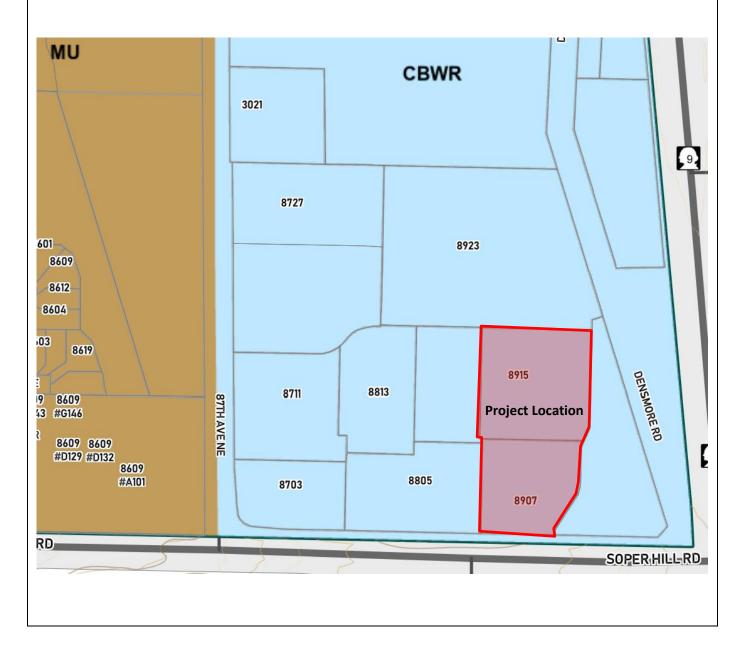


# ADMINISTRATIVE SITE PLAN & CONDITIONAL USE PERMIT APPROVAL

Community Development Department + 501 Delta Avenue + Marysville, WA 98270

		DD	OJECT INFO						
Project Title	White Barr			Date of F		September	24, 202	24	
File Number	wasn					Preliminary	y Site Plan (Exhibit 026)		
Administrative		e Commer	cial Site Pla	n and Conditional Use Permit subject to the provided					
<b>Recommendation</b> Conditions of Approval.									
		BAC	KGROUND	) SUMMA	<b>NRY</b>				
Applicant	Barghausen Consulting Engineers on behalf of Car Wash Enterprises, INC								
Request	Permit App	<b>proval</b> for a attended tr	construction ransaction p	n of a roug	ghly 3 <i>,</i> 0 1. The sit	e <b>rcial Site Pl</b> 00 sq. ft. auto te would inclu	omated	d car wash	tunnel
Project Location	8907/8915	Soper Hill	Road	APN(s) 00590700031903, 00590700031902					
Acreage (SF)	2.3 acres (1	L00,156 sq.	ft.)	Section	01	Township	29N	Range	05E
Comprehensive Plan	СВ	Zoning	WR-CB	Shorelin	horeline Environment N/A				
Water Supply	Current None		osed vsville	Sewer Sı	upply	Current None	t	Proposed Marysville	
Present Use of Property	Vacant								
		RE	VIEWING	AGENCIE	S				
Marysville	Local Age Distr		State &	Federal		County		Othe	r
Building         Development Services         PW – Engineering         PW – Operation         PW – Solid Waste         PW – Traffic         PW – WWTP         PW – Surface Water         POlice	Comcast       BNS         Lake Stevens SD       DAI         Lake Stevens (City)       DOI         PUD No. 1       WD         Ziply       WS         Marysville Fire       WD         District       WD		BNSF DAHP DOE WDFW WSDOT	☐ Pla ⊠ Pu De				<ul> <li>✓ Tulalip Tribes</li> <li>✓ Stillaguamish Tribe</li> </ul>	
Administrative	City Cou	uncil	U Quasi-	Judicial		anning Comn	nission		
Date of Action	September	25, 2024	🛛 Appro	ved		enied		Continu	ed
			STAFF CO	NTACT					
Name Emily Morgan	Title Senio	r Planner	Phone	360.363.8	3216	<b>E-mail</b> emorg	an@m	arysvillewa	a.gov

