



ADMINISTRATIVE BINDING SITE PLAN AND PLANNED RESIDENTIAL DEVELOPMENT APPROVAL

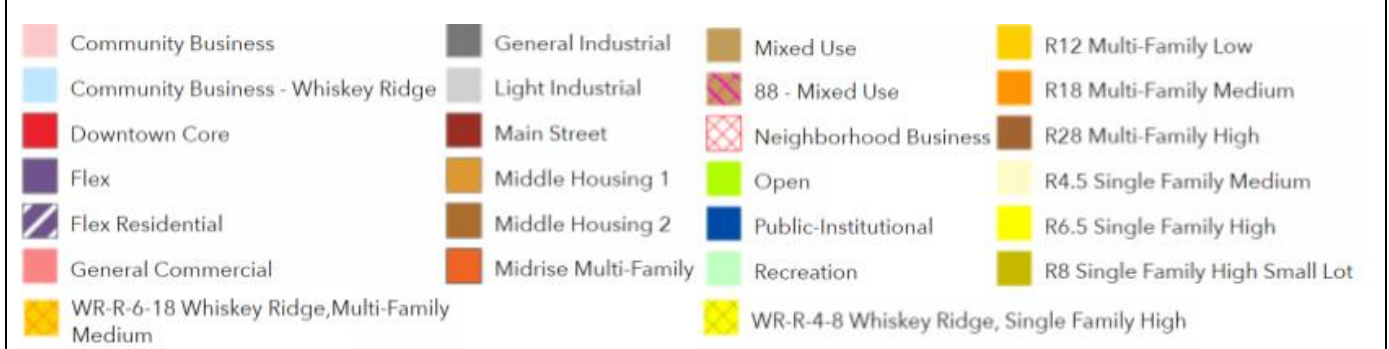
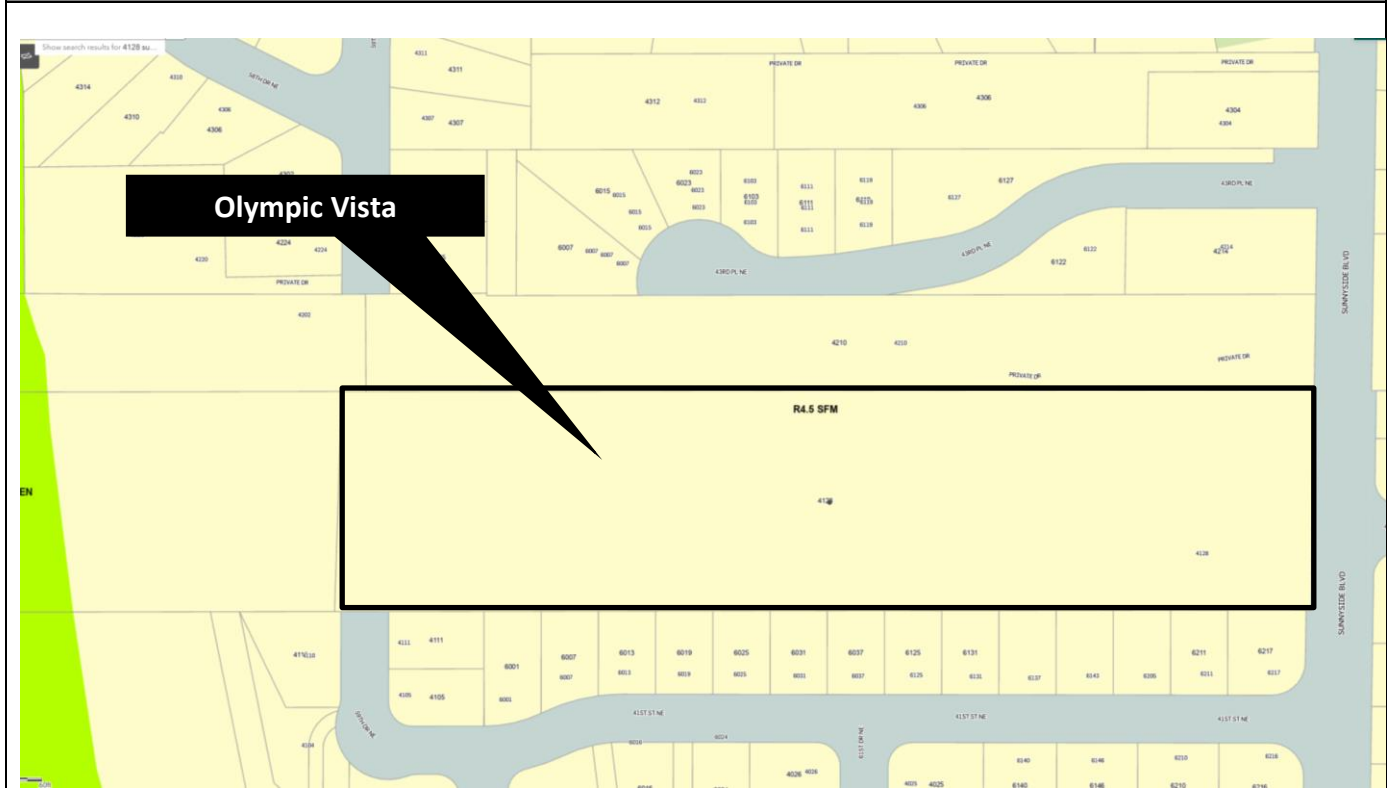
Community Development Department ♦ 501 Delta Avenue ♦ Marysville, WA 98270
 (360) 363-8000 ♦ Office Hours: Mon - Fri 8:00 AM - 4:30 PM

