Total Base Density</i>	=	<i>37 units</i>

**PRD & MAX DENSITY:**

PRD for lots zoned R-6.5	=	29 (5: 24 units x 20%) + 24 units
Maximum lots zoned WR-R-4-8	=	23 (2.856 acres X 8 du/acre)
<i>Maximum Density</i>	=	<i>52 units</i>

**RDI CALCULATION**

Benefit 6a: Dual Use Storm Detention Tract	=	4.67 (0.933 acres x 5 units/acre)
Benefit 7c: Perimeter Fencing	=	4.74 (2,368 LF/500 LF)

Benefit 8a: Energy Conservation	=	5.60 (28 x 0.2)
Total RDI units	=	15 units
<b>TOTAL ALLOWED UNITS</b>	=	<b>52</b> (37 base + 15 RDI)

The proposed development is proposing a density of 7.88 dwelling units per acre (52 d.u./6.597 net acres) which complies with the density allowances outlined in MMC 22C.010.080(2).

Staff Comment: The Comprehensive Plan designation for the subject property is Single Family, High 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 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-6

Residential Land Use Goals & Policies

*Policies:* LU-20, LU-21, LU-23, LU-25, LU-28, LU-29, LU-30, LU-31, LU-33, LU-38

Single Family

*Policies:* LU-42

**HOUSING ELEMENT**

Housing Policies

*Policies:* HO-18, HO-19, HO-22, HO-25, HO-30, HO-32, HO-37

**ENVIRONMENTAL ELEMENT**

Earth Goals and Policies

*Policies:* EN-20, EN-21

Quality, Wetland and Watershed Protection, Storm Water Runoff, Drainage, Shoreline Goals and Policies

*Policies:* EN-26, EN-27, 28, EN-29, EN-30, EN-32

Wildlife Goals and Policies

*Policies:* EN-40, EN-41

**TRANSPORTATION ELEMENT**

Transportation System Efficiency and Safety

*Policies:* T-3, T-7, T-8

Mobility Options

*Policies:* T-25, T-26, T-27, T-29, T-30

Level of Service Standards and Concurrency

*Policies:* T-40, T-41

Financing and Implementation

*Policies:* T-46, T-47, T-48

**UTILITIES ELEMENT**

*Policies:* UT-1, UT-3, UT-8, UT-9, UT-10, UT-14

**PUBLIC FACILITIES & SERVICES ELEMENT**

Police, Fire, Library

*Policies:* PS-1, PS-10, PS-11

Schools

*Policies:* SC-6

Water, Sewer, Storm Drainage, Solid Waste

*Policies:* PF-1, PF-2, PF-7, PF-9, PF-10, PF-19, PF-20, PF-23, PF-26, PF-28

c. Development Standards.

Staff Comment: The project site is currently zoned R-6.5 SFH and WR-R-4-8 Single Family, High Density. The zones allow single-family residences at a density range of 4.5 to eight dwelling units per acre. The major type of new development will be detached single-family residences.

**Bulk & Dimensional Standards:** The proposed PRD will meet all bulk and dimensional requirements set forth in MMC Section 22G.080.080(1), *Modification of development regulations*. These standards include a minimum 30-foot lot width, 3,500 square foot minimum lot size, 10-foot street setback (7 feet for porches), 20-foot garage setback, 10-foot rear yard setback, 5-foot side yard setback, and 70 percent lot coverage.

**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, just over 15 percent of the net project area will be reserved for open space (0.990 acres of open space/6.597 net acres). Improvements within the open space area will include, but are not limited to, landscaping, playground equipment, sports court, picnic tables, benches and a pedestrian path.

**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 (iii), (iv) and (vii), (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.

**Small lot design standards:** Any lots under 5,000 square feet will be required to demonstrate compliance with MMC Section 22C.010.310, *Small lot single-family dwelling development standards*, prior to building permit issuance.

The proposed development and subsequent use of the property will comply with the intent of the R-6.5 SFH and WR-R-4-8 zones, 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.100.100(3) requires the City to review the binding site plan to determine whether it meets the following criteria:

- a. Comprehensive Plan. Whether the proposed binding site plan and development of the parcel relate to all elements of the comprehensive plan;

Staff Comment: The proposed binding site plan 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(b) above.