SURROUNDING USES				
	Comprehensive Plan	Zoning Land Use		
North	Commercial Business	WR-CB	Optum (FKA Everett Clinic) Medical Office	
East	Commercial Business	WR-CB	Vacant parcel and future trail connection (Densmore Rd)	
South	Residential	R6	City of Lake Stevens Jurisdiction / Single Family Residential	
West	Commercial Business	WR-CB	Commercial businesses (dental office, fast-casual restaurant, gas station)	
VICINITY MAP				



### FINDINGS OF FACT & CONCLUSIONS OF LAW

- 1. **Type of Review.** The proposed commercial site plan review and conditional use permit is an Administrative review.
- 2. **Project Description.** Barghausen Consulting Engineers on behalf of Car Wash Enterprises, INC (applicant), requested an Administrative Conditional Use Permit and Commercial Site Plan Approval for the construction of a roughly 3,000 sq. ft. automated car wash tunnel with an unattended transaction pay station.
  - 2.1. The proposed car wash facility would include 5-bay touchless carwash, vacuum station islands, on-site parking, and site landscaping.
- 3. **Site Description**. The overall site has been modified with fill to level and raise grade to prepare for development.
- 4. **Letter of Completeness**. The application was determined to be complete on November 1, 2023, with a letter of completeness provided to the applicant in accordance with MMC 22G.010.050.
- 5. **Public Notice.** Public notice of the development application was provided in accordance with MMC 22G.010.090.
- 6. **Request for Review.** A *Request for Review* of the proposed development was sent to the Local, County, State & Federal Agencies and Districts referenced on Page 1. The following comments were received:

	Nature of Comment
Public Works, Developmental Services	<ul> <li>Provided information regarding the required improvements which are to be further reviewed with Civil Plan Review.</li> <li>Capital facility fees would be required to be paid prior to issuance of the building permit.</li> </ul>
Public Works, Water Quality	Provided requirements for backflow prevention.
Public Works, Surface Water	Provided requirements for flow control and that the project would be subject to the 2019 Stormwater Management Manual for Western Washington
Public Works, Traffic Engineering	Requirements and recommendations are addressed in the approved Traffic Concurrency Recommendation and Acceptance (Exhibit 025 and Exhibit 027).
Marysville Fire District	<ul> <li>Access for fire apparatus appears to be acceptable.</li> <li>Water main extension with approved fire hydrants onsite may be required.</li> </ul>
Building Department	Provided requirements for the building permit submittal.
City of Lake Stevens	<ul> <li>Any work in the City of Lake Stevens ROW requires a City of Lake Stevens ROW permit and traffic control plan.</li> <li>If run off is being channeled to City of Lake Stevens drainage facility, coordination with the City is required</li> </ul>
	as drainage impact fees would be needed.
Snohomish County Public Works	The county concurs that the proposed development would not impact any county capital improvement projects or county roads with (3) or more directional peak hour trips.

- 7. **SEPA Review.** The proposed development is exempt from SEPA Review pursuant to MMC 22E.030.090(1)(d).
- 8. Access. The subject property is proposed to be accessed by a private roadway system within the White Barn BSP (PA20-043). The overall development currently has (2) access points, one from Soper Hill Road and one from 87<sup>th</sup> Ave NE. The internal road system dead ends to the north to allow for future connectivity.
- 9. **Traffic Impacts.** A traffic impact analysis (TIA) was prepared by Transpo Group, dated August 2023, revised by supplemental memorandum, dated May 28, 2024. According to the TIA, the proposed development would generate approximately 68 PM peak hour trips (PMPHT).

The City Engineer and Traffic Engineer reviewed the TIA and issued a written concurrency recommendation dated August 16, 2024 (Exhibit 025) informing the developer of the project's impacts and mitigation obligation pursuant to MMC 22D.030, *Traffic Impact Fees and Mitigation*. Pursuant to MMC 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 September 23, 2024 (Exhibit 027)

- 10. **Critical Areas.** The subject property does not have critical areas on or near the site; therefore, the provisions of MMC 22E.010 Critical Areas Management, would not apply.
- 11. **Utilities.** Utilities including water, sewer, and stormwater, are being provided by the overall site construction of the White Barn BSP.
- 12. **Site Plan 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:
  - 12.1. 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**: The site is currently zoned Whiskey Ridge – Community Business (WR-CB). Pursuant to MMC 22C.020.060 car wash facilities are permitted as a conditional use in the WR-CB zone.

