



COMMUNITY DEVELOPMENT DEPARTMENT  
80 Columbia Avenue ♦ Marysville, WA 98270  
(360) 363-8100 ♦ (360) 651-5099 FAX

November 1, 2022

Merle Ash  
Land Technologies, Inc.  
18820 3<sup>rd</sup> Avenue NE  
Arlington, WA 98223

Re: James G. Murphy Auctioneers – *Technical Review 1*  
PA22037

Dear Merle,

After preliminary review of the above referenced proposal, the Planning Division has the following comments:

1. Portable offices are not permitted on-site. The applicant shall be required to submit a building permit for a permanent structure on a fixed foundation.
2. Provide the encumbrance documents outlined in the Title Report prepared by Chicago Title Insurance Co., dated September 28, 2022.
3. Pursuant to MMC 22C.020.330(3) the maximum fence height in Industrial zones is 10' (8' proposed). All fences greater than 6' in height require a building permit.
4. Sheet P1 shall be amended, as follows:
  - a. Include File No. PA22037 on all future plan submittals.
  - b. Depict all encumbrances outlined in the Title Report prepared by Chicago Title Insurance Co., dated September 28, 2022, including reference to the applicable Auditor's File Number (AFN). If the encumbrances cannot be depicted then they shall be referenced.
  - c. Pursuant to MMC 22C.020.320, storage space shall be apportioned and located in collection points, and designed, as follows:
    - . Commercial:
      - 3 SF per every 1,000 SF of manufacturing GFA.
      - Storage space may be allocated to a centralized collection point.
      - Outdoor collection points shall not be located in any required setback areas.
      - Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site, or project into any public right-of-way.
      - Access to collection points may be limited, except during regular business hours and/or specified collection hours.

- Generally:
  - Dimensions of the collection points shall be of sufficient width and depth to enclose containers for recyclables.
  - Architectural design of any structure enclosing and outdoor collection point or any building primarily used to contain a collection point shall be consistent with the design of the primary structure(s) on the site.
  - Collection points shall be identified by signs not exceeding 2 SF.
  - A 6' minimum high wall constructed of concrete block or brick shall enclose any outdoor collection point.
  - Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least 12' wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least 12'.
  - Weather protection of recyclables shall be ensured by using weather-proof containers or by providing a roof over the storage area.
- d. In addition to the collection for recyclables outlined above, all developments shall provide a designated spot for service elements (refuse and disposal). Such elements shall meet the following requirements:
  - Service elements shall be located to minimize the negative visual, noise, odor, and physical impacts to the street environment, adjacent (on and off-site) residents or other uses, and pedestrian areas.
  - The designated spot for service elements shall be paved with concrete.
  - Appropriate enclosure of the common trash and recycling elements shall be required, as follows:
    - A 6' minimum high fence constructed of concrete block or brick enclosing trash and recycling receptacles is required. Coordination with the current franchise hauler is required. Enclosures shall include screening for any openings.
      - Preferably, service enclosures are integrated into the building itself.
- e. Provide 5' minimum width landscape islands at the end of parking rows and every 10 stalls. Protective curbs are required around the perimeter of all interior landscaped areas.
- f. Pursuant to MMC 22C.130.050(3)(a)(i) in order to control dust and mud, all vehicle areas must be surfaced with a minimum all-weather surface. Gravel surfacing is not considered an all-weather surface.

Surplus (overflow) parking and storage areas, located on APN 30050400200200, is exempt from the all-weather surface requirement, provided, all surfacing must provide for the following minimum standards or approval:

- Gravel parking facilities shall be surfaced with no less than three inches of crushed gravel.
- Dust is controlled.
- Storm water is treated to city standards.