PROJECT INFORMATION									
Project Title	Olympic Vista			Date of Report	June 26, 2023				
File Number	PA22-044			Attachments	Preliminary BSP/PRD Map (Exhibit 026)				
Administrative Recommendation	Approve the Administrative Binding Site Plan (BSP) and Planned Residential Development (PRD) request to allow construction of a 23-lot single-family detached residential PRD, utilizing MMC Chapter 22C.090 <i>Residential Density Incentives</i> , and subject to the conditions contained in Section 2.0.								
BACKGROUND SUMMARY									
Applicant	Keystone Land, LLC								
Request	Administrative BSP and PRD approval in order to subdivide a 5.38-acre property into 23 single-family detached lots.								
SEPA Status	Exempt pursuant to MMC 22E.030.090(1)(a)								
Location	4128 Sunnyside Blvd.			APN(s)	29050300102200				
Acreage (SF)	5.38 acres (234,283 SF)			Section	03	Township	29	Range	05
Comprehensive Plan	SFM	Zoning	R-4.5	Shoreline Environment			N/A		
Water Supply	Current	Proposed		Sewer Supply	Current		Proposed		
	Marysville	Marysville			Private (septic)	Marysville			
Present Use of Property	Single Family Residence and associated outbuildings.								
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"/> Engineering Services <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works <input type="checkbox"/>	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input checked="" type="checkbox"/> Community Transit <input type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input checked="" type="checkbox"/> Marysville SD 25 <input checked="" type="checkbox"/> PUD No. 1 <input checked="" type="checkbox"/> Comcast <input checked="" type="checkbox"/> Ziplly			<input type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input checked="" type="checkbox"/> DAHP <input type="checkbox"/> DOE <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input type="checkbox"/>		<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input checked="" type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		<input checked="" type="checkbox"/> Tulalip Tribes <input checked="" type="checkbox"/> Stillaguamish Tribe <input checked="" type="checkbox"/> Alan Hendrickson <input checked="" type="checkbox"/> Keith Moore <input checked="" type="checkbox"/> Stephanie Alvarado <input checked="" type="checkbox"/> Will Curran <input checked="" type="checkbox"/> Todd Davis	
ACTION									
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> City Council	<input type="checkbox"/> Quasi-Judicial	<input type="checkbox"/> Planning Commission						
Date of Action	June 26, 2023	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Continued					
STAFF CONTACT									
Name Amy Hess	Title Senior Planner	Phone 360.363.8215	E-mail ahess@marysvillewa.gov						

SURROUNDING 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 Residences
South	Single Family Medium Density	R-4.5	Single Family Residences
West	Open	Open	Olympic View Park

Vicinity Map



1.0 EVALUATION

1. Description of Proposal

Keystone Land, LLC, applicant, has requested preliminary Binding Site Plan (BSP) and Planned Residential Development (PRD) approval in order to subdivide a 5.38 acre property into 23 single family lots. The project will include construction of the plat road (Road B), installation of utilities, and other site improvements. The existing single-family residence and associated outbuildings will be demolished.

