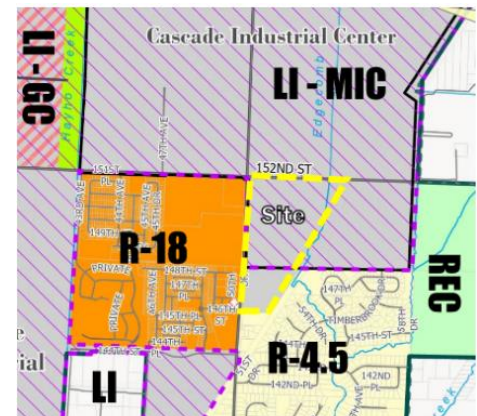


MEMORANDUM

DATE: April 19, 2023
TO: Planning Commission
FROM: Angela Gemmer, Principal Planner
SUBJECT: 51st Avenue Comprehensive Plan Map Amendment & Rezone CPA23-003
CC: Haylie Miller, Community Development Director
Chris Holland, Planning Manager

Exhibit 1 Land Use Application
Exhibit 2 Cover letter
Exhibit 3 Title Report
Exhibit 4 SEPA Environmental Checklist
Exhibit 5 Critical Areas Technical Memo (*Abridged – complete materials at digital link*)
Exhibit 6 Trip Generation Analysis
Exhibit 7 Comprehensive Plan Map Amendment Response Form
Exhibit 8 Maps
Exhibit 9 Technical review comments with attached citizen comments

As part of the 2023 Comprehensive Plan Amendment docket, KM Capital, LLC filed a request for the NON-PROJECT action Comprehensive Plan Map Amendment and Rezone of approximately 48.01 acres from Light Industrial (LI) to R-18 Multi-family, Medium Density (R-18). The request was filed for 5414 152nd Street NE (Assessor's Parcel Numbers (APNs) 31053400200800, 31053400300300, and 31053400200700). The rezone area is bounded by 51st Avenue NE to the west, 152nd Street NE to the north, the Burlington Northern Santa Fe railway to the east, and generally aligns with 146th Street NE to the south. The southern 10.18 acres of the subject property was rezoned from R-4.5 Single Family, Medium Density (R-4.5) to Light Industrial (LI) on March 7, 2022 with the adoption of Ordinance 3211.



Staff is supportive of the rezone request given the unique site circumstances. The site is immediately east of existing multi-family development located in the R-18 zone, and north and west of existing single family neighborhoods located in the R-4.5 zone. It is separated from the LI zoning to the east by the Burlington Northern Santa Fe railroad, Edgecomb Creek and associated wetlands which serves as a natural barrier. Two arterials, 152nd Street NE and 51st Avenue NE, abut the site and are served by Community Transit (Route 202). While staff is generally not supportive of LI zoned land within the Cascade Industrial Center (CIC) being rezoned to residential, in this particular location, staff believes that multi-family zoning would be more compatible with the adjacent residential zoning and uses to the west, south and east.

In addition, there is a need for housing within the City of Marysville and the region. The proposed rezone could allow for between 648 to 972 additional multi-family units adjacent to the Cascade Industrial Center which could provide workforce housing.

The affected neighboring property owners were notified of the NON-PROJECT action rezone as required by MMC Section 22G.010.090. One citizen provided comments via email (see pages 57 – 60 of **Exhibit 9**) pertaining to impacts to traffic and roads in the vicinity and schools, and the thoroughness of the SEPA checklist which was submitted. Staff provided a response to the citizen and anticipates providing further traffic related comments to the applicant to address.

A State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) is anticipated to be issued once the applicant has an opportunity to review and adequately address any traffic related comments which, as noted above, are still pending.

Staff anticipates presenting this material to Planning Commission at subsequent workshop(s) and recognizes that tonight's agenda is full and, therefore, does not expect the Commissioners to complete a full review of the work shop materials for this introductory work session.

EXHIBIT 1



LAND USE PERMIT APPLICATION

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

FOR AGENCY USE		Date:	File:	Fee: \$
SITE INFORMATION				
Site Address	5414 152nd Street NE Marysville, WA 98217		APN(s)	31053400200800, 31053400300300, 31053400200700
Legal Description (abbreviated)	SEC34, TWP 31, RGE 05 (see attached legal descriptions)		Section	34 Township 31 Range 05
Comprehensive Plan	LI	Zoning	LI	Shoreline Environment N/A
Water Supply	Current	Proposed	Sewer Supply	Current
	Marysville	Marysville		Marysville
Present Use of Property	Vacant			
OWNER		APPLICANT		CONTACT
Name	NP Arlington MIC Industrial LLC		KM Capital LLC	Toyer Strategic Advisors, Inc David Toyer
Address	3315 N. Oak Trafficway		10515 20th St SE, Suite 202	10519 20th ST SE, STE 3
City, State, ZIP	Kansas City, MO 64116		Lake Stevens, WA 98258	Lake Stevens, WA 98258
Phone (home/office)	816-888-7380		425-308-5101	425-344-1523
Phone (cell)				425-344-1523
E-mail	mpomrenke@northpointkc.com		pmccourt@landprogrp.com	david@toyerstrategic.com
PROJECT INFORMATION				
Type of Application	<input type="checkbox"/> Single-family <input type="checkbox"/> Multi-family <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Other			
Permits Needed from Marysville (check all that apply)	<input type="checkbox"/> Annexation <input type="checkbox"/> BSP <input type="checkbox"/> BLA <input type="checkbox"/> Comm. Site Plan <input type="checkbox"/> Major Mod. <input type="checkbox"/> Conditional Use <input type="checkbox"/> Critical Areas <input type="checkbox"/> Grading <input type="checkbox"/> Prelim. Plat <input type="checkbox"/> Minor Mod. <input checked="" type="checkbox"/> Rezone <input type="checkbox"/> PRD <input type="checkbox"/> Shoreline CUP <input type="checkbox"/> Prelim.Short Plat <input checked="" type="checkbox"/> SEPA <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Comp. Plan Amendment <input type="checkbox"/> Shoreline Variance <input type="checkbox"/> Multi-family Site Plan <input type="checkbox"/> Variance <input type="checkbox"/> Other			
List Any Other Permits Needed (State/Federal)	Not applicable			
Detailed Project Description	Comprehensive plan amendment and concurrent rezone of approx. 48.01 acres from Light Industrial (LI) to R18 Multi-Family Medium. One of the three parcels (totaling 10.18 acres) was formerly zoned R.45 single-family medium (Parcel No. 31053400300300).			

I certify that I am the owner or owners authorized agent. If acting as an authorized agent, I further certify that I am authorized to act as the Owners agent regarding the property at the above-referenced address for the purpose of filing applications for decision, permits, or review under the Unified Development Code and other applicable Marysville Municipal Codes and I have full power and authority to perform on behalf of the Owner all acts required to enable the City to process and review such applications.

I certify that the information on this application is true and correct and that the applicable requirements of the City of Marysville, RCW and the State Environmental Policy Act (SEPA) will be met. I grant permission for City employees, agents of the City and/or other agency officials to enter the subject property, if necessary, for the purpose of site inspection.

1/31/23

Owner/Owner's Authorized Agent

Date

Nathaniel Hagedorn, Authorized Person for NP Arlington MIC Industrial, LLC



January 31, 2023

Community Development
City of Marysville
501 Delta Avenue
Marysville, WA 98270

51st AVE REDESIGNATION & REZONE (KM CAPITAL)

To Whom It May Concern:

Our firm represents the Applicant, KM Capital LLC, which seeks a redesignation and concurrent rezone of ±48.01 acres from Light Industrial (LI) to R18 Multi-Family Residential (R18). The proposal is located SE of the intersection of 51st Avenue NE and 152nd Street NE between 51st Ave NE and the BNSF railroad tracks.

Complete Application Packet

As required by the City's Comprehensive Plan Amendment & Rezone Checklist, we are submitting the following information:

1. Signed and Completed Land Use Application
2. Signed and Completed Comprehensive Plan Map Amendment Response Form
3. Current Title Report – *existing title report submitted, updated title in progress (expected Friday Feb 3)*
4. Vicinity Maps
5. A Signed and Dated SEPA Checklist
6. Special Studies – *none are submitted at this time as none have been required by the Director*
7. Application Fees - \$5,000 for the Map Amendment with Rezone plus \$1,500 for the SEPA (\$6,500 total)

Rational for the Request

The 2021 Snohomish County Buildable Lands Study indicates that the City of Marysville had a population capacity of 89,550 people against a 2035 GMA population target of 87,798. However, the recently (February 2022) adopted initial population targets for 2044 indicate that the City of Marysville must accommodate a target population of 99,822, which is 10,272 people more than its capacity. As a result, the City will be taking a series of actions in the lead up to its 2024 Comprehensive Plan update to increase housing capacity to accommodate its 2044 population target.

The Applicant respectfully requests that the City consider its request for a redesignation and concurrent rezone as part of its solution to accommodating the City's long-term housing needs. More specifically, the redesignation and rezone proposed is consistent with:

LU Goal 20 Provide housing choices, reflecting the range of household types, lifestyles, incomes, and desire to rent or own a home.

According to the 2022 Competitiveness Report for Washington, produced by the Lt. Governor and the Joint Legislative Committee on Economic Development, Washington State has the fewest number of housing units per household of any state in the country, and the housing crisis is getting worse as the number of units built has not kept pace with household formation over the last decade.

This report indicates that 44% of Washington renter households are cost burdened and spend more than 30% of their income on housing; 22% of renters are severely cost burdened and spend more than 50% of their income on housing. And that chronically undersupplied housing is the principal driver.

Applicant's proposal would provide needed multi-family/workforce housing options adjacent to a growing employment center. This not only creates needed housing units, but located housing close to jobs, reducing the cost burden of long commutes.

LU-46 Locate multi-family development adjacent to arterial streets, along public transportation routes, and on the periphery of commercially-designated areas, or in locations that are sufficiently compatible or buffered from single family areas to not disrupt them.

The proposed redesignation and rezone are located along 51st Ave NE and 152nd Street NE. Transit service is available along 51st Ave NE at the crossroads of 142nd, 146th and 152nd and Route 202 provides services north to Smokey Point and south to Downtown Marysville, connecting future multi-family development at this location to multiple commercial opportunities and park-and-rides. The proposed redesignation and rezone would be buffered from adjacent single family neighborhoods by the BNSF railway (east and southeast) and by Emmanuel Baptist Church (south) and 51st Ave NE (west).