- . Rock and other debris is not tracked off site.
  - . Driveway and approaches shall be paved with an all-weather surface, specified by the city engineer, from at least 20 feet back from the property line to the street.
- g. Bicycle parking shall be provided at a rate of 5% of the number of required off-street auto parking spaces.
- h. The proposed off-street parking stalls do not comply with the dimensional requirements outlined in MMC 22C.130.050 Table 2, particularly the stall depth for both the perpendicular and angled stalls.
- i. The proposed ADA stall is required to be a van accessible stall with an 8' load and unload area. The parking stall shall be amended accordingly.
- j. Provide a minimum 5' wide raised pedestrian pathway along the frontage of the building.
5. The Landscape Plan shall be revised as follows:
- a. The scale is incorrect.
  - b. Add the landscape maintenance notes from MMC 22C.120.180.
  - c. Add the following note:
    - . 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 or pedestrian pathway they shall be screened with vegetation or by architectural features.
  - d. Provide Bowhall Red Maple street trees along State Avenue.
  - e. The required 5' perimeter buffer does not comply with the L1 screening requirements. General guidelines for an L1 buffer include:
    - . A mix of primarily evergreen trees and shrubs placed to form a continuous screen;
    - . At least 70 percent evergreen trees;
    - . Evergreen trees spaced no more than 15 feet on center;
    - . Deciduous trees spaced no more than 20 feet on center;
    - . Evergreen shrubs spaced no more than four feet apart; and
    - . Ground cover.
  - f. Stormwater management facilities require a 5' L5 landscape buffer around the entire perimeter of the facility.
  - g. In addition to the hardscaped screening requirements for garbage collection, dumpsters and recycling areas, a minimum 5' L2 screen shall be provided around the perimeter. Solid Waste and Recyclables collection areas shall be screened accordingly.
6. Provide an illumination plan designed in accordance with MMC 22C.130.050(3)(d), as follows:
- a. 25' maximum height;
  - b. Fixtures shall be full cut-off, dark sky rated, with lower fixtures preferable so as to maintain a human scale;

- c. Pedestrian scale lighting (light fixtures no taller than 15 feet) is encouraged in areas of pedestrian activity. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety;
  - d. Parking lot lighting shall be designed to provide security lighting to all parking spaces;
  - e. Lighting shall be shielded in a manner that does not disturb residential uses or pose a hazard to passing traffic. Lighting should not be permitted to trespass onto adjacent private parcels nor shall light source (luminaire) be visible at the property line.
  - f. Fixture design shall incorporate unique design features that coincide with the architectural design of the building(s)
- g. Signage shall comply with Chapter 22C.160 MMC. An individual sign permit application is required to be submitted.
- h. Prior to permit issuance, the applicant shall be required to submit payment for traffic impacts. The anticipated traffic impact fees (TIF) are \$55,500 (25 PMPHT x \$2,220), however, the actual TIF will be finalized after review and approval of the Traffic Impact Analysis.

Enclosed are copies of comments received from other City departments, and reviewing agencies. Revised application materials must be accompanied with a written response detailing how each of the items outlined above and attached hereto have been addressed, and what sheet the change(s) can be found on.

After you have had an opportunity to review, please let me know what technical review comments you need clarification on. Once received I can set up a Zoom meeting with all of the applicable city and agency representatives. If you have any questions; please contact me at 360.363.8207, or by e-mail at [cholland@marysvillewa.gov](mailto:cholland@marysvillewa.gov).

Sincerely,

***Chris Holland***

Chris Holland  
Planning Manager

ecc: Haylie Miller, CD Director



COMMUNITY DEVELOPMENT DEPARTMENT  
501 Delta Avenue ♦ Marysville, WA 98270 ♦ (360) 363-8000

## MEMORANDUM

Date: **October 28, 2022**

**PA22-037**

To: **Chris Holland, Planning Manager**

From: **Michael Snook, Building Official**

Re: **Project Name:** James H. Murphy Auctioneers

**Applicant:** James H. Murphy, Co.

**Proposal:** Administrative Site Plan Approval in order to establish an equipment storage and pickup yard for on-line auctioning of heavy equipment. The existing 23,400 SF building located on-site will be utilized as office and warehouse space.

**Address:** 3803 & 3821 136<sup>th</sup> Street NE

**In response to your request for review of the above project. Please see requirements below:**

1. Applicant shall comply with any and or all provisions the 2018 Edition of the International Building, Residential, Mechanical, 2018 Uniform Plumbing Codes, and current Washington State Amendments.
2. Applicant is to call for a final inspection on permit B22-0320, after all proposed work is completed.

**We look forward to your project coming to our City!**

If I may be of any further assistance, please feel free to contact me.

Michael Snook, Building Official, 360-363-8210 or [msnook@marysvillewa.gov](mailto:msnook@marysvillewa.gov) during office hours 7:30 am – 4:00 pm, Monday through Friday.