- b. Zoning. Whether the proposed binding site plan meets the zoning regulations;

Staff Comment: The proposed binding site plan meets all applicable zoning regulations outlined in Title 22, *Unified Development Code*. Compliance with specific



zoning regulations is specifically demonstrated in Sections 11(a), (b), and (c) above.

- c. Physical Setting. Whether the binding site plan properly takes into account the topography, drainage, vegetation, soils and any other relevant physical elements of the site;

Staff Comment: The binding site plan properly takes into account the topography, drainage, vegetation, soils and any other relevant physical elements of the site.

- d. Public Services. (i) Adequate water supply; (ii) Adequate sewage disposal; (iii) Appropriate storm drainage improvements; (iv) Adequate fire hydrants; (v) Appropriate access to all anticipated uses within the site plan; (vi) Provisions for all appropriate deeds, dedications, and/or easements; and (vii) Examination of the existing streets and utilities and how the proposed binding site plan relates to them.

Staff Comment: After evaluation of the applications materials and other supporting documentation available to the City, staff concludes that, as conditioned, the proposed development will provide adequate and appropriate public services.

- e. Environmental Issues. Examination of the project through the SEPA process and a determination of whether the proposed binding site plan complies with the SEPA requirements.

Staff Comment: The project and binding site plan has been examined through the SEPA process and have been determined to comply with SEPA requirements. A SEPA MDNS was issued on November 19, 2021; no appeals were filed.

- f. Critical Areas. Binding site plans shall comply with the land division requirements of MMC 22E.010.350.

Staff Comment: The binding site plan complies with the land division requirements of MMC 22E.010.350. Because direct wetland impacts are proposed, the applicant shall obtain all necessary state and federal authorizations prior to any ground-disturbing activities or vegetation removal. Verification of Bank Credit purchase is also required prior to civil construction plan approval.

### 13. In House Days

Pursuant to MMC Section 22G.010.200, 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 51 in-house calendar days from the date of completeness.

## 2.0 DECISION

Based on the foregoing findings and conclusions, review of the environmental documents 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 Administrative Binding Site Plan and Planned Residential Development (PRD) Approval** subject to the following conditions:

1. The Revised preliminary BSP/PRD site plan map dated November 26, 2021 (Exhibit 41) shall be the approved site layout.
2. Prior to civil construction plan approval, a final landscaping plan meeting the requirements outlined in MMC Chapter 22C.120, *Landscaping and Screening*, shall be submitted for review and approval. All required landscaping, fencing, and open space improvements shall be installed prior to final PRD approval.

3. 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. This includes the existing lines located along 83<sup>rd</sup> Avenue NE.
4. In order to achieve density greater than the base densities of 6.5 dwellings/acre for the R-6.5 SFH zone and 4.5 dwellings/acre in the WR-R-4-8 zone, not to exceed 8 dwellings/acre, the applicant shall be required to comply with MMC Chapter 22C.090 *Residential Density Incentives*. If the applicant is unable to fulfill the requirements for RDI 8(a) *Energy Conservation*, the applicant can either use RDI 3(a) Community Image and identity (contributing \$15,000 per bonus unit), RDI 10(a) Pedestrian Connections and Walkability (fee in lieu of improvements at \$15,000 per bonus unit), or the project needs to be reduced in size by five lots.
5. Direct vehicular access from individual single-family lots onto 83<sup>rd</sup> Avenue NE is prohibited.
6. Construction of the subdivision and single-family units will be required to comply with all applicable standards outlined the *East Sunnyside-Whiskey Ridge Design Standards and Guidelines*.
7. Any lots under 5,000 square feet must demonstrate compliance with MMC Section 22C.010.310, *Small lot single family dwelling development standards*, prior to building permit issuance.
8. The maximum height of solid (more than 50% opaque) freestanding walls, fences, or hedges in any front yard or other location between the street and the façade shall be 3½' unless a taller wall is required, per the Community Development Director, to mitigate significant noise and traffic impacts.
9. In development configurations where side yards abut a street, fences taller than 3½' shall be setback at least 5' from the sidewalk to allow for landscaping to soften the view of the fence. Provisions for long-term maintenance of this landscaping shall be addressed on the FINAL plat map.
10. 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 unless deferred until a time preceding final building inspections being granted.
11. 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.
12. The existing on-site sewage system(s) shall be abandoned by having the septic tank(s) pumped by a certified pumper, then having the top of the tank removed or destroyed and filling the void (WAC 246-272A-0300). Documentation demonstrating completion of this work shall be submitted prior to final PRD/BSP approval.
13. The existing on-site well(s) shall be decommissioned in accordance with WAC 173-160-381. A copy of the well contractor's decommissioning report(s) shall be submitted prior to final PRD/BSP approval.

