



MEMORANDUM

To: Amy Hess
Community Development Department
501 Delta Ave.
Marysville, WA 98270

From: Kirk Myers
Kimley-Horn and Associates, Inc.
1201 3rd Ave, Suite 2800
Seattle, WA 98104

Date: February 6, 2024

Subject: PA23-026- Cornelius LaceyPRD – Technical Review 1

Dear Ms. Hess,

The following are responses to your comment letter addressed to Ryan Larsen for the above referenced project dated December 7, 2023:

Binding Site Plan / Planned Residential Development Comments

Comment 1: [MMC 22G.090.560](#) requires that the design and development of subdivisions attempt to preserve the topography of the site by selection and location of buildings which fit the natural slope of the land. As proposed, with multiple areas/lots proposed to have retaining walls ranging from 3 to over 8 feet in height, it does not appear the proposal meets this requirement. Walls proposed strictly to obtain flat lots will not be permitted. Other alternatives (i.e. tuck-under house plans) should be implemented to reduce/eliminate wall height.

Response: Walkout lots have been added to various locations across the site to reduce walls and follow existing site topography. Where walkout lots were not feasible, lots were graded with a stepped foundation. These lots have 4 feet of fall from front of lot to back of lot, with a 4 foot wall at the back of lot as well, which results in 8 feet of fall across the length of the lot. This style of grading can be seen in lots 25-31.

Comment 2: Pursuant to [MMC 22D.050.030\(4\)\(e\)](#), if retaining walls taller than four feet are used, and are visible from the street or adjacent property, they shall be terraced so that no

individual segment is taller than four feet. Any walls ultimately permitted exceeding 4 feet shall comply with these requirements.

Response: Where ever feasible walls were limited to 4 feet. Walls that are taller are behind homes or will be screened with landscaping so they can't be seen from Public ROW or adjacent property.

Comment 3: The future 44th Street extension is a designated minor arterial. The side yard setback on arterials is 15 feet. This setback applies to all lots adjacent to 44th Street. Please revise site plan(s) accordingly.

Response: Addressed, there is a 15' side yard setback from 44th street to lots 1, 5, 12, 13, 20, and 21. There is a 10' Public Utility Easement labeled from the Right-of-way, as well as an additional 5' offset from the PUE line to the building footprint.

Comment 4: The following design standards, outlined in the East Sunnyside/Whiskey Ridge Design Standards in [MMC 22C.070](#), apply to the PRD:

- All residential developments shall be designed to front onto streets. Configurations where dwelling units and/or residential lots back up any street are prohibited except for those lots adjacent to State Route 9. For example, new subdivisions along 83rd Avenue NE could be configured so that lots fronting on the street feature alley access in the rear or other shared driveway access as approved by the City on the side of the lots. Lot configurations where side yards face the street are acceptable.

Staff Comment: Proposed Lots 21 – 26 are required shall front onto 83rd Avenue NE, rather than being set back. Proposed lots 1-4 will be required to front onto 83rd Avenue. Pedestrian access will be required for all lots on 83rd Ave. NE. Please add these connection points to the site/civil plans.

Response: Lots 1-4 will be facing 83rd Ave NE and will have an access out to the public ROW that will be shown on the final construction plans. As discussed with staff lots 25-31 have open space between the lot and ROW. This approach is acceptable to the City per our conversations.

- 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 3-1/2 feet unless a taller wall is required, per the Director, to mitigate significant noise and traffic impacts. **This will be applied to all lots adjacent to Road A (44th Street), 83rd Avenue NE, as well as lots interior to the**

project.

Response: Noted.

- The maximum height of any decorative wall or fence which allows visibility (no more than 50% opaque), such as a wrought iron or split rail fences, shall be 6 feet. Such fences shall be set back from the sidewalk at least 3 feet to allow for landscaping elements to soften the view of the fence.

Response: Noted

- In development configurations where side yards abut a street, fences taller than 3-1/2 feet shall be setback at least 5 feet 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 plat. ***This will be applied to all lots adjacent to Road A (44th Street) and applicable interior lots. Landscape plans shall be revised prior to civil construction plan approval.***

Response: Noted

- Developments shall avoid configurations that have uses that back up against a street. Where unavoidable, fences between a street and any use shall be limited to 3-1/2 feet in height.

