



# ADMINISTRATIVE SITE PLAN APPROVAL

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

PROJECT INFORMATION									
<b>Project Title</b>	MSR Tuscany Woods Townhomes			<b>Date of Report</b>	January 22, 2024				
<b>File Number</b>	PA23-015			<b>Attachments</b>	Approved Site Plan (Exhibit 026), MDNS (Exhibit 032)				
<b>Administrative Recommendation</b>	Approve the preliminary site plan, subject to the conditions of approval contained in Section 2.0.								
BACKGROUND SUMMARY									
<b>Applicant</b>	MSR Communities 5, LLC								
<b>Request</b>	Administrative Site Plan Approval in order to construct thirty-five (35) townhome units on a single lot, and associated site improvements.								
<b>SEPA Status</b>	A Mitigated Determination of Non-significance was issued on December 20, 2023 (Exhibit 032). The appeal period expired January 8, 2024. No appeals were filed.								
<b>Site Address</b>	4407 84 <sup>th</sup> Street NE			<b>APN(s)</b>	30052100105200				
<b>Acreage (SF)</b>	2.76 acres (120,371 SF)			<b>Section</b>	21	<b>Township</b>	30	<b>Range</b>	05
<b>Comprehensive Plan</b>	Multifamily Low	<b>Zoning</b>	R-12	<b>Shoreline Environment</b>			N/A		
<b>Water Supply</b>	<b>Current</b>	<b>Proposed</b>		<b>Sewer Supply</b>	<b>Current</b>		<b>Proposed</b>		
	Marysville	Marysville			Marysville	Marysville			
<b>Present Use of Property</b>	Site is developed with a single-family residence, outbuildings, and associated improvements.								
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 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 type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Frontier <input type="checkbox"/> Lake Stevens (city) <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 type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input type="checkbox"/> DOE <input checked="" type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC		<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works		<input checked="" type="checkbox"/> Tulalip Tribes <input checked="" type="checkbox"/> Stillaguamish Tribe <input type="checkbox"/> Teri McCann <input type="checkbox"/> Wendy Martinez	
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>	January 22, 2024	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Continued					
STAFF CONTACT									
<b>Name</b> Amy Hess	<b>Title</b> Senior Planner	<b>Phone</b> 360-363-8215	<b>E-mail</b> ahess@marysvillewa.gov						

**SURROUNDING USES**

	<b>Comprehensive Plan</b>	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Multifamily Low	R-12	Single family residence
<b>North</b>	Multifamily High, Single-family High	R-28 and R-6.5	Multifamily complex and Single family residences
<b>East</b>	Single Family High Density	R-6.5	Single family residences
<b>South</b>	Multifamily Medium	R-18	84 <sup>th</sup> Street NE and Manufactured Home Park
<b>West</b>	Multifamily High	R-28	Multifamily complexes and single family residences

**Vicinity Map**



# 1.0 FINDINGS AND CONCLUSIONS

## 1. Description of Proposal

The applicant is requesting administrative site plan approval in order to construct a 35-unit townhome development, consisting of eight (8) buildings, and associated site improvements. Existing structures on site will be demolished.

## 2. Project History

An application was filed on June 30, 2023 and was deemed complete on July 10, 2023. Public notice of application was provided in accordance with [MMC 22G.010.090](#).

## 3. Site Location

The subject property is located at 4407 84<sup>th</sup> Street NE and is identified as Assessor’s Parcel Number (APN) 30052100105200.

## 4. Site Description

The project site is approximately 2.76 acres in size. The site topography is gently sloping to flat.

The site is bordered by single-family residences to the east and northeast, multi-family complexes and single family residences to the west, and a mobile home park across 84<sup>th</sup> Street NE to the south.

The subject property is zoned Multifamily Low Density (R-12 MFL), bordered by Single Family High Density (R-6.5 SFH) to the east, Multifamily High Density (R-28 MFH) to the west and northwest, and Multifamily Medium Density (R-18 MFM) to the south.

## 5. Public Comments

One written comment was received raising concerns related to traffic on 84<sup>th</sup> Street NE and children walking to nearby Pinewood Elementary. Staff responded informing the resident that the project will be constructing frontage improvements including sidewalks along 84<sup>th</sup> Street NE.