14. Prior to final PRD approval, the applicant shall submit to the City for its approval, the final 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.
15. The project is subject to conditions 1 – 12 of the State Environmental Policy Act (SEPA) Mitigated Determination of Significance (MDNS) issued on November 11, 2021 (Exhibit 37). This includes, but is not limited to, the wetland mitigation and traffic concurrency requirements.

**Prepared by:** *Kate*

**Reviewed by:** *Chris*

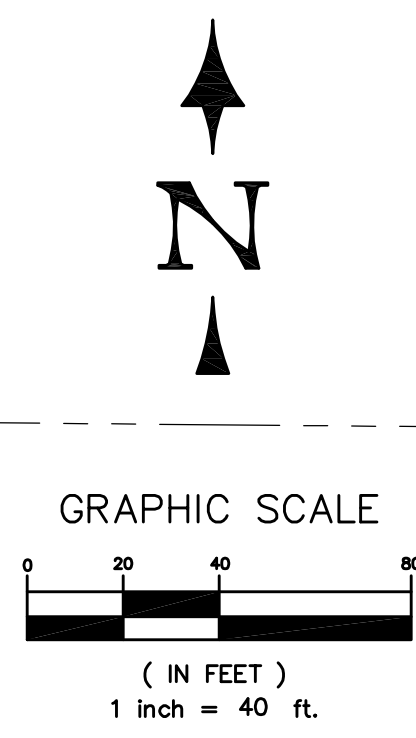
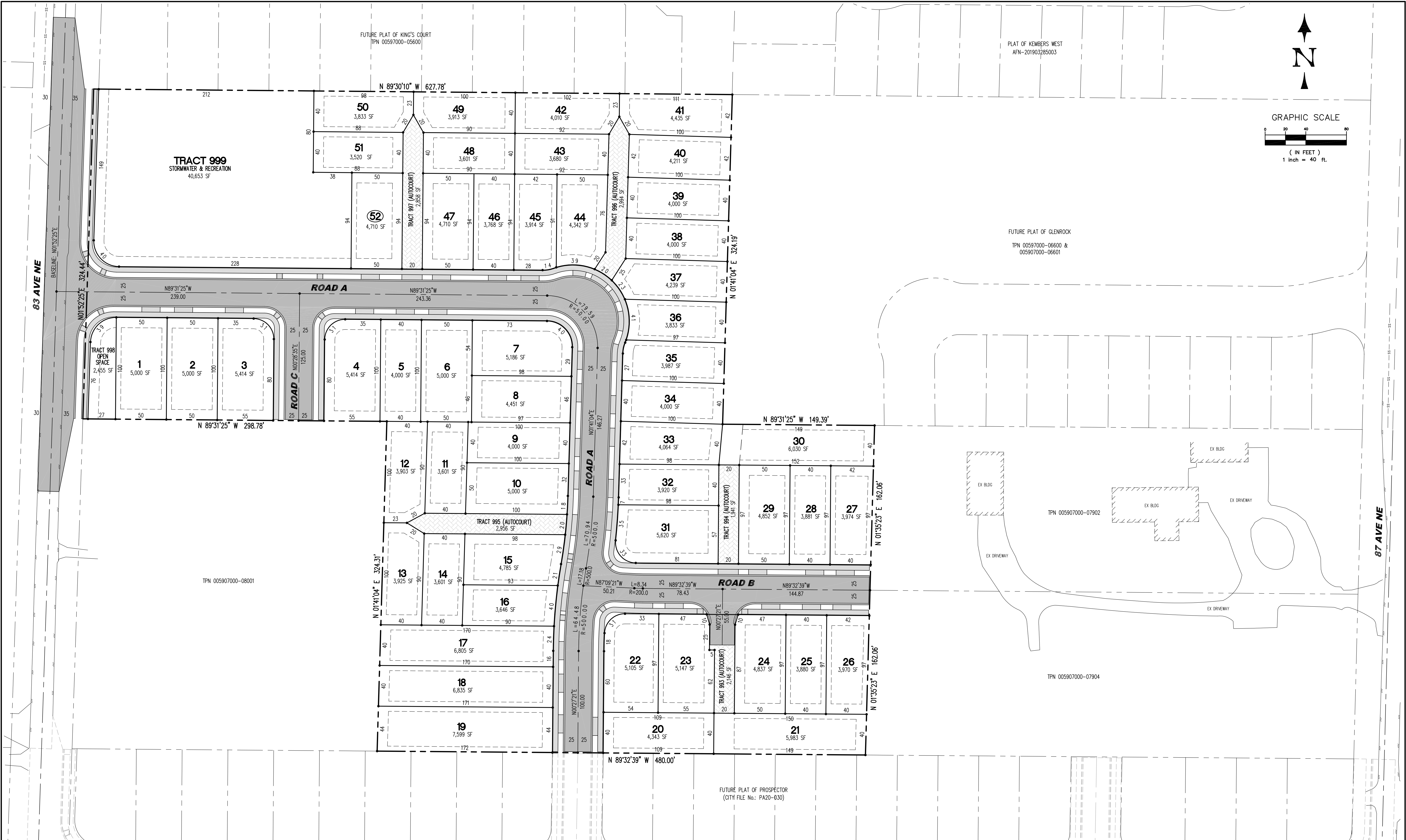
This ***Preliminary Administrative Binding Site Plan and Planned Residential Development Approval*** is issued pursuant to MMC Section 22G.010.150(h). Administrative decisions may be appealed to the Hearing Examiner in accordance with MMC 22G.010, Article VIII, *Appeals*. Appeals must be filed within fourteen (14) calendar days of the date of the Preliminary Administrative Binding Site Plan and Planned Residential Development Approval.