Response: Per coordination with Staff, lots 25-31 (previously lots 21-26) will not be feasible to front 83rd Ave NE. Road C, located internal to the site and parallel to 83rd Ave NE, has been shifted east to allow for ample spacing for lots as well as usable open space. These lots will have stepped foundations to reduce retaining wall heights to 4 feet. Lots 1-4 will front onto 83rd Ave NE and will show the connections at final civil design.

Freestanding wall design along lots adjacent to 44th St and fronting 83rd Ave will be added at final design. It has been noted these will be required.

5' of landscaping added to side yards that abut street (all lots adjacent to Road A)

Comment 5: Auto courts 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, or as amended. 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.

Response: Noted, a detail for surfacing the auto courts will be provided with the civil construction plans.

Comment 6: Prior to recording the **FINAL BSP** the applicant shall be required to provide **FINAL** restrictive covenants as required by [MMC 22G.080.120](#) and including provisions to address parking enforcement, together with a statement from a private attorney as to the adequacy of the same to fulfill the requirements of the PRD code.

Response: Noted will be submitted with the Final BSP.

Comment 7: All lots less than 5,000 square feet shall comply with the Small lot single family dwelling development standards outlined in [MMC 22C.010.310](#).

Response: Noted

Open Space Comments

Comment 8: Common open space is required pursuant to [MMC 22G.080.100](#). The common open space must be arranged to maximize usability, must be observable by the neighborhood residents, be centrally located within the project, and abut a neighborhood street.

Staff comment: Tract 999 is proposed to be located on the north end of the project property. This location does not meet the requirement for open space to be centrally located or abut a neighborhood street. It appears that the majority of the tract is accessible only via E Sunnyside School Road. The open space tract will need to be relocated in a manner that is accessible to all residents. Please provide revised open space calculations upon resubmittal.

Response: Per coordination with Staff, Tract 999 was considered to be relocated to the center of the site, however, during these communications, it was found that relocating the open space would remove it from the passive open space areas. Tract 999 has been expanded along 83rd Ave NE to allow access for other residents.

Landscaping Comments

Comment 9: A final landscape plan shall be required to be approved, prior to civil construction plan approval, and designed to comply with the applicable provisions outlined in [MMC Chapter 22C.120, Landscaping and Screening](#).

9.1. Location of precast vault lids need to be shown as well as proposed access to said lids.

Response: Location of precast vault lids are shown on the plan and can be accessed.

9.2. Ensure compliance with the fencing/screening standards of [East Sunnyside Whiskey Ridge Design Standards](#).

Response: Fencing/screening standards have been addressed

Comment 10: All stormwater management facilities, including vaults, are required to be screened with a 5-foot type L1 buffer.

Response: Stormwater management facilities have been screened with min. 5' type L1 buffer.

Critical Area Review Comments

Comment 11: Staff has reviewed and concurs with the findings in the Critical Area Determination Report prepared by Wetland Resources, dated October 27, 2023.

Response: Noted, thank you.

Public Works Comments

Comment 1: Traffic impact fees will be required from the City and depending on trip generation/distribution, may be required from the County and State.

Response: Noted.

Comment 2: A Traffic Impact Analysis (TIA) will be required.

- a. This would include, for City approval, development of trip generation/distribution followed after City review/approval by identification of impacts and, where required, mitigation approaches.
- b. TIA should follow City guidelines to be provided.

- i. Single family homes Trip Generation shall be 1 PM peak Hour trip per unit consistent with development of Traffic Impact Fee (TIF) calculations.
- c. Trip Distribution shall follow representations to be provided for neighboring areas developed based upon Comprehensive Plan Traffic Model to be provided.
 - i. Horizon Year map shown within TIA is incorrect as existing Sunnyside School RD alignment will become a multi-use trail with 44th ST NE extended through development(s) to 87th Ave NE including a full 4-leg intersection at 83rd Ave NE & 44th ST NE.
 - 1. This affects Horizon Year Intersection analysis as intersections analyzed will be combined into single intersection.

Response: Noted, a Traffic Impact Analysis was submitted with the first review and is resubmitted with this review

- Comment 3: Frontage improvements shall be required upon 83rd Ave NE frontage.
- a. Roadway cross-section shall be 70' ROW three lane roadway with bike lanes per EDDS Standard Plan 3-201-004.
 - i. Cross-section shall identify with dimensions existing and proposed pavement width with channelized lane widths to ensure that roadway will be constructed to standard.