2. Project History

An application was filed on October 27, 2022 and was deemed complete on February 8, 2023. Public notice was provided in accordance with MMC 22G.010.090, *Notice of development application*. As of the date of this recommendation, written and verbal public comments were received; responses to the public comments are summarized in Evaluation No. 12 of this recommendation.

3. Project Location

The proposed project is located at a site address of 4128 Sunnyside Boulevard, and is identified by Assessor’s Parcel Number (APN) 290503300102200.

4. Site Description

The subject property is approximately 5.38 acres and is rectangular in shape. The sites topography slopes from east to west, toward 55th Drive NE, with slopes of zero to fifteen percent. The property consists of primarily lawn and scattered trees. According to the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NCRS), on-site soils primarily consist of Tokul Gravelly Medial Loam. A single family residence and associated outbuildings are proposed to be demolished.

5. Critical Areas

The applicant submitted a critical areas reconnaissance prepared by Wetland Resources, Inc. dated October 6, 2022 (Exhibit 010). Wetland Resources, Inc. investigated the subject property on December 21, 2021 to determine the presence or absence of critical areas on site. After review of aerial photos, City of Marysville critical areas maps, and on site investigation, no critical areas were discovered on site. Wetlands located within Olympic View Park adjacent to the west of the site were mitigated as part of the City’s development of the park, so no buffers extend on to the subject property from those wetlands.

6. Access and Circulation

Primary access to the subdivision will be off of 59th Drive NE, via a new public plat road. All lots will take access from the new plat road; no direct access from individual lots onto Sunnyside Blvd. will be permitted. The new section of 59th Drive NE shall be connected to the stub of 59th Drive NE on the parcel to the south. Applicant shall stub 59th Drive NE to the project’s north property boundary for future road extension. A cul-de-sac is proposed for the eastern end of the development.

7. Traffic Impacts

A traffic impact analysis (TIA) was prepared by Kimley Horn, dated September 26, 2022 (Exhibit 007). The TIA assumed the project would consist of 24 single family residences, rather than the 23 proposed in the actual application. According to the TIA, the proposed development would generate approximately 216 new average weekday daily trips with approximately 16 AM peak-hour trips (AMPHT) and 23 new PM peak-hour trips (PMPHT). This application is categorically exempt from SEPA review; therefore, analysis was not

required for possible impacts to Snohomish County or Washington State Department of Transportation facilities.

The City's Public Works Director and Traffic Engineer Manager reviewed the TIA, and issued a written concurrency recommendation dated June 26, 2023 (Exhibit 029) 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 Public Works Director, based on the concurrency recommendation. The applicant provided a written acceptance of the concurrency recommendation (Exhibit 030) on June 26, 2023, consistent with the requirements in MMC 22D.030.070(1)(e). The conditions of concurrency determination are as follows:

- a) The applicant shall be required to construct frontage improvements along 59th Drive NE, Sunnyside Blvd., and internal plat roads, prior to final BSP/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.
- b) The applicant shall be required to dedicate public right-of-way in order to accommodate and construct the required roadways and frontage improvements for 59th Drive NE, Sunnyside Blvd., and internal plat roads in accordance with MMC 12.02A.110(1)(c), *Dedication of Road right-of-way – Required setbacks*. Right-of-way widths and required dedication shall be determined by the City Engineer.
- c) 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. The traffic impacts fees for this proposal are estimated to be \$138,600.00 (23 PMPHT – 1 PMPHT for Existing SFR = 22; 22 x \$6,300 = \$138,600.00).
- d) The applicant is responsible for removal and restoration of existing temporary cul-de-sac directly south of the project property on 59th Drive NE. Applicant is responsible for obtaining temporary construction easements to accomplish this work. Restoration to be reviewed and approved by the City Engineer.

Pursuant to MMC Section 22D.030.070(6)(a)(ii), the traffic concurrency determination and the project's impact fees and mitigation obligations shall expire upon expiration of the subdivision.