12.2. Density of residential development in urban growth areas.

**Staff Comment**: The proposed use does not include residential development; therefore, this provision would not apply.

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

**Staff Comment**: The proposed development has been reviewed for compliance with the Comprehensive Plan to ensure consistency with the goals and policies related to Community Business designation, including the specific criteria for the East Sunnyside – Whiskey Ridge Neighborhood of Planning Area 4.

Planning Area 4 for East Sunnyside – Whiskey Ridge Neighborhood of the Land Use Element, identifies the Community Business designation as an area to develop commercial uses, auxiliary to downtown, to serve the needs of various areas. Per Land Use Figures 4-58 and 4-59, the proposed development is located in an area to be provided with upgraded water and sewer systems to adequately serve the project.

Staff finds that the proposed development, as conditioned, is consistent with the City of Marysville Comprehensive Plan.

### 12.4. Development Standards.

**Staff Comment**: The project site is currently zoned CB-WR (Community Business-Whiskey Ridge). The purpose of the CB-WR zone is to provide convenience and comparison retail and personal services for local service areas which exceeds the daily convenience needs of adjacent neighborhoods, but which cannot be served conveniently by larger activity centers, and to provide retail and personal services in locations within activity centers that are not appropriate for extensive outdoor storage or auto-related and industrial uses.

The proposed development is required to comply with the design standards of the East Sunnyside Whiskey Ridge Subarea Design Requirements of MMC Chapter 22C.070. Demonstrated compliance with architectural features, site design, and landscaping/screening were cursory reviewed with this application and deemed acceptable. Formal compliance review and approval of said provisions would be determined at time of civil plan review and building permit application submittal.

The proposed development and subsequent use of the property would comply with the intent of the CB-WR zone, and as conditioned herein, would meet all the applicable development standards outlined in Title 22 MMC, *Unified Development Code*. The proposed development, as conditioned herein, would make appropriate provisions for the public use and interest, health, safety, and general welfare.

- 13. **MMC 22G.010.430 Conditional Use Permit.** A Conditional Use Permit (CUP) shall be granted by the city only if the applicant demonstrates that:
  - 13.1. The conditional use is designed in a manner which is compatible with the character and appearance of the existing or the proposed development in the vicinity of the subject property.

**Applicant's Response:** The proposed project will be part of the White Barn development plan that allows for a range of uses including a gasoline service station with convenience store and a quick-service restaurant. The proposed use is compatible with the commercial uses contemplated for the overall development. Furthermore, the project has been successfully designed in a manner that is compatible with the appearance and topography of the surrounding area.

**Staff Comment:** With the development, landscape perimeter screening is proposed which would provide a visual separation from the development and neighboring properties. Other and commercial uses are present in the project vicinity and would be deemed compatible with the proposed use. Compliance with design standards and neighborhood compatibility required by MMC 22C.070 would be reviewed and enforced at time of building permit application.

13.2. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties.

**Applicant's Response:** The proposed project intends to be consistent with the objectives of standards as outlined in the City of Marysville Municipal Code, specifically Chapter 22C.070, East Sunnyside-Whiskey Ridge Subarea Design Requirements. All proposed structures are proposed to be under the height and impervious area limitations and are typical sizes for their type of use. Additionally, the project is designed in such a manner to enhance the character of the White Barn Development and welcome neighborhood circulation into the site.

**Staff Comment:** The proposed car wash facility is designed in accordance with the applicable provisions of the East Sunnyside Whiskey Ridge Design Requirements. Additional landscaping and screening are proposed along the southern and western property lines in order to adequately screen the vehicle queueing lanes from neighboring sites and from Soper Hill Road. Further, the proposed vehicle circulation plan has the traffic routing from the internal BSP roads into the site, with room for vehicle queueing entirely within the development site.

As proposed and conditioned, the CUP would not hinder the neighborhood character or circulation.

13.3. The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property and will be in harmony with the area in which it is to be located and in general conformity with the comprehensive plan of development of Marysville and its environs.