We appreciate your time and consideration of this requested redesignation and rezone, and we look forward to providing additional information as the proposal is considered further.

Should you have any questions in the meantime, please feel free to reach out at any time.

Thank you,

A handwritten signature in blue ink that reads "David K. Toyer". The signature is stylized and cursive.

David Toyer
President

Enclosures

Commitment for Title Insurance

Title Officer: Builder Unit
Email: evebuilder@ctt.com
Title No.: 500140650

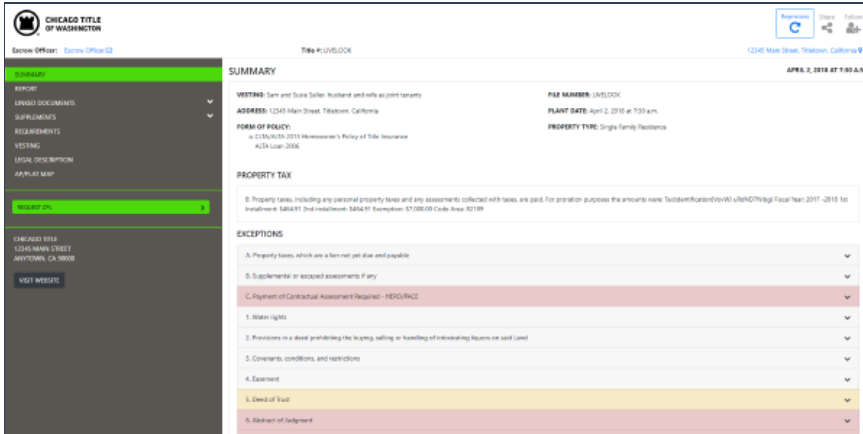
Property Address:

Introducing LiveLOOK

LiveLOOK title document delivery system is designed to provide 24/7 real-time access to all information related to a title insurance transaction.

Access title reports, exception documents, an easy-to-use summary page, and more, at your fingertips and your convenience.

[To view your new Chicago Title LiveLOOK report, Click Here](#)



The screenshot displays the Chicago Title LiveLOOK web interface. The header includes the Chicago Title of Washington logo, the title number "Title # LIVELOOK", and the property address "1245 Main Street, Trabicon, California". The date and time are "APR 2, 2019 AT 1:00 A.M.". The main content area is divided into sections: "SUMMARY" with fields for "VESTING" (Sole and Survive Seller, Inland and with all joint tenants), "ADDRESS" (1245 Main Street, Trabicon, California), "FILE NUMBER" (LIVELOOK), "PLANT DATE" (April 2, 2019 at 7:59 a.m.), "FORM OF POLICY" (A CHICAGO TITLE Insurance's Policy of Title Insurance ALTA Loan 2006), and "PROPERTY TYPE" (Single Family Residence). Below this is the "PROPERTY TAX" section, which includes a note about property taxes and assessments. The "EXCEPTIONS" section is expanded to show a list of items: "A. Property taxes, which are a lien not yet due and payable", "B. Supplemental or escaped assessments if any", "C. Payment of Contractual Assessment Required - HES/INCE", "1. Water rights", "2. Provisions in a deed authorizing the buying, selling or handling of mineral rights on said land", "3. Covenants, conditions and restrictions", "4. Easement", "5. Deed of Trust", and "6. Abstract of Judgment".

Effortless, Efficient, Compliant, and Accessible

SUBDIVISION

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Guarantee/Certificate Number:

500140650

CHICAGO TITLE INSURANCE COMPANY
a corporation, herein called the Company

GUARANTEES

Land Pro Group, Inc., and NP Arlington MIC Industrial, LLC

herein called the Assured, against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the Company for further information as to the availability and cost.

Chicago Title Company of Washington
3002 Colby Ave., Suite 200
Everett, WA 98201

Countersigned By:

Eamonn Doherty
Authorized Officer or Agent



Chicago Title Insurance Company

By:

Michael J. Nolan, President

Attest:

Marjorie Nemzura, Secretary

ISSUING OFFICE:

Title Officer: Builder Unit
 Chicago Title Company of Washington
 3002 Colby Ave., Suite 200
 Everett, WA 98201
 Fax: (866)827-8844
 Main Phone: (425)259-8223
 Email: evebuilder@ctt.com

SCHEDULE A

Liability	Premium	Tax
\$1,000.00	\$500.00	\$49.50

Effective Date: January 26, 2023 at 08:00 AM

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matter relative to the following described property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Title to said real property is [vested in](#):

NP Arlington MIC Industrial, LLC, a Delaware limited liability company

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

END OF SCHEDULE A

EXHIBIT "A"
Legal Description

For **APN/Parcel ID(s):** [310534-002-008-00](#), [310534-002-007-00](#) and [310534-003-003-00](#)

PARCEL A: ([APN 310534-002-008-00](#))

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, LYING NORTHWESTERLY OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AS CONVEYED TO NORTHERN PACIFIC RAILWAY COMPANY BY DEEDS RECORDED UNDER AUDITOR'S [FILE NOS. 193479](#) AND [193480](#), RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE NORTH 20 FEET THEREOF AS CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER AUDITOR'S [FILE NO. 375485](#), RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

PARCEL B: ([APN 310534-002-007-00](#))

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, LYING NORTHWESTERLY OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AS CONVEYED TO NORTHERN PACIFIC RAILWAY COMPANY BY DEEDS RECORDED UNDER AUDITOR'S [FILE NOS. 193479](#) AND [193480](#), RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE NORTH 20 FEET THEREOF AS CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER AUDITOR'S [FILE NO. 375485](#), RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

AND EXCEPT THE WEST 20 FEET THEREOF AS CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES BY DEEDS RECORDED UNDER AUDITOR'S [FILE NO. 308936](#) AND [375486](#), RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

PARCEL C: ([APN 310534-003-003-00](#))

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, LYING WESTERLY OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AS CONVEYED TO THE NORTHERN PACIFIC RAILWAY COMPANY BY DEEDS RECORDED UNDER AUDITOR'S [FILE NO. 193479](#) AND [193480](#), RECORDS OF SNOHOMISH COUNTY, WASHINGTON, AND LYING NORTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34, THAT IS 30 FEET EAST OF THE CENTERLINE OF THE EXISTING COUNTY ROAD;
THENCE NORTH 05°05'04" EAST, PARALLEL TO AND 30 FEET DISTANT FROM SAID CENTERLINE A DISTANCE OF 605.50 FEET TO THE TRUE POINT OF BEGINNING OF SAID DESCRIBED LINE;
THENCE SOUTH 87°56'01" EAST TO THE WESTERLY MARGIN OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AND THE TERMINUS OF SAID DESCRIBED LINE;

EXCEPT THE WESTERLY 20 FEET THEREOF AS CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER AUDITOR'S [FILE NO. 375486](#), RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

SCHEDULE B**GENERAL EXCEPTIONS:**

H. Reservations and exceptions in United States Patents or in Acts authorizing the issuance thereof.

SPECIAL EXCEPTIONS:

1. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Purpose: Drainage ditches

Recording Date: December 1, 1916

[Recording No.:](#) [226649](#)

Affects: The description contained in the above instrument is not sufficient to determine its exact location within the property herein described

Said instrument contains provisions for bearing the cost of maintenance, repair or reconstruction of the drainage ditches by the users.

2. Waiver of any claims for damages to said Land by reason of the location, construction, landscaping or maintenance of the road adjoining said Land, as contained in the instrument:

Recorded: January 15, 1923

[Recording No.:](#) [308936](#)

(Affects: Parcel B)

3. Waiver of any claims for damages to said Land by reason of the location, construction, landscaping or maintenance of the road adjoining said Land, as contained in the instrument:

Recorded: March 17, 1926

[Recording No.:](#) [375485](#)

(Affects: Parcels A and B)

4. Waiver of any claims for damages to said Land by reason of the location, construction, landscaping or maintenance of the road adjoining said Land, as contained in the instrument:

Recorded: March 17, 1926

[Recording No.:](#) [375486](#)

(Affects: Parcels B and C)

SCHEDULE B

(continued)

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Marysville
Purpose: Sewer pipeline
Recording Date: October 30, 1969
[Recording No.: 2119390](#)
Affects: The Westerly portion of Parcel B

6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Olympic Pipeline Company, a Delaware company
Purpose: Pipeline of pipelines for the transportation of oil, gas and the products thereof
Recording Date: January 26, 1973
[Recording No.: 2279864](#)
Affects: A portion of Parcel B

7. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Public Utility District No. 1 of Snohomish County
Purpose: Electrical transmission and/or distribution system with the right to remove brush, trees and landscaping which may constitute a danger to said lines
Recording Date: April 29, 1977
[Recording No.: 7704290308](#)
Affects: The North 15 feet of Parcels A and B

8. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Annexation Covenant and Power of Attorney:

[Recording No: 9212040284](#)

(Affects: Parcel B)

9. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Public Utility District No. 1 of Snohomish County
Purpose: Electric transmission and/or distribution line with the right to remove brush, trees and landscaping which may constitute a danger to said lines
Recording Date: November 8, 2005
[Recording No.: 200511080492](#)
Affects: The North 160 feet of the West 10 feet of Parcel B

SCHEDULE B
(continued)

10. City of Marysville Local Improvement District No. 71 Agreement including the terms, covenants and provisions thereof:

Recording Date: July 27, 2010
[Recording No.: 201007270538](#)

11. Native Growth Protection Easement Agreement and the terms and conditions thereof:

Grantee: City of Marysville
Recording Date: November 23, 2022
[Recording No.: 202211230185](#)

12. Easements or equitable servitudes arising under Indian treaties.

Affects: Existing wetland areas.

13. Water rights, claims or title to water.

14. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2022
Tax Account No.: 310534-002-008-00
Levy Code: 00511
Assessed Value-Land: \$329,400.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:

Billed: \$3,336.23
Paid: \$3,336.23
Unpaid: \$0.00

(Affects: Parcel A)

SCHEDULE B

(continued)

15. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2022
Tax Account No.: 310534-002-007-00
Levy Code: 00511
Assessed Value-Land: \$3,250,600.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:

Billed: \$32,851.72
Paid: \$32,851.72
Unpaid: \$0.00

(Affects: Parcel B)

16. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2022
Tax Account No.: 310534-003-003-00
Levy Code: 00511
Assessed Value-Land: \$1,806,000.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:

Billed: \$18,254.92
Paid: \$18,254.92
Unpaid: \$0.00

(Affects: Parcel C)

17. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the year 2023.