8. Park Impacts

Pursuant to MMC Section 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. Credit for the existing residence shall be given to lot 1.

9. School Impacts

Pursuant to MMC Section 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. Lakewood School District No. 306 serves the subject property. Credit for the existing residence shall be given to lot 1.

10. Utilities

Utilities are proposed to be provided to the site as follows:

Storm Drainage: According to the *Construction Drainage Report* prepared by LDC, Inc. dated June 2023, the proposed project will provide drainage improvements consistent

with the 2019 Department of Ecology (DOE) *Stormwater Management Manual for Western Washington*. The project is Flow Control exempt, as it is within 900 feet of Ebey Slough, which is heavily influenced by tidal conditions, and will outfall to a wetland connected to the slough. Water quality treatment for Pollution Generating Impervious Surfaces (PGIS) within the onsite basin will be accomplished through a Perfilter Vault, located in the southwest corner of the site. Runoff from Sunnyside Boulevard improvements will be piped under Tract 998 to the new Road B stormwater conveyance system.

Water: There is an existing water in the current dead end of 59th Drive NE, which can be found on record drawing RD 336 and WE 318. The water main is required to be extended into the project within the new ROW of 59th Drive NE and the new plat road (Road B).

Sewer: Sewer runs along the proposed 59th Drive NE and can be found on record drawing RD 307. Sewer main shall be extended to serve new lots within ROW of new plat road (Road B).

All utility improvements will be addressed during civil construction plan review in order to ensure compliance with all applicable MMCs and city standards.

11. **SEPA**

Pursuant to MMC 22E.030.090(1)(a), this proposal is categorically exempt from SEPA review.

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

Public Comment:

Will Curran, February 16, 2023

One concern we have for everyone's safety between the two developments as well as park visitors, is putting more traffic on the blind descent right in front of our property. We are already investigating ways to mitigate the current traffic speeding up/down the hill, and perhaps with the new development going in, can find a solution with the increase in traffic. ??

The issue is that cars are doing 30-35 down 41st ST, and you cannot see oncoming traffic smaller people in the road just ahead. There is significant foot traffic to/from the park, children playing, riding bikes and residents backing out of driveways. It is just a matter of time before someone is injured. We've witnessed many near misses and have nearly been hit several times ourselves.

The situation is much worse when cars are parked on the street (pretty normal with guests over), and then cars are going over the rise down to one lane (head to head). Is there the possibility of a speed bump or some other approved device?

Staff Response: The applicant will not be required to construct off-site improvements and the development has been reviewed to ensure compliance with Engineering Design and Development Standards and has been deemed to comply with both slope and sight distance standards. The 59th Drive NE and the future 44th Place (Road B) NE-to-59th Drive NE roadways providing access to the proposed Olympic Vista have been designed to meet City standards and are consistent with various other developments throughout the Sunnyside and Whiskey Ridge areas. This proposal does not indicate any specific need for measures to encourage slower vehicle speeds. Should current or future roadway travelers behavior and resulting neighborhood concerns continue, the City's Neighborhood Traffic Safety Program (<https://www.marysvillewa.gov/990/Neighborhood-Traffic-Safety-NTS-Program/>) is available for current and future residents to request an engineering evaluation and document

neighborhood-wide support for traffic calming measures such as speed tables to be constructed.

Public Comment:

Todd Davis, February 17, 2023

1. Grading and drainage of the lots all along the south boundary of Olympic Vista; and
2. Traffic flow concerns on 59th DR NE into "Road B" and Olympic View Park.

As you're likely aware, a huge amount of water flows down the relatively steep bluff west of Sunnyside and into the slough and estuary. We request the developer establish a channel for flow and drainage all along the east-west line between Bellewood Ridge and the eventual south boundary of the new Olympic Vista lots, and pay special attention to the grading and drainage of the existing Bellewood Ridge lots and the new Olympic Vista lots. Over the past few years in Bellewood Ridge, we've had significant surface water and runoff flowing down the bluff and into the Bellewood Ridge lots, especially during the rainy season. While the builder applied some drainage and mitigation, no comprehensive culvert or channel exists, and the terraced lots have experienced flowing surface water, erosion and standing water in some low areas created when the yards were graded. Along with the previous owner of the parcel that will now be Olympic Vista, we have manually trenched a line and small ditch along the east-west boundary down the slope between Bellewood Ridge/Olympic Vista boundary. If completed as part of the initial grading and development, a culvert, channel or graded ditch between the lots could significantly reduce eventual erosion and standing water in the lots of both developments. We would welcome the opportunity to "walk the ground" with Keystone Land engineers to describe the situation. This should not require significant additional infrastructure or expense if it's designed in and graded thoughtfully.