**MARYSVILLE**  
PUBLIC WORKS

## MEMORANDUM

TO: Chris Holland, Planning Manager

FROM: Brooke Ensor, NPDES Coordinator

DATE: 11/1/2022

SUBJECT: PA22-037/G22-0046 James G. Murphy Auctioneers

1. This project received a complete application determination on October 10<sup>th</sup> 2022. The design must use the 2019 Stormwater Management Manual for Western Washington.
2. Source Control BMPs apply to this site. Please review volume IV Source Control BMPs. With this requirement please describe in more detail:
  - What will be stored here?
  - Will any type of fueling or vehicle maintenance activities occur at this site?
3. For commercial projects triggering minimum requirements #6 Runoff Treatment and #7 Flow Control will be required to record a covenant/easement for all of the facilities that will become privately owned and maintained (attached). A draft should be submitted with Civil Plan review documents. An online copy of this form can be found by visiting the City web site:  
<http://www.marysvillewa.gov/96/Community-Development> then clicking on "Permit applications, forms and fees" then "Engineering Services."

If you have questions regarding these comments, please contact me at 360-363-8288 or [bensor@marysvillewa.gov](mailto:bensor@marysvillewa.gov).

cc: Matt Eyer, Storm/Sewer Supervisor

(360) 363-8100

Public Works  
80 Columbia Avenue  
Marysville, WA 98270



## Stormwater Covenant and Easement

Community Development Department 80 Columbia Avenue Marysville, WA 98270

(360) 363 -8100 Phone (360) 651-5099 FAX Office Hours: Monday – Friday 7:30 AM -4:00 PM

### Instructions Page

#### For the Developer:

Does your Project trigger minimum requirements #6 Runoff Treatment, or #7 Flow Control AND the facility(ies) will be on private property?

If “no” then this covenant does not need to be recorded.

Otherwise, please complete the enclosed documents. The draft document should be submitted for review with the other civil plan documents. It does not need signatures at that time. Exhibit B- Facilities Maintenance Plan should include a map showing where the storm water features are located on the property and describe the maintenance requirements. Once the infrastructure is built, review the document. If construction altered the stormwater utility layout update the appropriate information. The documents must be signed by all parties with an ownership interest in the property (include additional signature blocks and notary acknowledgement forms as necessary). Have the final document signatures notarized. Record before final occupancy is issued.

#### Recording notes:

- Do not write within the one-inch border
- Type or print legibly and in an easily readable font
- Print documents single sided and provide original copies with original signatures

When Recorded, Return to:

**City of Marysville**  
**Community Development**  
80 Columbia Ave  
Marysville, WA 98270

**Stormwater Covenant and Easement  
(MMC 14.15.155)**

<b>DOCUMENT TITLE:</b> <i>Project Name</i> Stormwater Covenant and Easement
<b>Grantor:</b> <i>Property Owner Name</i>
<b>Grantee:</b> CITY OF MARYSVILLE, a Municipal Corporation
<b>Legal Description (abbreviated):</b>
<b>Assessor's Parcel(s):</b>
<b>Address:</b>
<b>Reference Number(s):</b>
City of Marysville Project No: City of Marysville Building Permit No:
<b>**Note**</b> The Auditor/Recorder will rely on the information provided on this form. City staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.



## Stormwater Covenant and Easement (MMC 14.15.155)

This Stormwater Covenant and Easement (the "Agreement") is executed in favor of the City of Marysville (the "City") by the undersigned owner(s) (the "Grantor") of the following described real property situated in the City of Marysville, Snohomish County, State of Washington (the "Property") (insert complete legal description):

(attach Exhibit A if necessary to fit full legal description)
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WHEREAS, pursuant to Marysville Municipal Code Chapter 14.15, as may be hereafter amended, a condition of developing the Property requires that it have adequate stormwater drainage; and

WHEREAS, the Grantor has installed a private storm drainage system for the Property; and

WHEREAS, such a private storm drainage system will require ongoing maintenance as detailed in the approved Facility Maintenance Plan to ensure it operates as designed;

WHEREAS, the private storm drainage system includes the following specified drainage control facilities, which are documented in the drainage control plan drawing(s), as amended by record drawing(s) on file with the City of Marysville. The following runoff treatment or flow control facilities are onsite:

	Detention or Infiltration Pond		BMP T8.20 Sand Filter vault
	Detention or Infiltration Vault		BMP T8.30 Linear Sand Filter
	BMP T5.15 Permeable Pavements		BMP T8.40 Media Filter Drain
	Detention Tank/Pipes		BMP T9.10 Basic Biofiltration Swale
	BMP T5.16 Tree Retention and Tree Planting		BMP T9.20 Wet Biofiltration Swale
	BMP T5.17 Vegetated Roofs		BMP T9.30 Continuous Inflow biofiltration Swale
	BMP T5.20 Rainwater Harvesting		BMP T9.40 Basic Filter Strip
	BMP T5.30 Full Dispersion area		BMP T10.10 Wetponds-Basic and Large
	BMP T6.10 Presettling Basin		BMP T10.20 Wetvaults
	BMP T7.10 Infiltration Basins		BMP T10.30 Stormwater Treatment Wetlands
	BMP T7.20 Infiltration trenches		BMP T10.40 Combined Detention and Wetpool Facilities
	BMP T7.30 Bioretention Cells, Swales and Planter Boxes		BMP T11.10 API (Baffle type) Separator bay
	BMP T7.40: Compost-amended Vegetated Filter Strips (CAVFS)		BMP T11.11 Coalescing Plate (CP) Separator Bay

	BMP T8.10 Basic Sand Filter basin	Ecology approved Emerging Technology Manufacturer: Device Name:
	BMP T8.11 Large Sand Filter basin	

Now, therefore, the Grantor, on behalf of Grantor and Grantor's heirs, successors, and assigns, agrees to the following and hereby creates a covenant running with the land that shall be binding upon all parties and their heirs, successors, and assigns forever:

- (1) The Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns, agrees to and shall:
  - (a) inspect and maintain the above described drainage control facilities in accordance with the provisions of Marysville Municipal Code (MMC) Title 14, the approved Facility Maintenance Plan (attached hereto as Exhibit B and incorporated by this reference), and any other provisions applicable to the facilities, as now and hereafter in effect;
  - (b) implement the terms of the drainage control plan required for development; and
  - (c) inform all future purchasers, heirs, successors, and assigns of the existence of the drainage control facilities and other elements of the drainage control plan and the limitations of the drainage control facilities.
  
- (2) The Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns, hereby grants permission for authorized representatives of the City of Marysville to enter onto the Property for inspection, monitoring, correction, or abatement of conditions related to the Property's drainage control plan, drainage control facilities, MMC Title 14, or any other MMC provision applicable to drainage control, as now and hereafter in effect.
  
- (3) If the private storm drainage system is not maintained in accordance with the approved or record drawing design, the Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns grants the City the right to inspect and repair the system and assess reasonable costs for the work that may be charged against the Property, the Property owner, or any beneficiary.
  
- (4) The Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns:
  - (a) Agrees and acknowledges that the City is not responsible for the adequacy or performance of the drainage control plan or the drainage control facilities;
  - (b) Agrees to accept any and all risks of harm, loss, injury, or damage related to the drainage control plan or the drainage control facilities; and
  - (c) Hereby waives any right to assert any and all present and future claims against the City, whether known or unknown, for any harm, loss, injury, or damage occurring either on or off the Property, related to the drainage control plan, the drainage control facilities, or drainage

or erosion on the Property, except only for such harm, loss, injury, or damage that directly results from the sole negligence of the City.

- (5) This Agreement shall be recorded in the real estate records of the Auditor's Office of Snohomish County, Washington. If any provision of this Agreement is held invalid, the remainder of the Agreement is not affected.
- (6) The obligations of the Grantor and each of the Grantor's heirs, successors, and assigns under this Agreement shall terminate when that person sells, devises, or transfers the Property, or his or her interest therein, unless the obligation arises out of a claim of negligence or intentional act of that person.

Now, therefore, to this end, the Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns, hereby grants a perpetual easement to the City of Marysville and its authorized representatives to enter the Property, inspect the private storm drainage system, and make necessary repairs, with any expenses incurred being chargeable against the Property, the Property owner, and any beneficiary.