**Applicant's Response:** The car wash has been designed to be compatible with the physical characteristics of the property. The proposed buildings are oriented towards the street as guided by the East Sunnyside – Whiskey Ridge subarea design requirements in addition to providing landscaping and an open space area for pedestrians. The open space areas feature a hard-surfaced courtyard-type area with seating, capstone lighting, and landscaping for the enjoyment of all pedestrians.

**Staff Comment:** Per Findings 12.1, and 12.3, the car wash facility has been designed in a manner that would be compatible with physical characteristics of the subject property and harmonious with the surrounding area along with conforming to the Marysville comprehensive plan.

13.4. Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title.

**Applicant's Response:** The modifications requested are those related to landscape buffer reductions along Soper Hill Road and Drives A and B. To continue to meet the intent of the Code, substantial landscaping is provided along Soper Hill Road in addition to a pedestrian plaza, with bronze bear statues and seating areas for public enjoyment. In addition to the plaza, landscaping continues to screen the parking area and car wash buildings from Drives A and B with a reduced landscape buffer to the extent feasible while maintaining pedestrian and customer visibility for safety.

**Staff Comment:** Staff had reviewed the proposed landscaping along the property frontages and found they were acceptable. The landscaping plans were approved on July 26, 2024, under permit, LDA24-0013.

13.5. The conditional use will not endanger the public health or safety if located where proposed and developed, and the use will not allow conditions which will tend to generate nuisance conditions such as noise, dust, glare, or vibration.

**Applicant's Response:** The conditional use will not endanger the public health or safety as located where proposed. Noise and Traffic consultants have provided reports included with this submittal that show that the proposed conditions will not generate nuisances such as noise, dust, glare, or vibration. Special attention and design efforts were demonstrated prior to submittal to ensure that adequate noise mitigation was provided from surrounding property lines, consistent with the City or Marysville's noise ordinance. The type of equipment used at the facility and other design elements were selected to mitigate the

potential for noise concerns and satisfy WAC standards for maximum permitted sound levels.

**Staff Comment:** The applicant submitted a Noise Code Compliance Report, prepared by The Greenbusch Group, INC, dated October 1, 2023 (Exhibit 005). Based on the report, sound emissions are anticipated to exceed the codified sound limits. As a method of mitigation, doors are proposed to be included on the entrance and exits of the touchless car wash bays as well as a CMU enclosure being installed around the vacuum station.

As conditioned, the proposed car wash facility would not generate nuisance conditions, such as noise, dust, glare, or vibration.

13.6. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.

**Applicant's Response:** Pedestrian and vehicular traffic associated with the proposed uses will not be hazardous or conflict with existing and anticipated traffic in the surrounding area. The project provides adequate queuing capacity to minimize the potential for spillover outside the subject property.

**Staff Comment:** Per Finding 9, pedestrian and vehicular traffic associated with the use would not be hazardous or conflict with existing and anticipated traffic in the neighborhood.

13.7. The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities.

**Applicant's Response:** The conditional use will not adversely affect public services. The Brown Bear Car Wash project team does not anticipate any adverse impacts to public facilities.

**Staff Comment:** Per Finding 11 and as conditioned, the proposed conditional use would not adversely affect public services to the site or surrounding areas.

13.8. The use meets all required conditions and specifications set forth in the zone where it proposes to locate.

**Applicant's Response:** The project is designed to satisfy all required conditions and specifications as set forth in the Community Business – Whiskey Ridge zoning district.

**Staff Comment:** Per Findings 12.1 - 12.3 and as conditioned, the proposed development would meet all required conditions and specifications for car wash facilities, set forth in the CB-WR zone.

13.9. The use will not be injurious or detrimental to adjoining or abutting property, or that the use is a public necessity.

**Applicant's Response:** The proposed project will not be detrimental to any nearby properties or the community in general. The proposed car wash project will serve the community and has been planned to accommodate the adjacent properties with landscape buffering and fencing. Consideration has been taken to design the site and buildings to align with the standards and objectives in the Marysville Municipal Code.

**Staff Comment:** As conditioned, the proposed use would not be injurious or detrimental to adjoining or abutting property, or that the use is a public necessity.