We would also request the city and developer give some thought to traffic management, flow and parking along 59th DR NE, especially once Olympic Vista is completed. Concerns include high speed blind cornering (and also transit along the extended street) at the bottom of the hill at the right turn to head north on 59th DR NE, potential transit through, and access into and out of the Olympic View Park parking area. As we have already experienced, non-residents not familiar, delivery trucks, and kids heading for Olympic View Park all struggle with the corner and abrupt end of the current street.

This will present new and more frequent safety concerns once the road is extended, with hundreds more vehicle transits occurring each day. There are special needs children living in the immediate area, as well as frequent walkers and hikers accessing the Ebey Waterfront Trail via Olympic View Park. All this activity will increase with additional residents and more park access. Accordingly, we request mitigation and management, possibly including speed bumps and/or corner stop signs along 59th DR NE in the vicinity of the park.

Staff Response: The applicant is required to adhere to the 2019 Department of Ecology Stormwater Manual, which in part, prohibits a development from increasing runoff beyond its pre-developed condition. All runoff will be collected, treated, and discharged directly to existing/historic flow paths. Runoff will be captured, and transferred under the new 59th Drive NE, then released into a vegetated swale within the Olympic View Park where it outlets into a wetland. The wetland drains to Ebey Slough.

As noted above, the City cannot require off-site improvements. The 59th Drive NE and the future 44th Place (Road B) NE-to-59th Drive NE roadways providing access to the

proposed Olympic Vista have been designed to meet City standards and are consistent with various other developments throughout the Sunnyside and Whiskey Ridge areas. This proposal does not indicate any specific need for measures to encourage slower vehicle speeds. Should current or future roadway travelers behavior and resulting neighborhood concerns continue, the City's Neighborhood Traffic Safety Program (<https://www.marysvillewa.gov/990/Neighborhood-Traffic-Safety-NTS-Program/>) is available for current and future residents to request an engineering evaluation and document neighborhood-wide support for traffic calming measures such as speed tables to be constructed.

Public Comment:

Keith Moore, February 17, 2023

A few questions regarding the proposed Olympic Vista project:

1. Will construction traffic to the development be limited to using just 41st Street NE?
2. Will the half roadway to 59th Drive NE be constructed after the completion of construction?
3. When the half roadway is constructed, will there be speed bumps provided to discourage traffic from using the north access point?
4. Presuming the main reason for the half roadway is for fire truck and emergency vehicle access, will the lane be one-way north?
5. If not needed for emergency vehicle access, why not just construct the sidewalk?

Staff Response: The construction entrance will be from 59th Drive NE.

No half roads are proposed with this project. The half street depicted off-site on the preliminary civil plans was an error, and has since been removed. The new portion of 59th Drive NE will be a fully constructed roadway, with curb, gutter, and sidewalks.

Public Comment:

Stephanie Alvarado, February 18, 2023

We just received the notice of application for the 23 plot residential development. The access to this neighborhood is through the Bellewood neighborhood on 41st and Sunnyside. I have no problem with this. However, there is no crosswalk from the Bellewood Ridge to the other side of the street that the elementary school and bus stops for middle and high school are on. Is it possible for you to look into getting a crosswalk installed? We are going to have a lot more kids walking to school and crossing that street to get to the bus stop. This would be a huge step in making it safer for everyone with all these houses popping up. Please let me know your thoughts.

Staff Response: Although not specifically related to the Olympic Vista proposal, the City's maintenance staff are currently scheduled to install a crosswalk markings and pedestrian activated warning beacons crossing Sunnyside Boulevard at 41st St NE adjacent to the Bellewood Ridge development before the start of the 2023-2024 school year. This equipment is currently assembled for installation and its installation scheduled in coordination with broader city-wide pavement marking maintenance occurring during this summer (2023).