**Date:** 12/8/21

**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 representatives proves inaccurate.



△	ISSUED FOR PRELIMINARY PLAT	NL	08/14/21
△	REVISED PRELIMINARY PLAT PER CITY REVIEW	NL	10/21/21
△	REVISED PRELIMINARY PLAT PER CITY REVIEW	NL	11/26/21
△			
NO.	REVISION	BY	DATE

**EXISTING UTILITIES NOTE:**  
 THE LOCATIONS OF EXIST. UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.  
**CALL 48 HOURS BEFORE YOU DIG**  
**1-800-424-5555**



**LATTA ENGINEERING PLLC**  
 Consulting Civil Engineers  
 5970 Birch Point Road, Blaine, WA 98230  
 Ph: 360 671 7002  
 info@lattaengineering.com  
 2021 (C) LATTA ENGINEERING PLLC (ALL RIGHTS RESERVED)

JOB NO.: 16160  
 CITY FILE NUM.: PA21-040  
 DESIGNED BY: NL  
 DRAWN BY: KJ  
 CHECKED BY: NL

**MVLDL, LLC**  
 2502 161 AVENUE SE  
 BELLEVUE, WA 98008-5423

**PRELIMINARY PLAT**  
**INSPIRATION POINT PLANNED RESIDENTIAL DEVELOPMENT**  
 5421 83 AVENUE NE, MARYSVILLE, WA  
 PORTION OF SW 1/4 NW 1/4 OF SEC 36, TWP 30N, RGE 5E, W.M.  
 DATE: AUGUST 14, 2021 SCALE: H: 1" = 40' V: N/A