Response: Frontage improvements along 83rd Ave NE have been included in this set of plans. There is an existing 30' ROW currently shown from the section line, and an additional 10' of ROW is being provided per Staff review during the Pre-Application process. See sheet 2 for the roadway typical sections.

- Comment 4: Per the Comprehensive Plan, 44th ST NE shall be extended east from 83rd Ave NE to 87th Ave NE as a relocation of the E Sunnyside School RD minor arterial.
- a. Roadway cross-section shall be 70' ROW three lane roadway with bike lanes per EDDS Standard Plan 3-201-004.
 - i. ROW shall be provided on the Northeast corner of intersection of 83rd Ave NE & 44th ST NE to enable potential for future traffic signal installation.
 - ii. Suggested ROW shall be recommended as 5' behind sidewalk around radius from outside extent of curb ramps.

Response: Addressed, see sheet 2 of Preliminary Civil Construction documents for the roadway typical sections.

- Comment 5: 85th Ave NE extension (Road D):
- a. 85th Ave NE residential street, to provide for layout consistent with adjacent developments, shall be constructed as half street improvement along eastern property line.
 - b. Coordination with adjacent property(s) development plan layout is strongly encouraged.

Response: Addressed, Road B (previously Road D) is shown to follow eastern property line. This has been coordinated with the adjacent property to be consistent across both developments.

- Comment 6: Per EDDS 3-506, street lighting will be required.
- a. Roadways:
 - i. Street Lighting upon public residential streets shall be PUD installed fiberglass pole installation type street lighting utilizing 100 watt equivalent LED fixtures.
 - ii. Street Lighting upon Arterial Streets of 83rd Ave NE and 44th ST NE shall be PUD installed fiberglass pole installation type street lighting utilizing 250 watt equivalent LED fixtures.
 - b. Spacing of fixtures should be approximately 180'-220'.
 - c. As part of civil construction approval proposed PUD street lighting locations will be provided by the City to the developer for submission to PUD and incorporation into the PUD site electrical plans.
 - d. Snohomish County PUD Process:
 - i. For specific questions regarding street lighting, contact Eddie Haugen of Snohomish County PUD at (425) 783-8276 or wehaugen@snopud.com for more information.

Response: Noted, street lighting locations will be provided with final civil construction plans.

- Comment 7: A signing and channelization plan shall be required as part of civil construction plans.

Response: Noted, a signing and channelization plan shall be provided as part of the civil construction plans.

Civic Campus Comments

- Comment 1: **Existing utilities:**
- a. Sanitary sewer: There is currently a new sewer forced main located at the intersection of E. Sunnyside School RD and 87th Ave NE. Project is proposing to connect to the sewer extension proposed for the East Sunnyside PRD development that will extend sewer to the northeast corner of the site.

- b. Water: There is a 16" ductile iron water main and a 24" ductile iron water main located in 83rd Ave NE & record drawings RD299 and W604.
- c. Storm: There is only an open channel ditch located along 83rd Ave NE.

Response: We concur with these findings.

Comment 2: Per MMC 14.03.250, utilities are to be extended along the street frontages of the proposed project.

- a. Sewer will need to be extended along the project frontage along 83rd Ave NE.
- b. Water is already installed along the project frontage.
- c. Storm will need to be extended along the project frontage.

Response: Sewer has not been provided along the project frontage in 83rd Ave NE due to gravity flow constraints on site. There is not ample grade differentials from 83rd Ave NE for gravity flow to occur to the ultimate tie in location in E Sunnyside School Rd. Storm inlets are currently shown along the project frontage in both 83rd Ave NE and 44th St.

Comment 3: **Frontage Improvements:** Frontage improvements are required per MMC 12.02A.090 on all projects. Frontage improvements are described as curbs, gutters, and sidewalks; underground storm drainage facilities; patching the street from its preexisting edge to the new curb line; and overlayment of the existing public street to its centerline.

- a. 83rd Ave NE is classified as a minor arterial street and is to be built compliant with SP 3-201-003 of the EDDS and shall have a 6' sidewalk and 6' planter.
- b. 44th ST NE (Road A) is to be built as per SP 3-201-004 of the EDDS as a half street improvement.
- c. No frontage improvements will be required along Sunnyside School Rd.