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

- a. *Marysville School District 25*: No comments received.
- b. *Snohomish PUD*: The District has enough electrical system capacity to serve the proposed development. However, the existing District facilities in the local area may require upgrading. Cost of any work, new or upgrade, to existing facilities that is required to connect this proposed development to the District electric system shall be in accordance with the applicable District policy.
- c. *Stillaguamish Tribe*: Based on archeological survey on the parcel adjacent having flaked cobble (lithic scatter) we would recommend an archeological survey on the project and notification of ground disturbance and/or archeological fieldwork.
- d. *Tulalip Tribes*: No comment.
- e. *Ziply*: No comments received.
- f. *Marysville Fire District*: Two hydrants are proposed for this site, the locations of the hydrants are acceptable. All homes will require fire sprinklers as the access does not meet the requirements for homes over 30 without two accesses as this proposed project is using an existing development that does not meet the access requirements.

Additional comments related to fire code compliance for this project follow:

1. The project shall comply with the current fire code requirements (2018 IFC) including WA State and local City of Marysville amendments to the fire code.
2. Fire marshal approval of fire access and fire hydrant/water supply systems is required as part of the civil construction plan review and approval process.
3. 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.
4. 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 SF fire area.
5. The minimum required fire flow for dwellings exceeding 3,600 SF fire area is 1,500 gpm.
6. Maximum hydrant spacing for the proposed SF use is 600' apart.
7. Fire hydrants shall be provided in approved locations. Fire hydrants on an approved water main extension are required within the site for this development. Provide water main extensions with hydrants along the new roadway- at both ends of the 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.
8. 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.

Staff comment: Fire District comments will be addressed during civil construction plan and building permit review, as applicable. All units will be required to have fire sprinklers installed.

14. **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.020.060, single-family residences and associated infrastructure are permitted outright in the Medium Density Single-Family, R-4.5 zone.

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

Staff Comment: The base density allowed in the R-4.5 zone is 4.5 dwelling units per net project acre for detached single-family residences. The base density allowed for the proposed development is 19 units (4.26 net project acres x 4.5 = 19.17 which rounds to 19 units). Residential Density Incentives (RDI) can be pursued within a Planned Residential Development. The applicant is proposing to utilize RDI 7.c and 7.e, Installation of perimeter fencing and Private Park and Open Space Facilities, in order to achieve four (4) additional bonus unit, for a total of 23 lots.

Base Density (4.5 d.u./acre) = 19.17 (4.26 acres x 4.5)

Max Density (4.5 d.u./acre x 20%) = 23.004 (19.17 x 20%)

RDI Calculation

Benefit 7c: Perimeter fencing = 3.85 or 3 (1,927 LF/500)

Benefit 7e: Private Park/Open Space = 1.15 or 1 (0.23 acres x 5)

Total Allowed Units = **23** (19 base + 4 RDI)

The proposed development is proposing a density of 5.39 dwelling units per acre (23 dwelling units per net acre/4.26 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 Single Family Medium Density. The proposed subdivision 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 Goals & Policies

Policies: LU-3, LU-5, LU-6, LU-10

Residential Land Use Goals & Policies

Policies: LU20, LU-21, LU-22, LU-23, LU-26, LU-28, LU-29, LU-30, LU-31, LU-33, LU-38