## 6. 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: *Proposed hydrant locations within the site are acceptable. All townhomes will require 13D sprinkler systems. 26’ road width through site is acceptable.*

*Additional comments related to fire code compliance for this project are noted below:*

- 1. *The project shall comply with current fire code requirements (2018 IFC) including WA State and local City of Marysville amendments to the fire code, city design standards, and applicable NFPA standards, including IFC Chapter 33 and NFPA 241 construction codes.*
- 2. *Any fire code required construction permits (IFC section 105.7) are obtained through Marysville Community Development at 501 Delta Avenue.*

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 MF buildings is 1,500 gpm.*
5. *Maximum hydrant spacing for the proposed use is 300' apart.*
6. *Fire hydrants with approved water supply must be in service prior to building construction.*
7. *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.*
8. *For townhomes where NFPA 13D residential fire sprinklers are required in each unit the developer should install a water service for each unit per city Standard Plan 2-090-001 Full ¾" x 1" Meter service. A single service tap should be used where sprinklers are required, not a double service installation.*
9. *Access planned appears adequate for fire apparatus. Access of 26' wide is shown on the plan. A minimum 26 feet wide fire apparatus access is required in the immediate vicinity of any building more than 30 feet in height for ladder truck operations, and within 20 feet on both sides of fire hydrants.*
10. *Access planned appears adequate for aerial fire apparatus access. Access of 26' wide is shown on the plan. A minimum 26' wide fire apparatus access is required in the immediate vicinity of any building more than 30' in height for ladder truck operations, with the near edge of the access located within 15'-30' of the building, positioned parallel to one entire side of the building.*
11. *An adequate access route for fire apparatus must be in service prior to any building construction.*
12. *If vehicle impact protection is deemed required for protection of any equipment it shall comply with IFC Section 312. Guard posts (bollards) are typically required for protection of gas piping, electrical equipment, fire protection piping and hydrants located where they could be subject to vehicle damage.*
13. *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.*
14. *A minimum 5' wide side access and 10' rear access is required for MF dwellings.*
15. *The city address committee will determine road names and address numbers.*

16. The drive aisle to be posted 'NO PARKING – FIRE LANE' to maintain unobstructed emergency access. This will need to be shown on approval civil plan to identify fire lane.

- b. Snohomish County PUD: *No comments received.*
- c. DAHP: *No comments received.*
- d. Stillaguamish Tribes: *No comments received.*
- e. Tulalip Tribes: *No comments received.*
- f. Marysville School District: *No comments received.*

## **7. Critical Areas**

There are no critical areas located on the subject property or within 300 feet of the subject property.

## **8. SEPA**

A State Environmental Policy Act (SEPA) Mitigation Determination of Non-significance (MDNS) was issued on December 20, 2023 (Exhibit 032). No appeal was filed.

## **9. Access/Circulation**

Access to the development will be via a 26' wide paved private drive off of 84<sup>th</sup> Street NE. Turnaround provisions will be provided using the intersection of the private access road to units 13-20 as a 'hammerhead', as approved by the Fire Marshall. The hammerhead shall meet the Standard Plan specifications in the Engineering Development and Design Standards (EDDS).

## **10. Traffic Concurrency**

According to the Institute of Transportation Engineers Trip Generation Manual, Land Use Code 215: Single-Family Attached Housing generates 7.20 average daily trips (ADT) and 0.57 PM Peak hour trips (PMPHT) per unit. The proposed development is anticipated to generate a total of approximately 20 new PMPHT's.

Based on review of existing conditions and anticipated trip generation, as well as other applicable supplemental information submitted with the application and on file with the City, the City Engineer made a traffic concurrency recommendation to the applicant dated December 19, 2023 (Exhibit 030). The traffic concurrency recommendation included the following conditions to mitigate traffic impacts:

- 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. The MSR Tuscany Woods Townhomes development will generate 21 new PMPHT. Traffic impact fees shall be vested at a rate of \$6,300, per PMPHT. The traffic impact fees for this proposal is estimated to be \$126,000.00 (20 PMPHT x \$6,300). Credit for one (1) PMPHT shall be given for the existing single-family residence.
- b. The applicant shall be required to dedicate public right-of-way in order to accommodate the build-out of 84<sup>th</sup> Street improvements, 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. The applicant shall be required to construct frontage improvements along 84<sup>th</sup> Street NE, consistent with Engineering Design and Development Standards (EDDS). Overhead utilities shall be undergrounded.

The applicant submitted a written response, dated December 20, 2023 (Exhibit 031), agreeing to the development's traffic impacts and mitigation measures.

Pursuant to [MMC 22D.030.070](#)(6)(a)(ii), the traffic concurrency determination and the project's impacts and mitigation obligations shall expire on December 20, 2028.