SCHEDULE B
(continued)

18. Assessment:

APN: [310534-002-008-00](#)
Amount: \$3,691.00
Interest: 4.60%
Commencing 30 Days After: 02/24/2014
Annual Installments: 20
Installments Paid: 8
Installments Delinquent: 0
Next Installment Due: March 31, 2023
L.I.D. No.: 71
Levied by: City of Marysville
Purpose: Interstate overpass
Account No.: 71-354

(Affects: Parcel A)

19. Assessment:

APN: [310534-002-007-00](#)
Amount: \$36,330.00
Interest: 4.60%
Commencing 30 Days After: 02/24/2014
Annual Installments: 20
Installments Paid: 8
Installments Delinquent: 0
Next Installment Due: March 31, 2023
L.I.D. No.: 71
Levied by: City of Marysville
Purpose: Interstate overpass
Account No.: 71-353

(Affects: Parcel B)

SCHEDULE B
(continued)

20. Assessment:

<u>APN:</u>	<u>310534-003-003-00</u>
Amount:	\$13,454.00
Interest:	4.60%
Commencing 30 Days After:	02/24/2014
Annual Installments:	20
Installments Paid:	8
Installments Delinquent:	0
Next Installment Due:	March 31, 2023
L.I.D. No.:	71
Levied by:	City of Marysville
Purpose:	Interstate overpass
Account No.:	71-349

(Affects: Parcel C)

21. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.

22. Any unrecorded leaseholds, right of vendors and holders of security interests on personal property installed upon the Land and rights of tenants to remove trade fixtures at the expiration of the terms.

Notes:

a. Note: FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per Amended RCW 65.04.045. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document:

PTN SE NW, SW NW & NW SW, SEC 34-31-5E, W.M., SNOHOMISH COUNTY, WA
Tax Account No.: 310534-002-008-00, 310534-002-007-00 and 310534-003-003-00

b. Note: Any [map/plat](#) herein is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

END OF SCHEDULE B

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable: 51st Ave Rezone

2. Name of applicant:

KM Capital LLC

3. Address and phone number of applicant and contact person:

Applicant:

KM Capital LLC
Patrick McCourt
10515 20th Street SE, Suite 202
Lake Stevens, WA, 98258
425-308-5101

Consultant:

Toyer Strategic Advisors, Inc.
David Toyer, President
10519 20th Street SE Suite 3
Lake Stevens, WA, 98258
425-501-6578

4. Date checklist prepared: January 22, 2023

5. Agency requesting checklist: City of Marysville, Washington

6. Proposed timing or schedule (including phasing, if applicable):

Application for Redesignation & Rezone	January 2023
Staff Review & Evaluation	TBD 2023
Notice of Application	TBD 2023
SEPA Notice & Appeal Period	TBD 2023
Planning Commission Review & Recommendation	TBD 2023
City Council Final Action on Rezone	TBD 2023

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

This is a non-project proposal. Applicant intends at some time in the future to submit a site-specific development proposal for a multi-family residential project. Such application will be required to complete it's own, site-specific, project level SEPA review.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Multiple reports and informational documents are available since this property was originally approved by the City of Marysville for industrial development as part of a binding site plan and development agreement. This included information on the wetlands, critical areas, stream relocation of Edgecomb Creek, etc.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None. Consultant is not aware of any pending government approvals for this site.

10. List any government approvals or permits that will be needed for your proposal, if known.

None. This is a non-project action limited to a rezone of the property. Any future site-specific development application would be required, unless exempt under WAC 197-11-800 or city code, to complete a project level SEPA review, as well as apply for its own approvals and permits prior to proceeding with development.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Applicant is seeking to redesignation and concurrent rezone to R-18 (allows medium density multi-family) nearly ±48.01 acres that is currently designated and zoned Light Industrial (LI). This property is partially located within the designated Manufacturing Industrial Center (MIC) within the Cascade Industrial Center.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The site address is: 5414 152nd Street NE, Marysville WA 98270. Geographically the site is located SE of the intersection of 51st Ave NE and 152nd Street NE between 51st Ave NE and the BNSF railroad track. A vicinity map of the location is provided as part of the application packet.

B. Environmental Elements

1. Earth

a. General description of the site:

(circle one): **Flat**, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)?

< 10% slopes

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any

agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Custer fine sandy loam, norma loam

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None known to Consultant and none indicated on City geological hazard mapping.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

This proposal is a non-project action and would not directly result in any filling, excavation, or grading. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA and submit grading and temporary erosion and sedimentation control plans for approval.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No. This proposal is a non-project action and no clearing, construction, or use is proposed. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA and submit grading and identify temporary erosion and sedimentation control measures.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This proposal is a non-project action that will not create any new impervious surfaces. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA and comply with applicable city standards for maximum impervious surfaces.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

None proposed. This proposal is a non-project action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA and, if necessary, propose measures to reduce or control erosion.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

This proposal is a non-project action that will not directly result in any emissions. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA and comply with applicable air quality regulations.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None known.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None proposed. This proposal is a non-project action that will not directly create any new emissions. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA and comply with applicable regulations.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

None that the Consultant is aware of.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

This proposal is a non-project action that will not require any work over, in, or adjacent to the described waters. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA, delineate any critical areas on or adjacent to the site, and comply with applicable city standards.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None. This proposal is a non-project action that will not directly result in any filling or dredging of surface water or wetlands. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No. This proposal is a non-project action that will not directly result in any surface water withdrawals or diversions. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No. This proposal is a non-project action that will not result in any discharges of waste materials to surface waters. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No. This proposal is a non-project action that will not result in any ground water being withdrawn from a well. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

This proposal is a non-project action that will not result in any discharges of waste materials into the ground. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

This proposal is a non-project action that will not result in water runoff, nor require collection or disposal of water run off. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No. This proposal is a non-project action that will not result waste materials entering ground or surface waters. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

This proposal is a non-project action that does not directly alter or otherwise affect drainage patterns in vicinity of the site. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None proposed. This proposal is a non-project action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

4. **Plants**

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

None. This proposal is a non-project action that will not directly result in the removal or alteration of any vegetation. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

c. List threatened and endangered species known to be on or near the site.

None known. This proposal is a non-project action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None proposed. This proposal is a non-project action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA and comply with any local requirements for landscaping (including plant types and ratios).

e. List all noxious weeds and invasive species known to be on or near the site.

None known. This proposal is a non-project action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, **songbirds**, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, **salmon**, trout, herring, shellfish, other _____

This proposal is a non-project action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA and observe for indications of other bird and animal activity specific to the site.

- b. List any threatened and endangered species known to be on or near the site.

None known

- c. Is the site part of a migration route? If so, explain.

None that Consultant is aware of, except that the site (and area) is generally within the Pacific Fly-way. This proposal is a non-project action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- d. Proposed measures to preserve or enhance wildlife, if any:

None proposed. This proposal is a non-project action that will not directly impact any wildlife. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- e. List any invasive animal species known to be on or near the site.

None that Consultant is aware of. This proposal is a non-project action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None. This proposal is a non-project action that will not directly result in any energy needs. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.

No. This proposal is a non-project action that will not directly result in any impact to the use of solar energy on adjacent properties. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

None proposed. This proposal is a non-project action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA and address any requirements for energy conservation.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe.

No. This proposal is a non-project action that will not result in any environmental health hazards. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- 1) Describe any known or possible contamination at the site from present or past uses.

None that Consultant is aware of. This proposal is a non-project action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to complete a project level SEPA.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None that Consultant is aware of.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

This proposal is a non-project action. No toxic or hazardous chemical will be stored, used or produced as a direct result of this proposal. Any future site-specific development proposal would be required, unless exempt by WAC 197-11-800 or city code, to complete a project level SEPA review and comply with applicable codes and standards.

- 4) Describe special emergency services that might be required.

This proposal is a non-project action. No special emergency services are required as a direct result of this proposal. Any future site-specific development under the proposed R-18 zoning would be similar to uses already permitted nearby. Any future site-specific development

proposal would be required, unless exempt by WAC 197-11-800 or city code, to complete a project level SEPA review.

5) Proposed measures to reduce or control environmental health hazards, if any:

None proposed. This proposal is a non-project action.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Noise in the area consists of traffic along 51st Ave NE and 152nd Street NE, train traffic on the BNSF track, and construction of industrial buildings within the area. Noise will not affect this proposed non-project action.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

This proposal is a non-project action and no noise would be created by this action. Any future site-specific development proposal, unless exempt by WAC 197-11-800 or city code, would be required to identify the types of noises that may be created.

3) Proposed measures to reduce or control noise impacts, if any:

None proposed. This is a non-project action.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

This site is currently vacant.

- North: Vacant industrial land (future, under construction)
- West: Existing residential development and soccer fields
- East: Athletic fields, existing residential development
- South: Baptist Church, existing residential development

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The site is not currently used for agricultural purposes and is not designated as agricultural land of long-term commercial significance.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No. This project is a non-project action that will not affect or be affected by surrounding working farm or forest land.

c. Describe any structures on the site.

None.

d. Will any structures be demolished? If so, what?

N/A

e. What is the current zoning classification of the site?

Light Industrial

f. What is the current comprehensive plan designation of the site?

Light Industrial

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable. This is a non-project action.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Yes. See submitted critical areas and wetlands studies that were part of the Northpoint binding site plan approval and related development agreement.

i. Approximately how many people would reside or work in the completed project?

This proposal is a non-project action that will not directly result in a decrease or increase in the number of people residing or working at this location.

j. Approximately how many people would the completed project displace?

None, this is a non-project action.

k. Proposed measures to avoid or reduce displacement impacts, if any:

None proposed. This is a non-project action.

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None proposed.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None proposed. This is a non-project action.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None. This proposal is a non-project action.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None. This proposal is a non-project action.

c. Proposed measures to reduce or control housing impacts, if any:

None proposed. This proposal is a non-project action.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable. This proposal is a non-project action.

b. What views in the immediate vicinity would be altered or obstructed?

None.

b. Proposed measures to reduce or control aesthetic impacts, if any:

None proposed. This proposal is a non-project action.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None. This proposal is a non-project action. Any site-specific development proposal would, unless exempt by 197-11-800 or city code, be required to complete a project level SEPA review and comply with applicable standards for lighting.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No. This proposal is a non-project action. Any site-specific development proposal would, unless exempt by 197-11-800 or city code, be required to complete a project level SEPA review and address any light or glare that may be a safety hazard or interfere with views.

c. What existing off-site sources of light or glare may affect your proposal?