14. **In House Days.** Pursuant to MMC 22G.010.200, a decision on this application was made within 120 days from the date of the letter of completeness. A decision on this application was made (61) inhouse calendar days from the date of completeness.

### CONDITIONS OF APPROVAL

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 MMC, the Community Development Department hereby grants preliminary Conditional Use Permit and Commercial Site Plan approval for the White Barn Brown Bear Car Wash development, subject to the following conditions:

- 1. The preliminary site plan received by the Community Development Department (Exhibit 026) shall be the approved preliminary site plan layout or as amended and approved during civil plan or building permit review.
- 2. All power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or lines shall be placed underground either by direct burial or by means of conduit or ducts providing service to each building.
- 3. Installation of landscaping shall be installed in accordance with the approved Landscaping Plan; a final planning inspection to ensure compliance with said plan is required.
  - 3.1. A landscape maintenance security in the form of a bond or assignment of funds shall be submitted. When the landscape work is complete, please submit invoices/receipts for the cost of labor and materials, so a landscape maintenance security amount can be determined.
- 4. Prior to building permit issuance, the applicant shall be required to demonstrate compliance with the Building Design Standards outlined in MMC 22C.070 Article VII. Building Design.
- 5. Pursuant to MMC 22C.070.220(2)(d), prior to building permit issuance, the applicant shall be required to demonstrate all mechanical equipment located on the roof, façade or external portions of a building are architecturally screened so as not to be visible from adjacent properties at street level or the public street. Mechanical equipment shall be screened by a primary building element or structure.
- 6. 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 required to be provided on the civil construction plans.
- 7. The proposed development shall comply with the mitigation measures outlined in the Noise Code Compliance Report, prepared by The Greenbusch Group, INC, dated October 1, 2023 (Exhibit 005).
- 8. Pursuant to MMC 22D.030.070(6)(a)(ii), the traffic concurrency determination and the project's impacts and mitigation obligations shall expire 6 years from date of this decision.
- 9. The project is subject to (3) traffic mitigation obligations as required by the Traffic Concurrency Recommendation, dated, August 16, 2024. Said obligations are as follows:
  - 9.1. 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 \$2,220.00, per PMPHT (\$2,220 X 68), totaling \$150,960.

9.2. Based on Section 4.2 of the TIA, the proposed development would generate 56 PMPHT affecting the intersection of 87<sup>th</sup> Ave NE and Soper Hill Road. The applicant shall be required to contribute on a proportionate share basis towards the construction of a compact, urban roundabout at the intersection of 87<sup>th</sup> Avenue NE and Soper Hill Road.

If the roundabout has not been fully constructed and accepted by the City of Lake Stevens, prior to building permit issuance, the applicant's proportionate share mitigation shall be vested at a rate of \$1,700 per PMPHT ( $$1,700 \times 56$ , totaling \$95,200).

- 9.3. Roadway frontage improvements shall be per original White Barn roadway improvement plans. Decorative street lighting per White Barn requirements as set forth in civil construction plans shall be installed upon 87<sup>th</sup> Ave NE, if not already installed.
- 10. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility to the public. If such elements are mounted in a location visible from the street, pedestrian pathway, common open space, or shared auto courtyards, they shall be screened by landscaping, fences, or walls.