#### **11. Park Impacts**

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

#### **12. School Impacts**

Pursuant to [MMC Chapter 22D.040](#), the applicant shall mitigate school impacts through the payment of the school impact fee in effect at the time of building permit application.

#### **13. Utilities**

Utilities are proposed to be provided as follows:

- a. Storm Drainage – The development proposes to convey stormwater runoff into a proposed infiltration facilities located in in the open space on the eastern portion of the site, and another in the open space located behind the proposed units in the northwestern portions of the site. Pursuant to [MMC Chapter 14.15](#), a stormwater pollution prevention plan (SWPPP) and subsequent installation of an approved stormwater management system are required.
- b. Water – The applicant is proposing to connect to, and be required to upsize, the 6" water main in 84<sup>th</sup> Street. NE to an 8" main, and extend on site to serve the development.
- c. Sewer – The applicant is proposing to connect to the existing 8-inch sewer main that is currently located in 84<sup>th</sup> Street NE. This sewer main will be extended on site to serve the development.

Utility and street improvements will be addressed during civil construction plan review in order to ensure compliance with all of the applicable MMCs and other applicable standards.

Undergrounding of existing overhead utilities is a requirement of new developments.

#### **14. Application Review:** [MMC Chapter 22G.010.140](#)(3) requires the city to determine whether or not the project meets 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](#), townhomes are permitted outright in the R12 zone.

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

Staff Comment: Residential uses are permitted at a density of 12 d.u. per acre with a maximum density of 18 d.u. per acre. This project proposes a density of 16.8 units per acre (35 units/2.20 net project acres = 16.8), which complies with the density allowance.

The applicant has proposed utilizing Residential Density Incentives (RDI) benefits pursuant to [MMC 22C.090.030](#) to achieve bonus density. The following is the RDI calculation for the proposed development:

<b>BASE DENSITY – 12 DU/Acre</b>	2.20 acres x 12 DU/Acre = <b>26 Units</b>
<b>MAX DENSITY – 18 DU/Acre</b>	2.20 acres x 18 DU/acre = <b>40 Units</b>
<b>RDI CALCULATION</b>	
Benefit 3a: Community Image & Identification – Capital Contribution (\$25,000 per unit)	\$175,000 contribution = <b>7 Units</b>
Benefit 5a: Locational/Mixed Use – Located within ¼ mile of transit, 1 mile of Fire/Police Station, medical, shopping, and other community services (5% increase above base density)	Base Density = 26.49; 26.49 x 5% = 1.32 or <b>1 Unit</b>
Benefit 7c: Project Design – Perimeter Fencing (1 bonus unit per 500 lineal ft. of fence)	910 LF / 500 LF = <b>1.82 Units</b>
<b>RDI BONUS UNITS ALLOWED</b>	<b>9.82 or 9 Units</b>
<b>TOTAL UNITS ALLOWED</b>	<b>35 UNITS</b>

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

Staff Comment: The Comprehensive Plan designation for the subject property is Multifamily Low 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 this request and were used to establish appropriate conditions are as follows:

**LAND USE ELEMENT**

General Development Land Use Policies

*Policies:* LU-5, LU-9, LU-11

Residential Land Use Policies

*Policies:* LU-20, LU-25, LU-26, LU-28, LU-33

**HOUSING ELEMENT**

*Policies:* HO-4, HO-8, HO-15

**ENVIRONMENTAL ELEMENT**

Earth Goals and Policies

*Policies:* EN-19, EN-21

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

*Policies:* EN-38

**TRANSPORTATION ELEMENT**

Mobility Options

*Policies:* T-25, T-26

Financing

*Policies:* T-48

**UTILITIES ELEMENT**

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

**PARKS**

PK-9, PK-13

**PUBLIC FACILITIES & SERVICES ELEMENT**

Police, Fire, Library

*Policies:* PS-1, PS-5, PS-9, PS-23

Water, Sewer, Storm Drainage, Solid Waste

*Policies:* PF-1, PF-3, PF-9, PF-10

**SCHOOLS**

SC-6

d. Development Standards.

Staff Comment: The project site is currently zoned Multifamily Low Density (R12). The major types of new housing in the R12 zone will be attached and detached single-family residential, duplexes, apartments, and condominiums.

The proposed development and subsequent use of the property will comply with the intent of the R12 zone, and as conditioned herein, will meet all of the applicable development outlined in Title 22 MMC, *Unified Development Code*.