Single-family Land Use Goals & Policies

Policies: LU-40, LU-41

HOUSING ELEMENT

Housing Policies

Policies: HO-2, HO-7, HO-15, HO-19, HO-20, HO-21, HO-22, HO-25, HO-29

ENVIRONMENTAL ELEMENT

General Environmental Goals and Policies

Policies: EN-1, EN-6, and EN-8

Earth Goals and Policies

Policies: EN-16, EN-17, EN-18, EN-19

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

Policies: EN-25, EN-27, EN-28, EN-32, EN-38

Cultural Resources Goals and Policies

Policies: EN-48

TRANSPORTATION ELEMENT

Transportation System Efficiency and Safety

Policies: T-7 and T-8

Mobility Options

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

Sustainable Transportation Systems and the Environment

Policies: T-36, T-39

Level of Service Standards and Concurrency

Policies: T-40

Financing and Implementation

Policies: T-48

PARKS AND RECREATION ELEMENT

Policies: PK-9, PK-10, PK-11, PK-12, PK-13, PK-14, PK-17

UTILITIES ELEMENT

Policies: UT-1, UT-3, UT-4, UT-8, UT-13, UT-14, UT-18, UT-22

PUBLIC FACILITIES & SERVICES ELEMENT

Police, Fire, Library

Policies: PS-1, PS-3, PS-4, PS-5, PS-9

Schools

Policies: SC-6

Water, Sewer, Storm Drainage, Solid Waste

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

d. Development Standards.

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

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

15. **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 14(c) 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 14(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 is categorically exempt from SEPA. Staff did review the site to ensure no negative environmental impacts would result from the development.

- 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. No critical areas were identified on the project site.

16. **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 34 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 preliminary subdivision configuration received June 21, 2023 (Exhibit 026) shall be the approved plat configuration.
2. In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to comply with the following conditions in accordance with the Traffic Concurrency Recommendation dated June 26, 2023 (Exhibit 029).
 - a. The applicant shall be required to construct frontage improvements along 59th Drive NE, Sunnyside Boulevard, and internal plat roads, prior to final BSP/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.
 - b. The applicant shall be required to dedicate public right-of-way in order to accommodate and construct the required roadways frontage improvements for 59th Drive NE, Sunnyside Boulevard, and internal plat roads in accordance with MMC 12.02A.110(1)(c), *Dedication of Road right-of-way – Required setbacks*. Right-of-way widths and required dedication shall be determined by the City Engineer.
 - c. 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. The traffic impact fees for this proposal are estimated to be \$138,600.00 (23 PMPHT – 1 PMPHT for Existing SFR = 22; 22 x \$6,300 = \$138,600). Credit shall be given for the existing single-family residence to be demolished.
 - d. The applicant is responsible for removal and restoration of existing temporary cul-de-sac directly south of the project property on 59th Drive NE. Applicant is responsible for obtaining temporary construction easements to accomplish this work. Restoration to be reviewed and approved by the City Engineer.
3. All units in the development shall have residential fire sprinklers installed, unless otherwise waived by the Marysville Fire Marshall.
4. No direct access to Sunnyside Boulevard and 59th Drive NE shall be permitted from any lot or tract.
5. 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.
6. Prior to civil construction plan approval, the applicant shall have a *FINAL* landscaping plan approved that includes all of the plan submittal requirements outlined in MMC 22C.120.030, and includes all of the applicable design elements outlined in MMC Chapter 22C.120. The plan shall include pedestrian connections from the open space tract to Sunnyside Blvd.
7. The applicant shall submit payment to Marysville School District No. 25 for school impacts caused by the development pursuant to Chapter 22D.040 MMC, *School Impact Fees and Mitigation*. School impact fees are 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. Credit shall be given to lot 1 for the existing single-family residence which will be demolished.

8. The applicant shall submit payment to the City of Marysville for park impacts caused by the development pursuant to Chapter 22D.020 MMC, *Parks, Recreation, Open Space and Trail Impact Fees and Mitigation*. Park impact fees are 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. Credit shall be given to lot 1 for the existing single-family residence which will be demolished.
9. The applicant shall implement residential density incentives sufficient to earn the four (4) bonus dwelling units proposed in accordance with Chapter 22C.090 MMC, Residential Density Incentives. The proposed RDI shall be implemented prior to final PRD/BSP approval.
10. 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.
11. 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.
12. Prior to civil construction plan approval, the applicant shall be required to submit a FINAL Geotechnical Assessment, prepared by a Professional Engineer registered in the State of Washington. Additionally, the applicant/contractor shall be required to adhere to the recommendations of the FINAL Geotechnical Assessment.
13. Prior to granting occupancy permits, the applicant shall provide a letter from the project engineer to verify that final project grading has been completed consistent with the approved grading plans; that all recommendations outlined in the Geotechnical Assessment and subsequent amendments have been followed; and that all fill has been properly placed.
14. Any 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.
15. Any 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.
16. 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: *Amy*

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: 6/26/23

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.