None that Consultant is aware of. This proposal is a non-project action. Any site-specific development proposal would, unless exempt by 197-11-800 or city code, be required to complete a project level SEPA review.

d. Proposed measures to reduce or control light and glare impacts, if any:

None proposed. This proposal is a non-project action.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Strawberry Fields Athletic Complex, North County Wildlife Park, off-leash dog park, and Centennial Trail Armar trail head (east); 152nd Soccer Complex, Gissburg Twin Lakes (west); Timberbrook – Heather Glen Park (south); and Airport Trail (north).

b. Would the proposed project displace any existing recreational uses? If so, describe.

No. This proposal is a non-project action.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None proposed. This proposal is a non-project action.

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

None that consultant is aware of. This proposal is a non-project action. Any site-specific development proposal would, unless exempt by 197-11-800 or city code, be required to complete a project level SEPA review and may be required to complete further analysis of cultural resources.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None that consultant is aware of and no analysis has been completed for this proposal as it is a non-project action. Any site-specific development proposal would, unless exempt by 197-11-

800 or city code, be required to complete a project level SEPA review and may be required to complete further analysis of cultural resources.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

None that consultant is aware of. This proposal is a non-project action. Any site-specific development proposal would, unless exempt by 197-11-800 or city code, be required to complete a project level SEPA review and may be required to complete further analysis of cultural resources.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None proposed. This proposal is a non-project action.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

51st Ave NE, 152 Street NE, 67th Ave NE, Smokey Point Boulevard, Highway 9, State Route 531. This is a non-project action and no road connections or alterations to existing ingress/egress to the site are proposed.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Site is served by Community Transit route 202. The closest stop is approximately a mile south on 51st Ave NE. The route connects to main line routes on Smokey Point Boulevard and State Route 531 that can connect to neighboring communities.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None. This proposal is a non-project action.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No. This proposal is a non-project action. Any future site-specific development would be required, unless exempt by WAC 197-11-800 or city code, to complete a project level SEPA review and transportation impact analysis (TIA) to identify any improvements.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

None. This proposal is a non-project action and would not directly generate any vehicular trips. Any future site-specific development would be required, unless exempt by WAC 197-11-800 or city code, to complete a project level SEPA review and transportation impact analysis (TIA) to identify any improvements.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No. This proposal is a non-project action.

h. Proposed measures to reduce or control transportation impacts, if any:

None proposed. This is a non-project action. Any future site-specific development would be required, unless exempt by WAC 197-11-800 or city code, to complete a project level SEPA review and transportation impact analysis (TIA) to identify any improvements.

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No. This proposal is a non-project action. Any future site-specific development would be required, unless exempt from WAC 197-11-800 or city code, to complete a project level SEPA and identify any increased needs for public services.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed. This is a non-project action.

16. Utilities

a. Circle utilities currently available at the site.

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

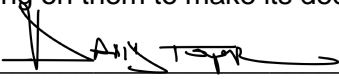
Any future site-specific development would be required, unless exempt by WAC 197-11-800 or city code, to complete a project level SEPA review and transportation impact analysis (TIA) to identify any improvements.

- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None proposed. Any future site-specific development would be required, unless exempt by WAC 197-11-800 or city code, to identify utilities proposed for the project.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  _____

Name of signee: David Toyer

Position and Agency/Organization: President, Toyer Strategic Advisors

Date Submitted: January 23, 2023

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

This non-project proposal is not likely to directly increase discharge to water, emissions to air, etc. Any future site-specific development proposal would be required, unless exempt from WAC 197-11-800 or city code, to complete a project level SEPA review to address impacts that future proposal might have on discharge to water, emissions to air, etc.

Proposed measures to avoid or reduce such increases are:

None proposed. Any future site-specific development proposal would be required, unless exempt from WAC 197-11-800 or city code, to complete a project level SEPA review.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

This proposal is not likely to affect plants, animals, fish or marine life. The area proposed for the redesignation and rezone is within an urban growth area (UGA) and has been designated and zoned for urban development within a 20-year comprehensive plan.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None proposed. This proposal is a non-project action. Any future site-specific development proposal would be required, unless exempt under WAC 197-11-800, to complete a project level SEPA review. The prior approved industrial project, binding site plan and development agreement identified and proposed mitigation measures to address these topics. Any future site specific development would evaluate the difference between those reports and assumptions and such proposed future development.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is not likely to deplete energy or natural resources. The proposal is a non-project action to change the zoning designation. Future development of this site has been anticipated in local and regional land use plans and will occur in some form regardless of the land use designation or zoning. Any future site-specific development proposal would be, unless exempt by WAC 197-11-800, required to complete a project level SEPA review.

Proposed measures to protect or conserve energy and natural resources are:

None proposed. This is a non-project action and would not have any direct impacts on energy conservation or natural resources. Any future site-specific development would be required, unless exempt by WAC 197-11-800 or city code, to complete a project level SEPA review.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

This proposal is a non-project action and not likely to directly use or affect environmentally sensitive areas or areas designated for government protection. Future development of this site has been anticipated and planned for in local and regional land use plans and development will occur in some form regardless of the land use designation or zoning. Any future site-specific development proposal would, unless exempt by WAC 197-11-800, be required to complete a project level SEPA review.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None proposed. The proposal is a non-project action to change land use. Any future site-specific development proposal would be, unless exempt by WAC 197-11-800, required to complete a project level SEPA review and comply with local regulations pertaining to protection of sensitive areas. The City's code establishes regulations to protect environmentally sensitive areas based on the type of sensitive area and not the type of land use designation and zoning.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal is not likely to affect land and shoreline use nor allow or encourage land or shoreline use incompatible with existing plans. The proposed land use designation and zoning are consistent with the adjacency of other land use and zoning designations in the immediate area.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None proposed. This is a non-project action and does not directly affect any designated shorelines. Any future site-specific development proposal would be, unless exempt by WAC 197-11-800, required to complete a project level SEPA review and comply with local regulations pertaining to protection of sensitive areas or shorelines, if any.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

This proposal is a non-project action. However, the change in land use may alter future demands on transportation, including changes in the volume, type and timing of vehicular trips and/or the use of available transportation alternatives in the area.

Any future site-specific development proposal would be, unless exempt by WAC 197-11-800, required to complete a project level SEPA review and complete a transportation impact analysis (TIA) to identify the specific project impacts on the transportation system.

Proposed measures to reduce or respond to such demand(s) are:

None proposed. This is a non-project action. However, any future site-specific development proposal would, unless exempt by WAC 197-11-800, be required to complete a project level SEPA review and a transportation impact analysis (TIA) to identify the specific project impacts on the transportation system.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

This is a non-project action that is not likely to conflict with any local, state, or federal laws or requirements for the protection of the environment.



Soundview Consultants LLC

Environmental Assessment • Planning • Land Use Solutions

2907 Harborview Dr., Gig Harbor, WA 98335
Phone: (253) 514-8952 Fax: (253) 514-8954

Technical Memorandum

To: Patrick McCourt, KM Capital LLC

File Number: 2534.0001

**From: Laura Livingston, Soundview Consultants LLC
Matt DeCaro, Soundview Consultants LLC**

Date: February 17, 2023

**Re: Critical Area Approvals Summary
Marysville Multi-Family**

Dear Mr. McCourt,

Soundview Consultants LLC (SVC) is assisting KM Capital, LLC (Applicant) with critical areas support for the proposed residential development of an approximately 48.01-acre site located at 5414 152nd Street Northeast in the City of Marysville, Washington. The subject property consists of three parcels situated in the Northwest and Southwest $\frac{1}{4}$ of Section 34, Township 31 North, Range 05 East, W.M (Snohomish County Tax Parcel Numbers 31053400200800, 31053400200700, and 31053400300300).

The subject property is subject to critical areas approvals issued for the Cascade Business Park, an approved industrial development spanning the subject property and several parcels to the north of 152nd Street Northeast. The Cascade Business Park critical areas impacts and mitigation were approved by the United States Army Corps of Engineers (USACE), Washington State Department of Ecology (WSDOE), Washington State Department of Fish and Wildlife (WDFW), the City of Marysville, and the City of Arlington. Please see Table 1 for a summary of the Cascade Business Park critical area approvals. The waterbodies approved for impact included federally regulated and non-federally regulated waterbodies. USACE issued an Individual Permit for impacts to federally regulated waters of the United States, and WSDOE issued an Administrative Order for impacts to non-federally regulated waters of the state.

SVC investigated the Cascade Business Park property for the presence of potentially regulated waterbodies, wetlands, and fish and wildlife habitat in 2020 and 2021. The site investigations identified one wetland (Wetland AH), one stream (Edgecomb Creek), and one ditch (51st Avenue East Ditch) that is regulated as a wetland by the City of Marysville and WSDOE on or directly adjacent to the subject property. USACE determined that the 51st Avenue East Ditch was not a federally regulated water of the United States. Results approved by the regulatory agencies are documented in the *Wetland and Fish and Wildlife Habitat Assessment Report: Cascade Business Park* dated April 1, 2021.

The Cascade Business Park project was approved to realign Edgecomb Creek and associated tributary (Tributary/Ditch X); fill several wetlands, including the 51st Avenue East Ditch; and indirectly impact Wetland AH. Approved compensatory mitigation for the stream realignment, wetland fill, and indirect wetland impacts consists of creating a “mitigation corridor” with a realigned stream and side channels, creating wetlands, restoring and planting upland buffers, and installing a media filter drain along the eastern boundary of the mitigation corridor between the created stream channel and the BNSF Railroad. Approved impacts and mitigation for the Cascade Business Park are documented in the *Final Mitigation Plan: Cascade Business Park (NWS-2020-571)* dated May 27, 2021 and June 1, 2021¹.

Approved impacts associated with the subject property consist of the realignment of Edgecomb Creek, partial fill of Wetland AH, indirect impacts to Wetland AH due to the proximity of development to the wetland, and fill of the 51st Avenue East Ditch. Approved mitigation on the subject property consists of the creation of a mitigation corridor on the eastern portion of the site, creation of a new stream channel and off-channel habitat, creation of wetlands, enhancement of Wetland AH, and planting the upland buffers. Realignment of Edgecomb Creek required the installation of a new fish-passable stream crossing beneath 152nd Avenue Northeast.