DRAWING: **C - 3**  
 SHEET: **3 OF 8**



# MITIGATED DETERMINATION OF NON-SIGNIFICANCE AND TRAFFIC CONCURRENCY

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			
<b>Project Title</b>	Inspiration Point PRD	<b>File No.</b>	PA21-040
<b>Detailed Project Description</b>	The applicant is requesting State Environmental Policy Act review for a Planned Residential Development subdividing 8.247 acres into 52 single-family lots through the provisions of MMC Chapter 22G.100, <i>Binding Site Plan</i> .		
<b>Project Location</b>	5421 83 <sup>rd</sup> Ave NE and two unaddressed parcels to the southeast	<b>APN(s)</b>	00590700006500, 00590700007901 and 00590700007903
<b>Legal Description (abbreviated)</b>	See File No. PA21-040		
	OWNER	APPLICANT	CONTACT
<b>Name</b>	Multiple owners: see File No. PA21-040	MVLDC, LLC	Latta Engineering, PLLC
<b>Address</b>		2502 161 <sup>st</sup> Avenue SE	5970 Birch Point Road
<b>City, State, ZIP</b>		Bellevue, WA 98008	Blaine, WA 98230
THRESHOLD DETERMINATION			
<b>Lead Agency</b>	<input checked="" type="checkbox"/> <b>City of Marysville</b>		
<p>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.</p> <p><input checked="" type="checkbox"/> 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: <b>December 3, 2021</b></p>			
SEPA CONTACT			
<b>Name</b>	Kate Tourtellot	<b>Title</b>	Senior Planner
<b>Phone</b>	360.363.8216	<b>E-mail</b>	ktourtellot@marysvillewa.gov
RESPONSIBLE OFFICIAL			
<b>Name</b>	Haylie Miller	<b>Title</b>	CD Director
<b>Address</b>	80 Columbia Avenue, WA 98270		

Prepared by: Kate Tourtellot  
 Reviewed by: Amy

  
 Haylie Miller, CD Director

11/19/21  
**Date**

## ENVIRONMENTAL IMPACTS

The proposed construction and subsequent use of the property could result in the following adverse environmental impacts:

1.	Increase in the amount and rate of stormwater runoff and attendant pollutants from the introduction of paved and building roof surfaces.
2.	Increase in erosion, surface water pollutants, siltation and sedimentation as a result of site preparation and construction.
3.	Increase in demand for police, fire protection, parks and other public services generated as a result of the development.
4.	Increase in noise, dust, light and glare from construction activity and subsequent use of the site.
5.	Increase in vehicular traffic on 83 <sup>th</sup> Avenue NE, 44 <sup>th</sup> St NE, 64 <sup>th</sup> Street NE (SR 528), E Sunnyside School Road, and Soper Hill Road, as well as other City streets and arterials in the vicinity.
6.	Change in character of the site from a large acre home site and vacant land into an urban medium-density detached single-family development.
7.	Permanent critical areas impacts, mitigated as outlined below.

## MITIGATION MEASURES

The following mitigation measures are required to minimize the probable significant adverse environmental impacts as a result of the proposed development activity:

1.	The applicant/contractor shall adhere to the requirements outlined in the Geotechnical Engineering Study prepared by Robinson Noble, dated May 6, 2021, or as amended.
2.	If at any time during construction archaeological resources are observed in the project area, work shall be temporarily suspended at that location and a professional archaeologist shall document and assess the discovery. The Department of Archaeology and Historic Preservation (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 these parties have agreed upon a process, and no exposed human remains may be left unattended.
3.	Prior to issuing any ground disturbing activity permits, the applicant is required to obtain all necessary permits and approvals from Federal, State and local agencies for the proposed critical areas impacts.
4.	Prior to issuing any ground disturbing activity permits, the applicant is required to submit documentation demonstrating purchase of the mitigation bank credits required for the permanent wetland impacts.
5.	Prior to commencement of grading activity, the applicant shall provide certification that the fill materials are clean and suitable for site development.
6.	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.
8.	The applicant shall be required to construct frontage improvements along 83 <sup>rd</sup> Avenue NE and the internal plat road(s) and alleyways, 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.
9.	The applicant shall be required to dedicate right-of-way in order to accommodate the required frontage improvements along 83 <sup>rd</sup> Avenue NE and the internal plat road(s) in accordance with MMC 12.02A.110(1)(c), <i>Dedication of Road right-of-way – Required setbacks</i> . The City Engineer shall determine right-of-way widths and required dedication.
10.	The joint use auto courts (Tracts 993 - 997), providing access to Lots 11-14, 21, 30, 38-43, and 48 - 51 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, as outlined in the City of