Prepared by: Emily

Reviewed by: Chris

# DETERMINATION

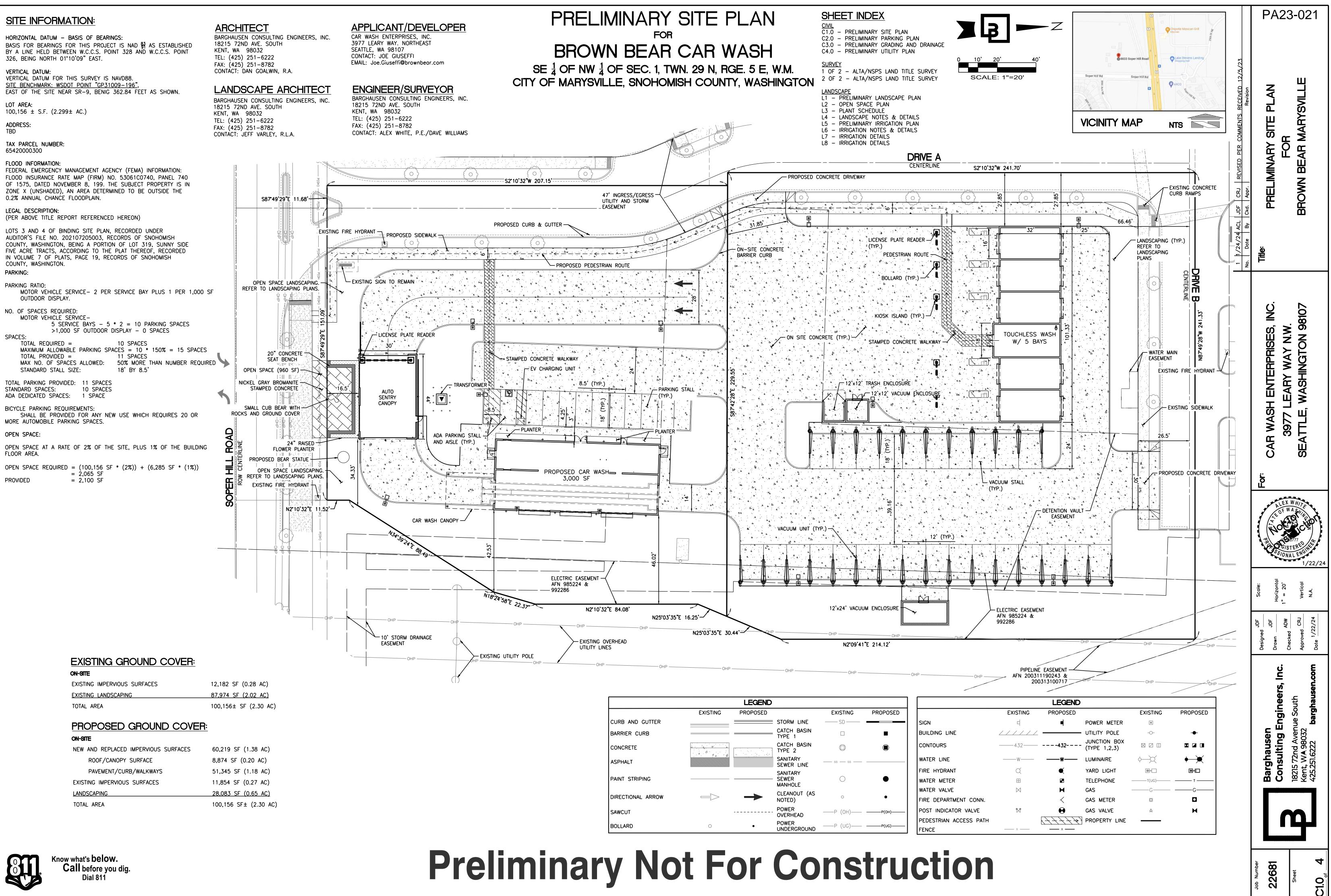
This *Administrative Conditional Use Permit and Commercial Site Plan APPROVAL* is issued under MMC 22G.010.150(h). Administrative decisions may be appealed to the Hearing Examiner in accordance with MMC Chapter 22G.010, Article VIII Appeals. Appeals must be filed within fourteen (14) calendar days of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

Signature:

Haylie Miller, CD Director

Date: 09/25/24

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.





**Dial 811** 

	EXISTING	PROPOSED		EXISTING	PROPOSED
CURB AND GUTTER			STORM LINE	SD	
BARRIER CURB			CATCH BASIN TYPE 1		•
CONCRETE			CATCH BASIN TYPE 2	$\square$	
ASPHALT			SANITARY SEWER LINE	ss	
PAINT STRIPING			SANITARY SEWER MANHOLE	$\bigcirc$	•
DIRECTIONAL ARROW			CLEANOUT (AS NOTED)	0	•
SAWCUT			POWER OVERHEAD	————P (OH)———	———Р(ОН)———
BOLLARD	0	٠	POWER UNDERGROUND	———P (UG)——	P(UG)