The planned wetland creation areas identified in the *Final Mitigation Plan* exceeded the amount required for the Cascade Business Park’s impacts. USACE and WSDOE approved an *Advanced Mitigation Plan: Cascade Business Park and Edgecomb Creek Restoration Project* dated December 14, 2021 that enables the Cascade Business Park Permittee to propose created wetlands, enhanced wetlands (including the onsite Wetland AH), and protected uplands within the mitigation corridor as wetland mitigation for the Permittee’s future, offsite projects. The boundaries of the advanced mitigation site within the mitigation corridor have not yet been formally documented; however, per the approved *Advanced Mitigation Plan: Cascade Business Park and Edgecomb Creek Restoration Project*, the approved advanced mitigation includes the Wetland AH enhancement area on the subject property.

The *Final Mitigation Plan* also identified several non-compensatory mitigation actions, consisting of additional wetland creation, wetland enhancement, and wetland buffer enhancement in the mitigation corridor and the replacement of BNSF Railroad stream crossings. Non-compensatory mitigation actions associated with the subject property include Wetland AH buffer enhancement, Wetland AH enhancement, additional wetland creation in the mitigation corridor, and the replacement of a BNSF Railroad stream crossing adjacent to the subject property. The non-compensatory stream crossing replacement was approved by USACE, WSDOE, and the City of Marysville. Final BNSF stream crossing design was not completed at the time of the Cascade Business Park approvals, and the proposed BNSF replacement stream crossings still require approval from WDFW.

Approved critical areas work on the subject property has partially been completed. Grading for the realigned Edgecomb Creek channel and created wetlands and the installation of a new stream crossing at 152nd Street Northeast have been completed. Edgecomb Creek was realigned in the fall of 2022. Planting within the onsite mitigation corridor has not been completed as of the date of this Technical Memorandum. Site development grading has not been completed outside of the mitigation corridor, and the approved impacts to Wetland AH and the 51st Avenue East ditch have not occurred. Per the WSDOE Administrative Order, fill within the 51st Avenue East Ditch requires water quality monitoring according to the *Water Quality Monitoring Plan* prepared by SVC and dated May 27, 2021.

1. The USACE Individual Permit and WSDOE Administrative Order approvals reference the *Final Mitigation Plan: Cascade Business Park* dated May 27, 2021. The WDFW Hydraulic Project Approval (HPA) references the *Final Mitigation Plan: Cascade Business Park* dated June 1, 2021.

The regulatory approvals for the Cascade Business Park identify several conditions; please see the approvals for the full list of conditions. Monitoring of the mitigation corridor is scheduled for 10 years to ensure mitigation site establishes according to the goals, objectives, and performance standards identified in the *Final Mitigation Plan: Cascade Business Park (NWS-2020-571)*. The mitigation corridor is required to be protected through a site protection mechanism, and a separate critical areas tract has been drafted but yet not recorded to SVC's knowledge. Additional protection is to be provided through critical areas signage along the mitigation site boundary.

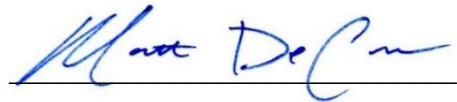
Sincerely,



Laura Livingston
Senior Environmental Planner

February 17, 2023

Date



Matt DeCaro
Associate Principal

February 17, 2023

Date

Attachments Included:

Attachment A – Cascade Business Park Critical Areas Approval Summary

Attachment B – Critical Area Impacts and Mitigation On Subject Property

Attachment C – Individual Permit (NWS-2020-571)

Attachment D - Individual 401 Water Quality Certification (Water Quality Certification No. 2019 for Corps Reference No. NWS-2020-0571)

Attachment E - Approved Jurisdictional Determination (NWS-2020-571)

Attachment F - Administrative Order No. 21016

Attachment G – Hydraulic Project Approval (2021-04-329+01)

Attachment H – Wetland and Fish and Wildlife Habitat Assessment Report

Attachment I – Final Mitigation Plan (May 27, 2021)

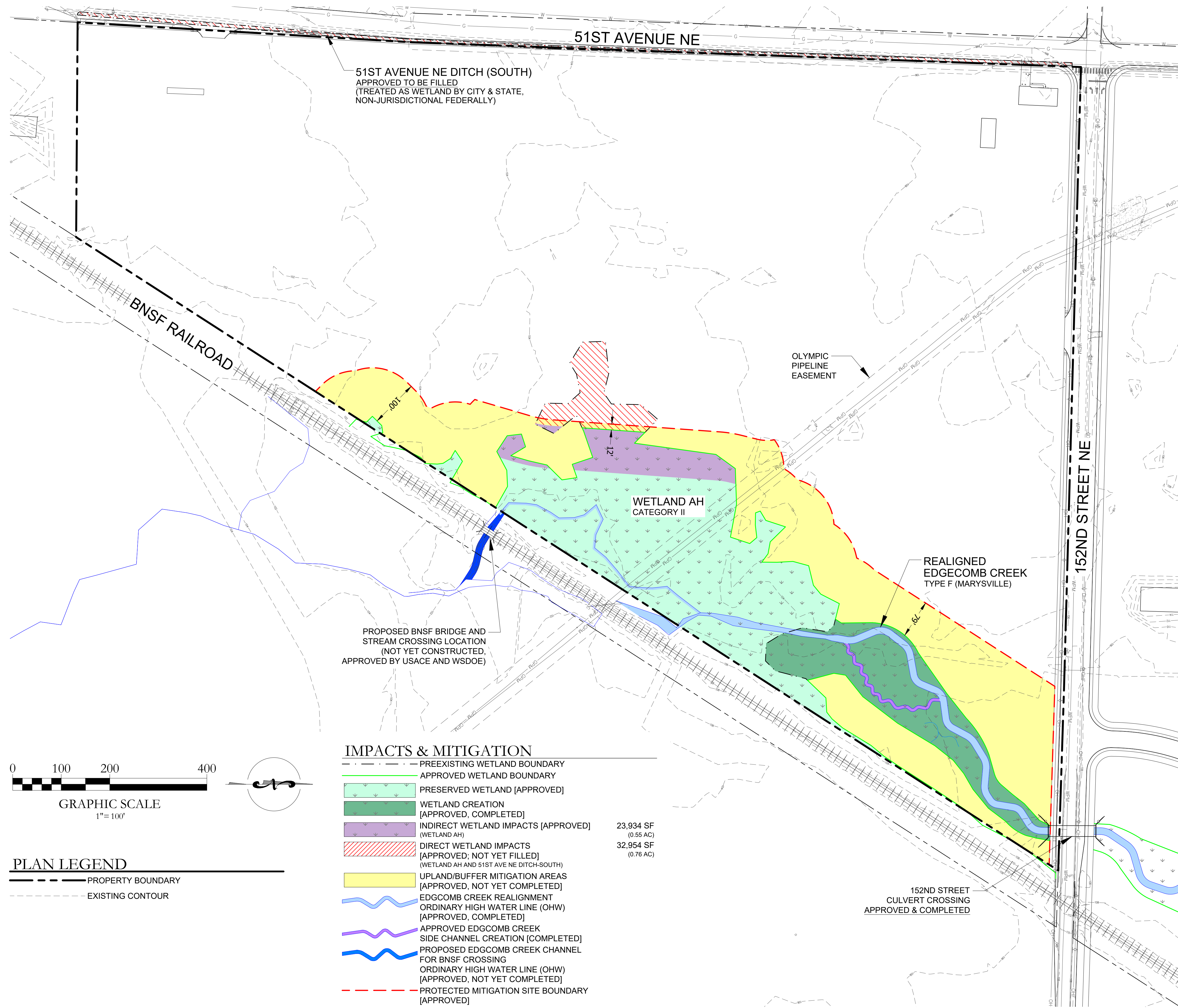
Attachment J – Final Mitigation Plan (June 1, 2021)

Attachment K – Water Quality Monitoring Plan

Attachment A – Cascade Business Park Critical Areas Approval Summary

Regulatory Agency	Approval	Approval Content Summary ¹
USACE	Individual Permit (NWS-2020-571)	Wetland fill, indirect wetland impacts, realignment of Edgecomb Creek and Tributary/Ditch X, wetland creation according to <i>Final Mitigation Plan: Cascade Business Park</i>
USACE	Approved Jurisdictional Determination (NWS-2020-571)	51 st Avenue East Ditch and Ditch U are not waters of the United States
WSDOE	Individual 401 Water Quality Certification (Water Quality Certification No. 2019 for Corps Reference No. NWS-2020-0571)	Wetland fill, indirect wetland impacts, realignment of Edgecomb Creek and Tributary/Ditch X, wetland creation according to <i>Final Mitigation Plan: Cascade Business Park</i>
WSDOE	Administrative Order No. 21016	Fill of non-federally regulated waters of the state (51 st Avenue East Ditch and Ditch U)
WDFW	Hydraulic Project Approval (2021-4-329+01)	Fill, realignment and restoration of Edgecomb Creek, fill and realignment of Tributary/Ditch X, fill of the 51 st Avenue East Ditch, creation of mitigation corridor according to <i>Final Mitigation Plan: Cascade Business Park</i>
City of Marysville	Development Agreement	
City of Arlington	Development Agreement	