	Marysville Design Guidelines and Engineering Design and Development Standard (EDDS) Section 3-219. A detail of the surfacing of the auto court will be required to be provided on the civil construction plans and approved by the City Engineer.
11.	The existing on-site septic systems shall be abandoned by having the septic tanks pumped by a certified pumper, then having the tops of the tank removed or destroyed and filling the void per WAC 246-272A-0300. Documentation demonstrating completion of work shall be submitted prior to final PRD/BSP approval.
12.	The existing on-site wells shall be decommissioned in accordance with WAC 173-160-381. A copy of the well contractor's decommissioning report(s) shall be submitted prior to final PRD/BSP approval.

**APPEALS**

- This DNS may be appealed pursuant to the requirements of MMC 22E.030.180. There is a 14-day appeal period on the DNS that commences from the date the DNS 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., **December 3, 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
<input checked="" type="checkbox"/> <b>Building</b> <input checked="" type="checkbox"/> <b>Fire District</b> <input checked="" type="checkbox"/> <b>Parks</b> <input checked="" type="checkbox"/> <b>Police</b> <input checked="" type="checkbox"/> <b>PW – Engineering</b> <small>(Jeff Laycock)</small> <input checked="" type="checkbox"/> <b>PW – Engineering</b> <small>(Ken McIntyre)</small> <input checked="" type="checkbox"/> <b>PW – Engineering</b> <small>(Shane Whitney)</small> <input checked="" type="checkbox"/> <b>PW – Operations</b> <input checked="" type="checkbox"/> <b>PW – Sanitation</b> <input type="checkbox"/> <b>PW – Streets</b> <input checked="" type="checkbox"/> <b>PW – Traffic Eng.</b> <small>(Jesse Hannahs)</small> <input checked="" type="checkbox"/> <b>PW – Water Res.</b>	<input type="checkbox"/> <b>Arlington (city)</b> <input type="checkbox"/> <b>Arlington Airport</b> <input checked="" type="checkbox"/> <b>Community Transit</b> <input type="checkbox"/> <b>Everett (city)</b> <input checked="" type="checkbox"/> <b>Lake Stevens (city)</b> <input checked="" type="checkbox"/> <b>Lake Stevens SD 4</b> <input type="checkbox"/> <b>Lakewood SD 306</b> <input type="checkbox"/> <b>Marysville SD 25</b> <input checked="" type="checkbox"/> <b>PUD No. 1 (electric)</b> <input type="checkbox"/> <b>PUD No. 1 (water)</b> <input checked="" type="checkbox"/> <b>Ziplly</b> <input type="checkbox"/>	<input checked="" type="checkbox"/> <b>US Army Corps of Engineers</b> <input type="checkbox"/> <b>BNSF</b> <input checked="" type="checkbox"/> <b>DAHP</b> <input checked="" type="checkbox"/> <b>DNR</b> <input checked="" type="checkbox"/> <b>DOE (Bellevue)</b> <input type="checkbox"/> <b>DOE (Olympia - Env. Review)</b> <input checked="" type="checkbox"/> <b>DOE (SEPA Registry)</b> <input type="checkbox"/> <b>DOE (Shorelands - G. Tallent)</b> <input type="checkbox"/> <b>WDFW</b> <input type="checkbox"/> <b>WSDOT</b> <input type="checkbox"/> <b>WUTC</b> <input type="checkbox"/>	<input checked="" type="checkbox"/> <b>Health District</b> <input type="checkbox"/> <b>Planning</b> <input checked="" type="checkbox"/> <b>Public Works - Land Development</b> <input type="checkbox"/> <b>Public Works</b> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <b>Olympic Pipeline</b> <input type="checkbox"/> <b>Puget Sound Energy</b> <input checked="" type="checkbox"/> <b>Stillaguamish Tribe</b> <input checked="" type="checkbox"/> <b>Tulalip Tribes</b> <input type="checkbox"/> <input type="checkbox"/>