

LATTA ENGINEERING, PLLC

Consulting Civil Engineers

May 28, 2022

Ms. Emily Morgan - Senior Planner
City of Marysville – Community Development Department
80 Columbia Avenue
Marysville, WA 98270

**Re: Incomplete Application Letter – PA22-019
Groundhog PRD, 83 Avenue NE, Marysville, WA**

Dear Ms. Morgan,

Latta Engineering Ltd (LE) has prepared this letter to address your *incomplete application* determination dated May 18, 2022 (see attached copy of your incomplete application letter for reference).

1. As indicated in the submitted materials, the project has identified the presence of on-site and off-site critical areas. Due to the known presence of critical areas, a detailed critical area assessment is needed. The following is required to be submitted with the formal land use application:
 - a) It appears permanent buffer impacts are proposed for Wetlands A & D. It is unclear if off-site Wetland E buffer extends onto the proposed development site. Pursuant to MMC 22E.010.100(5) buffer widths may be averaged or reduced, no more than 25 percent, subject to the buffer averaging and reduction sequencing criteria. If a buffer reduction greater than 25% is proposed a variance would be required to be approved by the Hearing Examiner in accordance with MMC 22E.010.100(13).
 - See attached Conceptual Mitigation Plan report prepared by Soundview Consultants LLC dated May 27, 2022. This report addressed buffer impacts and buffer averaging in accordance with MMC as noted above.
 - b) Demonstrate mitigation sequencing per MMC 22E.010.110 for the proposed critical areas impacts have been addressed. Specifically, it appears the applicant is proposing to fill Wetland B. In addition to demonstrating compliance with MMC 22E.010.110, the applicant is required to obtain approval from the US Army Corps of Engineering and Washington State Department of Ecology in order to fill Wetland B. The JARPA application will need to be submitted concurrently with the land use application.
 - See attached Conceptual Mitigation Plan report prepared by Soundview Consultants LLC. This report addressed mitigation sequencing per MMC as noted above.
 - Applicant understands that approval from the USACE and WSDOE is required in order to fill Wetland B (JARPA application submitted concurrently with the land use application). Soundview Consultants, LLC is currently preparing said joint permit application to the USACE and WSDOE to obtain all necessary state and federal authorizations required for this project as noted.

- c) Based on the scope of development, impacts to the wetlands are anticipated, including grading activity within the required buffers. A preliminary wetland mitigation and enhancement plan is required to be prepared in accordance with MMC 22E.010.120 through MMC 22E.010.160.
 - o See attached Conceptual Mitigation Plan report prepared by Soundview Consultants LLC. This report includes wetland mitigation measures and a preliminary wetland enhancement plan in accordance with MMC as noted above.
2. To aid in keeping the application moving, staff could route the Critical Area Review Application separately from the proposed land division, to allow for review and comments from the applicable agencies as related to the critical areas and the provided critical area report. This would allow for comments received to be incorporated in the updated critical area assessment. Please advise if you would like staff to assign a separate Critical Areas Review file number and route for critical areas confirmation in advance of completion of the items outlined in Comment No. 1.
 - o Please do not route the Critical Area Review Application separately from the proposed land division. The attached Conceptual Mitigation Plan report prepared by Soundview Consultants LLC addresses the items outlined in Staff Comment No. 1.
3. As indicated in the project narrative, bonus density is proposed via Residential Density Incentive (RDI) 6a. Clarification is needed to demonstrate compliance with the application of said RDI. As proposed, the active open space does not meet the definition of MMC 22.090.040. Please provide clarification as to what distinguishes the open space as “active”.
 - o This PRD application only requires a single RDI credit (1 unit) to achieve the proposed density of 25 lots.
 - o The application includes a dual use storm detention tract (Tract 999) however the preliminary landscape plan currently proposes only passive recreation (RDI-6b) on this tract. Moreover, RDI-6b provides 2 bonus units per acre of the storm water facility tract used for passive recreation (0.263 Ac x 2 = 0.526 units). If the applicant chooses to modify the landscape plan to include either playground equipment or a multipurpose sports court, Tract 999 would satisfy the active open space definition per MMC 22.090.040.
 - o To ensure sufficient RDI credits are provided for this application, the applicant is also proposing perimeter fencing (RDI-7c) along the PRD boundary (810 LF of fence along the PRD west and south property boundary (Lots 1 through 15), and 210 LF of fence along the PRD north property boundary (Lots 16 through 20 and Tract 999)). Moreover, RDI-7c provides 1 bonus unit per 500 LF of perimeter fencing (1,020 LF / 500 = 2.04 units).
 - o In summary, the Residential Density Incentives proposed (RDI-6b and RDI-7c) exceed the minimum RDI requirements for this project. An updated RDI summary is provided on the revised Civil Plan Sheet C-1 (see attached).