Attachment B – Critical Areas Impacts and Mitigation on Subject Property



IMPACTS & MITIGATION

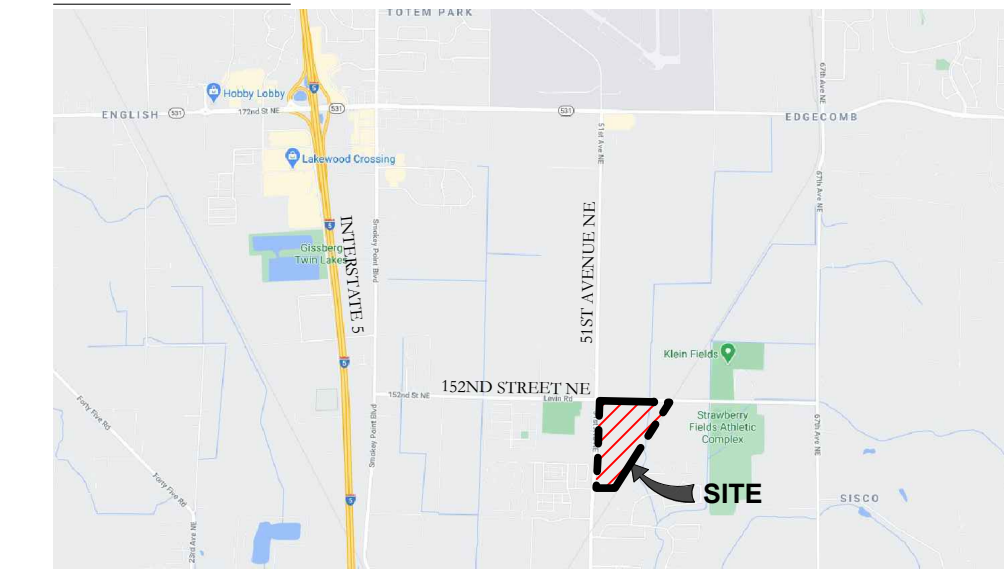
	PREEXISTING WETLAND BOUNDARY	
	APPROVED WETLAND BOUNDARY	
	PRESERVED WETLAND [APPROVED]	
	WETLAND CREATION [APPROVED, COMPLETED]	
	INDIRECT WETLAND IMPACTS [APPROVED] (WETLAND AH)	23,934 SF (0.55 AC)
	DIRECT WETLAND IMPACTS [APPROVED; NOT YET FILLED] (WETLAND AH AND 51ST AVE NE DITCH-SOUTH)	32,954 SF (0.76 AC)
	UPLAND/BUFFER MITIGATION AREAS [APPROVED, NOT YET COMPLETED]	
	EDGECOMB CREEK REALIGNMENT	
	ORDINARY HIGH WATER LINE (OHW) [APPROVED, COMPLETED]	
	APPROVED EDGECOMB CREEK SIDE CHANNEL CREATION [COMPLETED]	
	PROPOSED EDGECOMB CREEK CHANNEL FOR BNSF CROSSING	
	ORDINARY HIGH WATER LINE (OHW) [APPROVED, NOT YET COMPLETED]	
	PROTECTED MITIGATION SITE BOUNDARY [APPROVED]	



PLAN LEGEND

	PROPERTY BOUNDARY
	EXISTING CONTOUR

VICINITY MAP



SOURCE: GOOGLE MAPS; WWW.MAPS.GOOGLE.COM (ACCESSED 11/4/2020)

LOCATION

THE NW & SW ¼ OF SECTION 34, TOWNSHIP 31N, RANGE 05E, WM

APPLICANT

NAME: KM CAPITAL, LLC.
ADDRESS: 10515 20TH STREET SE, SUITE 202 LAKE STEVENS, WASHINGTON 98258

ENVIRONMENTAL CONSULTANT

SOUNDVIEW CONSULTANTS LLC
2907 HARBORVIEW DRIVE
GIG HARBOR, WA 98355
(253) 514-8952

SHEET INDEX

SHEET NUMBER	SHEET TITLE
1	EXISTING CONDITIONS
2	APPROVED PLANTING PLAN

SOURCES:

LDCI
Surveying
Engineering
Planning

Woodville
20210 142nd Avenue NE
Woodville, WA 98072
T: 425.806.1869 www.LDCcorp.com F: 425.482.2893

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Environmental Assessment • Planning • Land Use Solutions

P: 253.514.8952
F: 253.514.8954
WWW.SOUNDVIEWCONSULTANTS.COM

MARYSVILLE MULTI-FAMILY
5414 152ND STREET NE
MARYSVILLE, WASHINGTON 98271

SNOHOMISH COUNTY PARCEL NUMBERS:
31053400200800, 31053400200700,
& 31053400300300

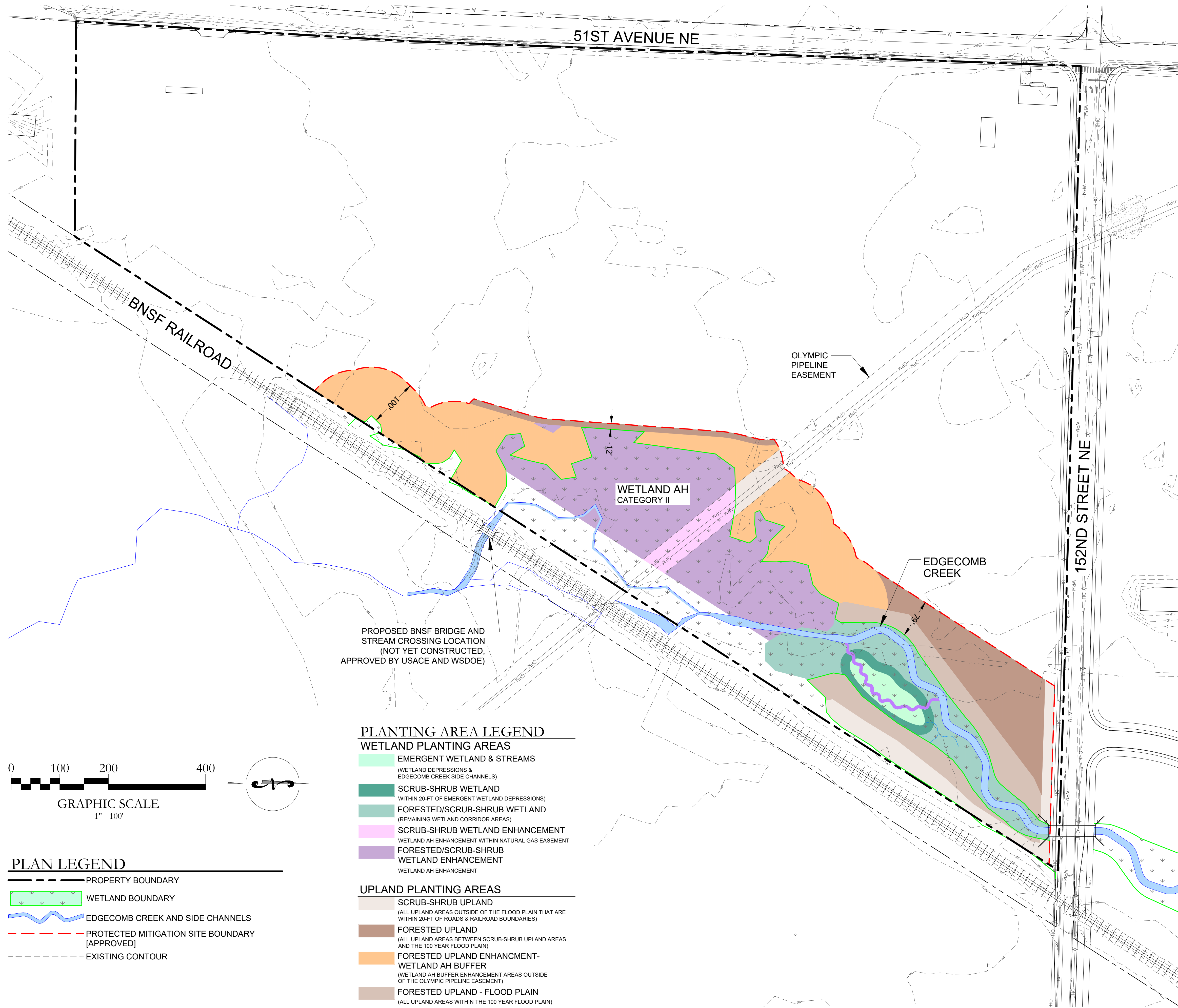
DATE: 2/8/2023

JOB: 2534.0001

BY: MW

SCALE: AS SHOWN

SHEET: 1



- PLANTING AREA LEGEND**
- WETLAND PLANTING AREAS**
- EMERGENT WETLAND & STREAMS
(WETLAND DEPRESSIONS & EDGECOMB CREEK SIDE CHANNELS)
 - SCRUB-SHRUB WETLAND
(WITHIN 20-FT OF EMERGENT WETLAND DEPRESSIONS)
 - FORESTED/SCRUB-SHRUB WETLAND
(REMAINING WETLAND CORRIDOR AREAS)
 - SCRUB-SHRUB WETLAND ENHANCEMENT
WETLAND AH ENHANCEMENT WITHIN NATURAL GAS EASEMENT
 - FORESTED/SCRUB-SHRUB WETLAND ENHANCEMENT
WETLAND AH ENHANCEMENT
- UPLAND PLANTING AREAS**
- SCRUB-SHRUB UPLAND
(ALL UPLAND AREAS OUTSIDE OF THE FLOOD PLAIN THAT ARE WITHIN 20-FT OF ROADS & RAILROAD BOUNDARIES)
 - FORESTED UPLAND
(ALL UPLAND AREAS BETWEEN SCRUB-SHRUB UPLAND AREAS AND THE 100 YEAR FLOOD PLAIN)
 - FORESTED UPLAND ENHANCEMENT- WETLAND AH BUFFER
(WETLAND AH BUFFER ENHANCEMENT AREAS OUTSIDE OF THE OLYMPIC PIPELINE EASEMENT)
 - FORESTED UPLAND - FLOOD PLAIN
(ALL UPLAND AREAS WITHIN THE 100 YEAR FLOOD PLAIN)



- PLAN LEGEND**
- PROPERTY BOUNDARY
 - WETLAND BOUNDARY
 - EDGECOMB CREEK AND SIDE CHANNELS
 - PROTECTED MITIGATION SITE BOUNDARY [APPROVED]
 - EXISTING CONTOUR

SOURCES:

LDCI | Surveying
Engineering
Planning

Woodville
20210 142nd Avenue NE
Woodville, WA 98072
T 425.806.1869 www.LDCcorp.com F 425.482.2893

Kent
1851 Central Pl. S, #101
Kent, WA 98030

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2907 HARBORVIEW DRIVE
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MARYSVILLE MULTI-FAMILY
5414 152ND STREET NE
MARYSVILLE, WASHINGTON 98271

SNOHOMISH COUNTY PARCEL NUMBERS:
31053400200800, 31053400200700,
& 31053400300300

DATE: 2/8/2023
JOB: 2534.0001
BY: MW
SCALE: AS SHOWN
SHEET: 2

S:\CURRENT\2534 KM Capital, LLC\2534.0001 Marysville Multi Family\Graphics & Maps\GMA - CURRENT.SVG
PROJDIRSVA - Current Base Data\2534.0001 (2534-02) base.dwg
Printed February 9, 2023

Attachment C – Individual Permit (NWS-2020-571)



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, SEATTLE DISTRICT
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

Regulatory Branch

July 14, 2021

Mr. Thane Smith
NorthPoint Holdings, LLC
4825 Northwest 41st Street, Suite 500
Riverside, Missouri 64150

Reference: NWS-2020-571
NorthPoint Holdings, LLC
(Cascade Logistics Park)

Dear Mr. Smith:

Enclosed is a Department of the Army permit which authorizes performance of the work described in your referenced application. You are cautioned that any change in the location or plans of the work will require submittal of revised plans to this office for approval prior to accomplishment. Deviation from the approved plans may result in imposition of criminal or civil penalties.