By: \_\_\_\_\_ Date: \_\_\_\_\_

Type signer's name here, Type signer's title or affiliation

Type company name here

Type address here

Type City, State, Zip here

By: \_\_\_\_\_ Date: \_\_\_\_\_

Type signer's name here, Type signer's title or affiliation

Type company name here

Type address here

Type City, State, Zip here

**ACKNOWLEDGEMENT**

(Individual)

STATE OF WASHINGTON        )  
  )ss.  
COUNTY OF SNOHOMISH    )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
\_\_\_\_\_ is the person who appeared before me, and said person  
acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary  
act for the uses and purposes mentioned in the instrument.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_

(Legibly print name of notary)

NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

(Entity)

STATE OF WASHINGTON        )  
  )ss.  
COUNTY OF SNOHOMISH     )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
\_\_\_\_\_ is the person who appeared before me, and said person  
acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute  
the instrument and acknowledged it as the \_\_\_\_\_  
of \_\_\_\_\_ to be the free and voluntary act of such party for the uses  
and purposes mentioned in the instrument.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_

(Legibly print name of notary)

NOTARY PUBLIC in and for the State of

Washington, residing at \_\_\_\_\_

My commission expires \_\_\_\_\_



(Entity)

STATE OF WASHINGTON        )  
  )ss.  
COUNTY OF SNOHOMISH     )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
\_\_\_\_\_ is the person who appeared before me, and said person  
acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute  
the instrument and acknowledged it as the \_\_\_\_\_  
of \_\_\_\_\_ to be the free and voluntary act of such party for the uses  
and purposes mentioned in the instrument.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_

(Legibly print name of notary)

NOTARY PUBLIC in and for the State of

Washington, residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

**EXHIBIT A**

**LEGAL DESCRIPTION**

(Insert complete legal description):

Situated in the City of Marysville, County of Snohomish, State of Washington.



**EXHIBIT B**

**FACILITIES MAINTENANCE PLAN**

## Chris Holland

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**From:** Development Review <Development.Review@commtrans.org>  
**Sent:** Friday, October 28, 2022 12:27 PM  
**To:** Chris Holland  
**Subject:** [External!] RE: [Ex]:James G. Murphy Auctioneers (PA22037)

External Email Warning! Use caution before clicking links or opening attachments.

Hi Chris,

We have an active / existing bus stop on NB SP Blvd, far side of 136<sup>th</sup>. Please retain.

Thank you,

-Scott

*Scott Ritterbush, Planning Project Manager*  
Community Transit  
Phone (425) 521-5341  
Cell Phone (425) 327-0201  
Email - [sritterbush@commtrans.org](mailto:sritterbush@commtrans.org)

-----Original Appointment-----

**From:** Chris Holland <CHolland@marysvillewa.gov>

**Sent:** Tuesday, October 11, 2022 8:08 AM

**To:** Mike Snook; Jordan Sanchez; Ken McIntyre; Kacey Simon; Shane Whitney; Max Phan; Adam Benton; Kim Bryant; Ryan Keefe; Tim King; Kristy Beedle; Darrin Douglas; Jesse Hannahs; Jesse Birchman; Matthew Eyer; Brooke Ensor; [planning@arlingtonwa.gov](mailto:planning@arlingtonwa.gov); Development Review; Tom Maloney; Brian Merkley; Don McGhee; [cstevens@stillaguamish.com](mailto:cstevens@stillaguamish.com); Todd Gray; [knelson@tulaliptribes-nsn.gov](mailto:knelson@tulaliptribes-nsn.gov)

**Subject:** [Ex]:James G. Murphy Auctioneers (PA22037)

**When:** Tuesday, November 1, 2022 12:00 AM to Wednesday, November 2, 2022 12:00 AM (UTC-08:00) Pacific Time (US & Canada).

**Where:** N/A - Request for Review

**\*\*CAUTION:** This email originated from outside of the agency. DO NOT click links or open attachments unless you recognize the sender's email address AND are expecting the information. Questions? Contact the Service Desk.\*\*



**THIS IS NOT A MEETING INVITE – THIS IS A REQUEST FOR REVIEW (RFR) WITH COMMENTS REQUESTED. RETURNED BY November 1, 2022**

**File Number:**

PA22037



**MARYSVILLE**  
PUBLIC WORKS

**MEMORANDUM**

TO: Chris Holland – Planning Manager

FROM: Jesse Hannahs, P.E. – Traffic Engineering Manager

DATE: November 9, 2022

SUBJECT: PA 22-037 – James G Murphy Auctioneers

I have reviewed the Pre-application Site Plan for the proposed James G Murphy Auctioneers at 3803 & 3821 136<sup>th</sup> ST NE and have the following comments:

- 1) Traffic impact fees will be required from the City and depending on trip generation/distribution, may be required from the County and State.
- 2) A Traffic Impact Analysis (TIA) will be required.
  - a. TIA is acceptable.

(360) 363-8100

Public Works  
80 Columbia Avenue  
Marysville, WA 98270