If you have any questions or comments regarding this letter, please contact the undersigned at (360) 671-7002.

May 28, 2022

Incomplete Application Letter – Groundhog PRD (PA22-019)

Sincerely,

Latta Engineering, PLLC



Neil Latta, P.E.
Principal Engineer

Attachments:

1. *Copy of City Incomplete Application Letter dated May 18, 2022*
2. *Conceptual Mitigation Plan Report prepared by Soundview Consultants LLC dated May 27, 2022*
3. *Civil Plan C-1 (Cover Sheet) with revised Residential Density Incentive summary dated May 28, 2022*



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 651-5100 ♦ (360) 651-5099 FAX

May 18, 2022

Neil Latta
Latta Engineering, PLLC
5970 Birch Point Rd
Blaine, WA 98230

Re: PA22-019 – Groundhog PRD –*Incomplete*

Dear Neil,

Your application has been determined to be ***incomplete*** as of the date of this letter. Please provide the following items, as they are necessary to determine a complete application for processing:

1. As indicated in the submitted materials, the project has identified the presence of on-site and off-site critical areas. Due to the known presence of critical areas, a detailed critical area assessment is needed. The following is required to be submitted with the formal land use application:
 - a. It appears permanent buffer impacts are proposed for Wetlands A & D. It is unclear if off-site Wetland E buffer extends onto the proposed development site. Pursuant to MMC 22E.010.100(5) buffer widths may be averaged or reduced, no more than 25 percent, subject to the buffer averaging and reduction sequencing criteria. If a buffer reduction greater than 25% is proposed a variance would be required to be approved by the Hearing Examiner in accordance with MMC 22E.010.100(13).
 - b. Demonstrate mitigation sequencing per MMC 22E.010.110 for the proposed critical areas impacts have been addressed. Specifically, it appears the applicant is proposing to fill Wetland B. In addition to demonstrating compliance with MMC 22E.010.110, the applicant is required to obtain approval from the US Army Corps of Engineering and Washington State Department of Ecology in order to fill Wetland B. The JARPA application will need to be submitted concurrently with the land use application.
 - c. Based on the scope of development, impacts to the wetlands are anticipated, including grading activity within the required buffers. A preliminary wetland mitigation and enhancement plan is required to be prepared in accordance with MMC 22E.010.120 through MMC 22E.010.160.
2. To aid in keeping the application moving, staff could route the Critical Area Review Application separately from the proposed land division, to allow for review and comments from the applicable agencies as related to the critical areas and the provided critical area report. This would allow for comments received to be incorporated in the updated critical area assessment. Please advise if you would like staff to assign a separate Critical Areas

Review file number and route for critical areas confirmation in advance of completion of the items outlined in Comment No. 1.

3. As indicated in the project narrative, bonus density is proposed via Residential Density Incentive (RDI) 6a. Clarification is needed to demonstrate compliance with the application of said RDI. As proposed, the active open space does not meet the definition of MMC 22.090.040. Please provide clarification as to what distinguishes the open space as "active".

If you have any questions regarding the additional information needed in order to complete the land division application, please contact me at emorgan@marysvillewa.gov, or by phone at 360-363-8216.

Sincerely,



Emily Morgan
Senior Planner

e-copy: Haylie Miller, CD Director
Chris Holland, Planning Manager
Joey Ferrick, Groundhog Land Development