Your attention is drawn to General Condition 1 of the permit which specifies the expiration date for completion of the work. Upon completing the authorized work, please fill out and return the enclosed *Certificate of Compliance with Department of the Army Permit* form.

Please note that applicants conduct advance mitigation at their own risk. Even if compensatory mitigation activities are themselves authorized by a permit, establishing compensatory mitigation in advance of the impacts does not create any presumption or guarantee that a proposed future impact will be authorized, or that the advance compensatory mitigation will be considered adequate and/or suitable mitigation for any specific future project.

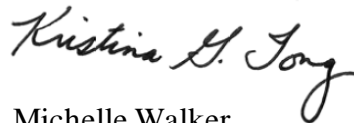
As part of our permit application review process, we notified Native American Tribes that have an interest in this area. The Stillaguamish Tribe of Indians requested their archeology staff be present to observe construction. Based on our coordination, you agreed to allow the Stillaguamish Tribe of Indians access. Please contact Mr. Kerry Lyste at (360) 572-3072 prior to commencing construction.

You are cautioned that any change in project location or plans will require that you submit a copy of the revised plans to this office and obtain our approval before you begin work. Deviating from the approved plans could result in the assessment of criminal or civil penalties. Please note that we may need to reinitiate consultation with the National Marine Fisheries

Service and/or U.S. Fish and Wildlife Service in order to authorize any work not already included in the enclosed plans.

We are interested in your experience with our Regulatory Program and encourage you to complete a customer service survey form. This form and information about our program is available on our website at: www.nws.usace.army.mil select "Regulatory Branch, Permit Information" and then "Contact Us." A copy of this letter with the enclosure will be furnished to Mr. Matt DeCaro at matt@soundviewconsultants.com. If you have any questions, please contact Ms. Amanda Nadjkovic at amanda.n.nadjkovic@usace.army.mil or at (206) 316-3156.

Sincerely,

A handwritten signature in cursive script that reads "Kristina G. Song".

For Michelle Walker
Chief, Regulatory Branch

Enclosures

cc: w/drawings only:
U.S. Fish and Wildlife Service
National Marine Fisheries Service

MEMORANDUM

To: Jesse Hannahs, PE, City of Marysville

From: Brad Lincoln, PE *BL*

Subject: Cascade Multifamily Comprehensive Plan Map and Rezone
 Trip Generation Analysis

Date: February 15, 2023

Project: 090223015

Kimley-Horn and Associates, Inc. has been retained to provide a trip generation analysis to evaluate the potential change in trip generation which could result from a comprehensive plan map and zoning change from the previously approved high-cube warehouse space to the proposed residential zoning. The Cascade Multifamily Comprehensive Plan Map/Rezone includes three parcels (31053400200700, 31053400200700, and 31053400200800) totaling 48.01 acres. The site is located in the southeast corner of 51st Avenue at Levin Road/152nd Street NE. A site vicinity map is shown in **Figure 1**.



Figure 1: Site Vicinity Map

The Cascade Multifamily Comprehensive Plan Map and rezone site was previously approved for warehousing use and the proposal is to rezone the parcel to a residential use. The residential zoning is

anticipated to allow for approximately 684 multifamily residential units. It is anticipated that the site will have access to 51st Avenue and 152nd Street NE.

1. TRIP GENERATION – PREVIOUSLY APPROVED USE

The previously approved use included 432,000 square-feet (SF) of high-cube warehouse space. The trip generation calculations for the previously approved use are based on data published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual, 11th Edition (2021)* for ITE Land Use Code 154, High-Cube Warehouse. The weekday trip generation calculations for the approved use are summarized in **Table 1**.

Table 1: Trip Generation Summary – Previously Approved Use

High-Cube Warehouse 432,000 SF	Average Daily Trips			AM Peak-Hour Trips			PM Peak-Hour Trips		
	In	Out	Total	In	Out	Total	In	Out	Total
Generation Rate	1.40 trips per 1,000 SF			0.08 trips per 1,000 SF			0.10 trips per 1,000 SF		
Splits	50%	50%	100%	77%	23%	100%	28%	72%	100%
Trips	303	302	605	27	8	35	12	31	43

The previously approved 432,000 SF of high-cube warehouse space is anticipated to generate approximately 605 new weekday average daily trips with approximately 35 new weekday AM peak-hour trips and approximately 43 new weekday PM peak-hour trips.

2. TRIP GENERATION – PROPOSED ZONING

The trip generation calculations for the proposed zoning are based on data published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual, 11th Edition (2021)* for ITE Land Use Code 221, Multifamily Housing (Mid-Rise). The weekday trip generation calculations for the proposed zoning are summarized in **Table 2**.

Table 2: Trip Generation Summary – Proposed Zoning

Multifamily Housing (Mid-Rise) 684 Units	Average Daily Trips			AM Peak-Hour Trips			PM Peak-Hour Trips		
	In	Out	Total	In	In	Out	Total	Out	In
Generation Rate	4.54 trips per Unit			0.37 trips per Unit			0.39 trips per Unit		
Splits	50%	50%	100%	23%	77%	100%	61%	39%	100%
Trips	1,553	1,552	3,105	58	195	253	163	104	267

The 684 multifamily (mid-rise) units under the proposed zoning would be anticipated to generate approximately 3,105 new weekday average daily trips with approximately 253 new weekday AM peak-hour trips and approximately 267 new weekday PM peak-hour trips.

3. IMPACTS OF PROPOSED ZONING

The proposed zoning would potentially generate 2,500 additional new weekday daily trips with 218 new additional weekday AM peak-hour trips and 224 new additional weekday PM peak-hour trips beyond what was previously approved. The City of Marysville evaluates the traffic impacts of a development based on analysis of intersections impacted by 25 or more peak-hour trips. The proposed zoning would result in several City of Marysville intersections being impacted by 25 peak-hour trips, including:

- State Avenue at 116th Street NE
- State Avenue at 128th Street NE
- State Avenue at 136th Street NE
- 51st Avenue NE at 132nd Street NE
- 51st Avenue NE at 136th Street NE
- 51st Avenue NE at 152nd Street NE
- Smokey Point Boulevard at 156th Street NE
- Smokey Point Boulevard at 152nd Street NE

A full traffic impact analysis would be required as part of the land use application and impacts would need to be fully evaluated and mitigated, if necessary.

The difference in traffic mitigation fees has also been evaluated. The current traffic mitigation fees are \$6,300 per PM peak-hour trip for residential uses and \$2,220 per PM peak-hour trip for commercial uses. The change in traffic mitigation fees with the proposed zoning are summarized in **Table 3**.

Table 3: Change in Traffic Mitigation Fees

Zoning	Land Use	Size	PM Peak-Hour Trips	Fee per Trip	Traffic Mitigation Fee
Proposed Zoning	Residential Multifamily	684 units	267	\$6,300	\$1,652,100
Existing Approval	High-Cube Warehouse	432,000 SF	43	\$2,220	\$95,460
INCREASE					\$1,586,640

The proposed zoning would result in approximately \$1,586,640 in additional traffic mitigation fees, assuming there are not applicable credits for roadway improvements.



COMPREHENSIVE PLAN MAP AMENDMENT RESPONSE FORM

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

SECTION A

SECTION A MUST BE COMPLETED FOR ALL REQUESTED COMPREHENSIVE PLAN MAP AMENDMENTS

Indicate Requested Amendment: Land Use Map Designation Both Map and Text

If a change to the written text is proposed, indicate Element, Section, and Policy Numbers.

Does not apply.

Property address, location or description.	5414 152nd Street NE Marysville, WA 98217	Size (acres)	48.01
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Land Use Designation	Existing	Proposed	Zoning	Existing	Proposed
	LI - Light Industrial	R18 Mult-Family Medium		LI - Light Industrial	R18 Mult-Family Medium

How does the Comprehensive Plan land use map designation you are seeking relate to the designation and use of surrounding properties? Provide a map with this information.

North		
Land Use Designation	Current Zoning	Current Use of Property
LI - Light Industrial	LI - Light Industrial	Approved for future industrial development
South		
Land Use Designation	Current Zoning	Current Use of Property
R4.5 Single Family Medium	R4.5 Single Family Medium	Single Family Homes
East		
Land Use Designation	Current Zoning	Current Use of Property
LI - Light Industrial & R4.5 Single Family Medium	LI - Light Industrial & R4.5 Single Family Medium	Vacant land, Strawberry Fields Athletic Complex, SF Homes
West		
Land Use Designation	Current Zoning	Current Use of Property
R18 Mult-Family Medium	R18 Mult-Family Medium	One residence, Soccer Fields Owned by School District

SECTION B

SECTION B REQUIRES WRITTEN RESPONSES TO THE REZONE CRITERIA SET FORTH IN MMC 22G.010.440. PURSUANT TO MMC SECTION 22G.010.440, "A REZONE RECLASSIFICATION SHALL ONLY BE GRANTED IF THE APPLICANT DEMONSTRATES THAT THE PROPOSAL IS CONSISTENT WITH THE COMPREHENSIVE PLAN AND APPLICABLE FUNCTIONAL PLANS AND COMPLIES WITH THE FOLLOWING CRITERIA" SET FORTH BELOW.

There is a demonstrated need for additional zoning as the type proposed. Please describe.

The 2021 Snohomish County Buildable Lands Report indicated the City of Marysville (city limits only) had a total population capacity of 89,550 against a 2035 population target of 87,798. The initial 2044 population target, according to the CPPs adopted in February 2022, is 99,822 or a population deficit of 10,272 that will need to be accommodated through changes in existing zoning to allow for more housing. The proposed redesignation and rezone would create needed multi-family housing adjacent to an employment center and along a transit corridor (51st Ave NE).

The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties. Please describe.

The proposed reclassification is consistent and compatible with the R18 zoning to the west as that could develop in the future with apartments and potentially a school. Multi-family housing has been viewed as consistent and compatible with light industrial development where separated by roadways and other physical features. The R18 zoning would provide for a transition in land use from light industrial to the R4.5 medium density residential.