Response: Noted, 83rd Ave NE will include a 6' sidewalk and a 6' planter. 44th St NE will be built as a half street improvement in compliance with SP 3-201-004.

Comment 4: **Dedication Requirements:**

- a. It appears that an additional 5' of right-of-way is required for 83rd Ave NE.

Response: Addressed, the proposed right-of-way along 83rd Ave NE is 40' from section line.

Comment 5: **Access:**

- a. The current location of Road D will not work with the layout of the neighboring developments. Road D will need to be shifted to the east along the property boundary and only need to be a half-street. See Standard Plan 3-206-001.
- b. The minimum width of a residential driveway is 12-feet and the maximum is 26-feet. Curb cuts shall be limited to a 20 foot maximum.
- c. Per EDDS 3-302 bullet 5: A minimum corner clearance of 50 feet shall be maintained from the nearest edge of any access point to the edge of traveled way. When minimum corner clearances cannot be attained, the Engineer may require investigation to substantiate whether or not left turns should be prohibited into or out of the access point. See standard plan 3-301-001 dimension A. (only applies to subdivisions off of an arterial)
- d. The new roads shall be constructed to SP 3-218-001.
- e. Auto courts are permitted in a PRD. The auto court is to be built per the private road profile, SP3-202-004, with decorative concrete or stamped asphalt. They shall not exceed 150' in length or come off of a cul-de-sac and shall serve a maximum of 6 lots.
- f. Elbow intersections per SP 3-209-002 are allowable on local access streets only and are subject to intersection spacing requirements established under section 3-209 of the EDDS.

Response: Road B (previously Road D) has been reconfigured to follow the eastern property boundary and turns to follow the previously shown alignment of Road B.

Comment 6: **Drainage:** All projects in the city of Marysville must comply with requirements stipulated under the MMC 14.15.040 and 14.15.050.

- a. Stormwater drainage: The city has adopted the 2019 Ecology Manual. Projects above the 2,000 square feet and/ or 5,000 square feet threshold must comply with requirements stipulated in Volume I of the Stormwater Management Manual for Western Washington.
- b. A geotechnical report will be required. Should infiltration methods be proposed and less than 5 feet of separation exists to the seasonal high water table, a mounding analysis will be required. The mounding analysis shall be performed during the wet season.
- c. The maximum allowed impervious surface coverage for the Zoning designation is 70%.

Response: Noted, the project will comply with requirements in Volume I of the Stormwater Management Manual for Western Washington. A geotechnical report will be provided with the civil construction plans. The current impervious surface coverage for the site is 68.9%.

Comment 1: Survey control datum NAVD-88 and NAD-83 are required to be used. Civil construction plans will not be accepted in any other datum.

Response: Noted, the survey control datum NAVD88 is being used for this site.

Comment 2: Fire flow will need to be completed prior to 1st civil plan review and submitted with 1st civil plan review.

Response: Noted.

Comment 3: Trench restoration is to be completed in accordance with section 3-703 of the EDDS. A full lane or full street overlay may be required.

Response: Noted.

Comment 4: The onsite grading and placement of any retaining walls must be compliant with section 22D.050.030 of the MMC.

Response: Noted.

Comment 5: A right of way use permit for all work proposed within City right of way is required. Cost for the ROW permit is \$648.00. ROW permit fees must be paid before right of way permit issuance.

Response: Noted.

Comment 6: The applicant is responsible for identifying any existing well or septic systems on site or on adjacent properties. If there are any existing septic systems on site they need to be decommissioned based on the Snohomish Health District standards. If there are any wells on site they need to be decommissioned based on Department of Ecology standards.

Response: Noted.

Comment 7: Please refer to MMC 22G.030.020 for applicable plan review and construction inspection fees.

Response: Noted.

Comment 8: **All civil construction plan submittals are to be routed directly to Kacey Simon, Civil Plan Reviewer.** The first *civil construction* plan submittal is to consist of a completed grading permit application, a plan set, a copy of the drainage report and a copy of the geotechnical report. **Once the documents are ready to be submitted, we will provide you a link to where the materials can be uploaded to.**

- a. Review timing:
 - i. First review = 5 weeks
 - ii. Second review = 3 weeks
 - iii. Third review = 3 week
 - iv. Subsequent reviews will be 3 weeks.