**15. In-House Days**

Pursuant to MMC Section [22G.010.200](#), a final decision on the application shall be made within 120 days from the date of the letter of completeness. A decision on the application was made forty-two (42) in-house days from the date of completeness.



## 2.0 RECOMMENDATION

Based on the foregoing findings and conclusions, and review of the City's regulatory authority to implement the policies, standards, and regulations of the Comprehensive Plan and MMC, the Community Development Director hereby grants Preliminary Site Plan Approval for MSR Tuscany Woods Townhomes, subject to the following conditions:

1. The preliminary site plan (Exhibit 026) shall be the approved preliminary site plan layout.
2. No access from the project site shall be permitted to/from 44<sup>th</sup> Drive NE. Signage prohibiting access may be required and shall be approved by the City's Traffic Engineer.
3. Applicant shall demonstrate implementation of Residential Density Incentives (RDI) consistent with [MMC 22C.090](#) in order to achieve a total of nine (9) bonus units. Proposed RDI's shall be implemented/paid prior to occupancy permits being granted.
4. Automated residential fire sprinkler systems shall be installed in all units and a fire sprinkler plan shall be provided at the time of building permit submittal.
5. Unit 35 shall be oriented towards 84<sup>th</sup> Street NE, including primary entry and windows, and shall provide a pedestrian path connecting the unit to the public sidewalk. Access for this unit shall be from the internal drive aisle.
6. Prior to building permit issuance, the applicant shall be required to demonstrate compliance with the Site and Building Design standards outlined in [MMC Chapter 22C.010.290](#).
7. Prior to civil construction plan approval, applicant shall demonstrate compliance with required parking, including demonstration that dimensional standards are met for garage parking.
8. The applicant shall submit payment to the City of Marysville for park impacts caused by the development pursuant to Chapter [22D.020 MMC](#). Park impact fees will be based on the fee schedules in effect at the time an individual building permit application is accepted by the City. Credit shall be given for one unit for the existing single family residence to be demolished.
9. The applicant shall submit payment to City of Marysville School District No. 25 for school impacts caused by the multi-family development pursuant to Chapter [22D.040 MMC](#). School impact fees will be based on the fee schedules in effect at the time an individual building permit application is accepted by the City. Credit shall be given for one unit for the existing single family residence to be demolished.
10. Prior to granting occupancy permits, declaration or covenants shall be required to be recorded with the Snohomish County Auditor, including provisions which address the following:
  - a. Maintenance of the common areas, drainage system, open space, landscaping and other private improvements within the development.
  - b. Provisions for storage, parking of boats, RV's, non-operable vehicles and similar vehicle storage so as not to reduce the proposed parking within the development, along with enforcement mechanisms for these provisions.
  - c. If the garage units are used for the required parking calculations, then a covenant shall be required that the garage facilities are used for parking of vehicles (only) and not used for storage.


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

11. All mechanical equipment shall be organized, proportioned, detailed, screened, landscaped (with decks or terraces) and/or colored to be an integral element of the building and minimize visual impacts from the ground level of adjacent streets and properties. For example, screening features should utilize similar building materials and forms to blend with the architectural character of the building.
12. 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 22C.120](#) as well as open space amenity details in compliance with [MMC 22C.0010.330](#), *Townhouse open Space*.
13. Prior to civil construction plan approval, the applicant shall have a lighting plan with photometrics designed in accordance with [MMC 22C.130.050](#)(3)(d) and [MMC 22C.010.290](#)(4)(c), approved by the Community Development Department.
14. Pedestrian pathways that traverse a parking area or drive-aisle are required to be constructed with concrete pavers or decorative colored, or stamped concrete clearly denoting the pedestrian pathway. This detail shall be provided on the civil construction plans.
15. Any/all encroachments shall be remedied prior to final inspections being granted. Any contested area shall be removed from the total project area and density calculations revised as needed.
16. The applicant shall be required to comply with the nine (9) mitigation measures outlined in the State Environmental Policy Act (SEPA) Mitigated Determination of Non-significance (MDNS) issued on December 20, 2023 (Exhibit 032, attached hereto).

**Prepared by:** *Amy*

**Reviewed by:** *Chris*

This **Administrative Site Plan APPROVAL** is issued under [MMC 22G.010.150](#)(h). Administrative decisions may be appealed to the Hearing Examiner in accordance with [MMC Chapter 22G.010](#), Article VIII Appeals. Appeals must be filed within fourteen (14) calendar days of the date of Administrative Site Plan Approval.

**Signature:**  \_\_\_\_\_ **Date:** 01/22/24

*Haylie Miller, CD Director*

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