Response: Noted.

Comment 9: Please be advised these comments are in reference to specific items and do not imply a full review of the proposed application. Additional comments which may change the design requirements will be provided during the civil construction plan review process.

Response: Noted.

Fire Authority Comments

Comment 1: Residential fire sprinklers will be required to be installed in lots 1, 5, 12, 13, 31, 35, 39, 43 due to distance from ROW. This shall be reflected on civil plans for approval.

Response: Lots 1, 5, 12, 13, 20, 21, 35, 39, 43, and 47 (previously labeled as lots 1, 5, 12, 13, 31, 35, 39, and 43) will be proposed to have residential fire sprinklers installed. These lots have been notated as such on the Utility Plan in the Preliminary Sheet Set.

Comment 2: 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.

Response: Noted.

Comment 3: Any fire code required construction permits (IFC section 105.7) are obtained through Marysville Community Development at 501 Delta Avenue.

Response: Noted.

Comment 4: 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.

Response: Noted.

Comment 5: It is the developer's responsibility to see that adequate water for fire protection is attainable. Check with the city Public Works Dept. for water system information.

Response: Noted.

Comment 6: The minimum required fire flow for hydrants protecting SFR dwellings is 1,500 gpm (with 20-psi minimum residual pressure) for dwellings exceeding 3,600 square feet in size.

Response: Noted.

Comment 7: Maximum hydrant spacing for the proposed use is maximum 600' apart.

Response: Addressed.

Comment 8: An adequate access route for fire apparatus must be in service prior to any building construction.

Response: Noted.

Comment 9: 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.

Response: Noted.

Comment 10: "NO PARKING - FIRE LANE" signs are required on both sides of autocourts. The signage will need to be identified on the approved Civil Plans.

Response: Noted.

Comment 11: Access for firefighting operations along all sides of all buildings is required. A minimum 5' wide side access and 10' wide rear access is needed for SF dwellings. All parts of building exteriors should be accessible for firefighting by an approved route around the building, and be within 150 feet of a minimum 20' wide fire apparatus access.

Response: Addressed.

Comment 12: The city address committee will determine road names and address numbers for the lots.

Response: Noted.

Comment 13: Future homes to be constructed may require residential fire sprinkler installation for a number of reasons, including: If a home is three or more stories tall, exceeds 3,600 SF fire area, the distance from a public ROW to the furthest part of a home exceeds 200', deficient access to any part of a home, lack of hydrants, or if the fire flow from hydrants does not meet fire code requirements.

Response: Noted. Homes that are currently known to be sprinklered have been noted on the Utility Plan in the Preliminary Civil Set.

Comment 14: Where residential fire sprinklers may be required the developer should install a water service per Standard Plan 2-090-001 Full ¾" x 1" Meter Service. Under this plan a 1" tap is made at the water main and 1" piping is run to the 1" meter setter. If in the end a ¾" water meter will suffice then all that is required is to install two reducer bushings with the ¾" water meter. A single service tap should be used where sprinklers are required, not a double service installation.

Response: Noted.

Additional Public Works Comments

Comment 1: New water main needs to be connected by a live tap to the 16" water main on 83rd Ave, plans currently show connection to JOA;

Response: Addressed, a proposed water tee is now shown on the existing water main in 83rd Ave NE with only one valve located on each of the proposed lines entering the site.

Comment 2: Do not see any hydrant assemblies along 83rd Ave NE, verify hydrant installation follows design and construction standards 2-060;

Response: No hydrant assemblies are proposed along 83rd Ave NE. There are two existing hydrants located on the west side of the street. All proposed units are within 300' of a proposed or existing hydrant.

Comment 3: Air vacs will need to be installed as needed;

Response: Noted.

Comment 4: Water details not shown.

Response: Water details will be included with the Civil Construction Set.

Additional Public Works Comments

Comment 1: The City has adopted the 2019 Stormwater Management Manual for Western Washington.

Response: Noted.

Comment 2: For residential projects triggering minimum requirements #6 Runoff Treatment and #7 Flow Control, the stormwater facility lot will be dedicated to the HOA when there are park amenities on the lot. The HOA will be responsible to maintain the landscaping and park amenities. The City will receive an easement to maintain the vault. This policy may be modified depending on facility design.

Response: Noted.