There have been significant changes in the circumstances of the property to be rezoned or surrounding properties to warrant a change in classification. Please describe in detail.

The significant change in circumstances is the 2022 adopted of initial population targets showing the city has a deficit in zoning for housing. Further, the 2022 Competitiveness Report for Washington, issued by the Lt. Governor and the Joint Legislative Committee on Economic Development identified a chronic shortage of housing as a key economic development issue. Further, this study found there are only 1.06 housing units per household in the state versus an average of 1.14 nationally. The Seattle Times has reported the region is 81,000 units behind.

The property is practically and physically suited for the uses allowed in the proposed zone reclassification. Please describe.

The property is located adjacent to an employment center (the Cascade Industrial Center) which is expected to produce thousands of jobs. The proposed redesignation and rezone will create housing units near employment, reducing traffic congestion and commuting time. Further, 51st Ave NE is a transit corridor, providing service into the industrial center and to other employment areas regionally. The site, while adjacent to critical areas, can accommodate housing. The site had previously been identified for industrial development.

SECTION C

SECTION C REQUIRES WRITTEN RESPONSES TO SUPPLEMENTAL QUESTIONS THAT ADDRESS THE NEED FOR, AND BENEFITS AND IMPACTS OF, THE PROPOSED LAND USE DESIGNATION CHANGE AND ASSOCIATED REZONE.

Does the proposed land use designation promote a more desirable land use pattern for the community as a whole? Will the proposed land use designation be in the long-term best interest of the community?

The proposed land use designation promotes workforce housing (apartments) adjacent to a growing employment center and along a transit corridor. This is consistent with the city's designation and a High Capacity Transit Community. The proposed land use designation will concentrate housing at the edge of the employment center versus location higher densities elsewhere that would otherwise have to drive through established single family neighborhoods to get to work. The proposal would be consistent with Comprehensive Plan Policies HO-3, HO-19, HO-33, HO-36, LU-2, LU-20, LU-24, LU-30, LU-34, and LU-46.

What impacts would the proposed land use designation have on the current use of other properties in the vicinity, and what measures should be taken to ensure compatibility between the subject property and surrounding properties and uses?

The proposed land use designation should not impact other properties in the vicinity. The existing land use is light industrial and a redesignation to multi-family would serve as a more appropriate transition to the R4.5 designated areas. Compatibility is already contemplated within the zoning code, which would require setbacks, buffers, and landscaping between this redesignated site and adjacent residential (or industrial) areas.

Would the proposed land use designation create the need for, or cause direct or indirect pressure for, a change in the land use designations of surrounding properties? If so, would the change in the land use designations for surrounding properties be in the long-term best interests of the community?

No. The remaining light industrial areas will be developed as an industrial employment center and the adjacent R18 to the west is likely to match the proposed redesignation. There should be no pressure on the city to redesignate the property to the south as it consists of established single family neighborhoods.

Describe the proposal's overall consistency with the 2015 Marysville Comprehensive Plan policies.

The proposal is consistent with the 2015 Marysville Comprehensive Plan Policies as it locates multiple family development along arterial roads and near an employment center. See the LU and HO policies mentioned in the above analysis.

SECTION D

SECTION D MUST BE COMPLETED WHEN A CHANGE TO THE TEXT OF THE COMPREHENSIVE PLAN IS NECESSARY IN ORDER TO SUPPORT THE PROPOSED CHANGE IN LAND USE DESIGNATION AND REZONE.

Indicate how the text of the Comprehensive Plan is proposed to be changed including the language that is proposed to be added or removed from the text.

Not applicable.

Is the proposed change to the Comprehensive Plan text intended to be the basis for a change to existing City regulations, to create new regulations, or to eliminate existing regulations? If the answer is 'yes', which regulations would be impacted, or what type of new regulations are proposed?

Not applicable.

Describe in detail the circumstances that have changed since the adoption of the most recent Comprehensive Plan update in September 2015 that warrant the change to the Comprehensive Plan text which you are seeking.

Not applicable.

Does the proposed change in policy promote a more desirable growth pattern or outcome for the community as a whole? Describe in detail.

Not applicable.

Is the proposed policy change consistent with, or does it conflict with, existing Comprehensive Plan policies or the policies of other plans? Explain in detail.

Not Applicable.

I certify that I am the owner or owner's authorized agent. If acting as an authorized agent, I further certify that I am authorized to act as the Owners agent regarding the property at the above-referenced address for the purpose of filing applications for decision, permits, or review under the Unified Development Code, applicable Marysville Municipal Codes and Comprehensive Plan, and I have full power and authority to perform on behalf of the Owner all acts required to enable the City to process and review such applications.

I certify that the information on this form is true and correct and that the applicable requirements of the City of Marysville, RCW and the State Environmental Policy Act (SEPA) will be met. I grant permission for City employees, agents of the City and/or other agency officials to enter the subject property (if applicable), for the purpose of site inspection.

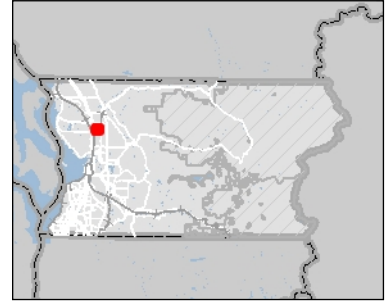


Owner or Owner's Authorized Agent

Nathaniel Hagedorn, Authorized Person for NP Arlington MIC Industrial, LLC

1/31/23

Date



Legend

Snohomish County Tax Parcels

1: 10,000



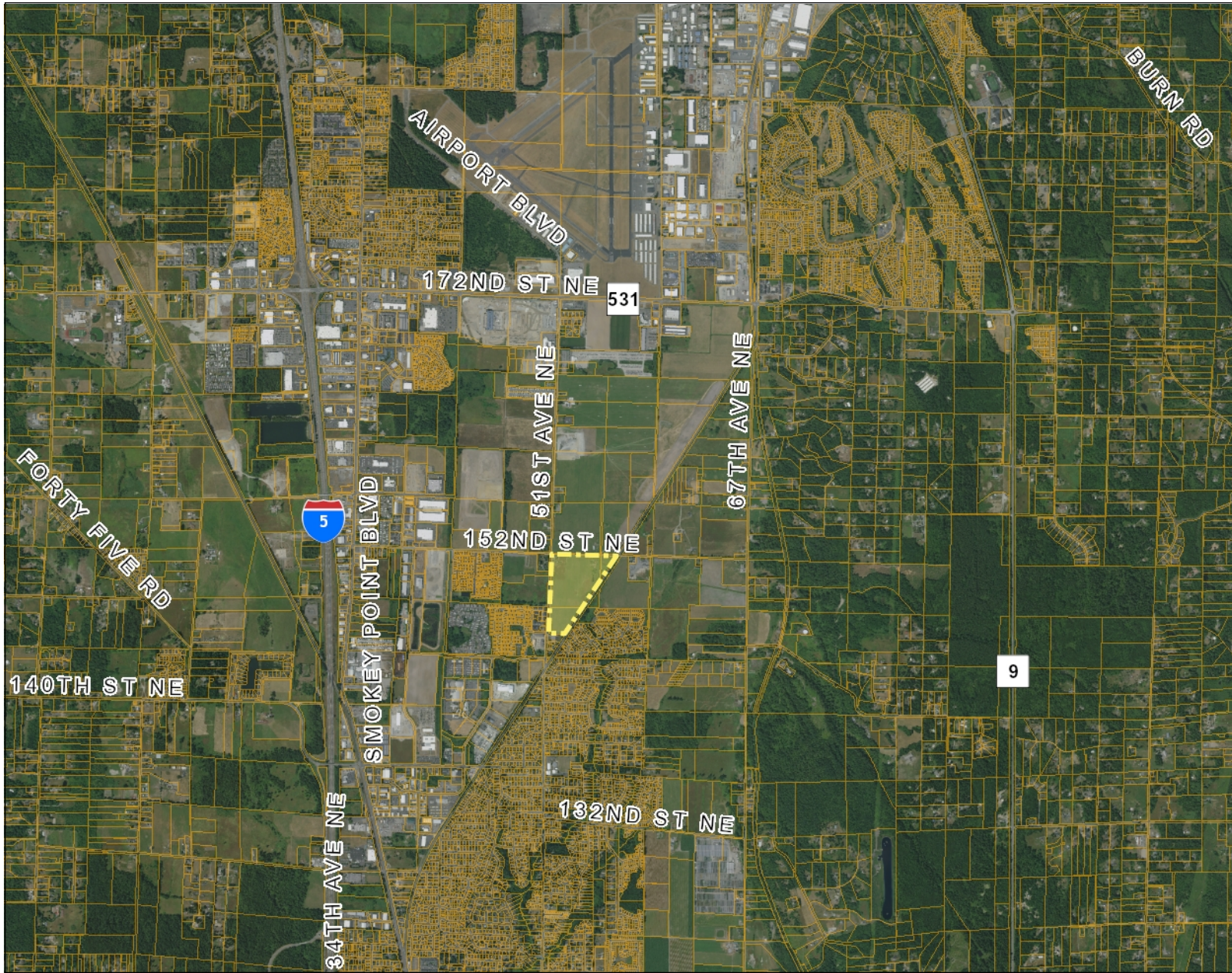
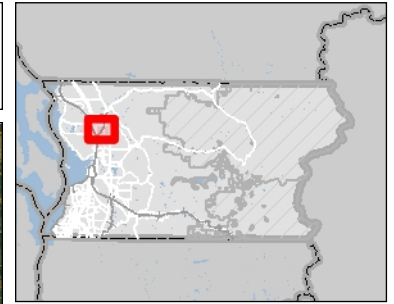
1,666.7 0 833.33 1,666.7 Feet

Projection: NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet
Planning and Development Services, Snohomish County

All maps, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an official citation to or representation of the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this Data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data. Washington State Law, Ch. 42.56 RCW, prohibits state and local agencies from providing access to lists of individuals intended for use for commercial purposes and, thus, no commercial use may be made of any Data comprising lists of individuals contained herein.

Notes

This map was automatically generated using Geocortex Essentials.



Legend

Snohomish County Tax Parcels

1:46,278



7,713.0 0 3,856.49 7,713.0 Feet

Projection: NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet
Planning and Development Services, Snohomish County

All maps, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an official citation to or representation of the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this Data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data. Washington State Law, Ch. 42.56 RCW, prohibits state and local agencies from providing access to lists of individuals intended for use for commercial purposes and, thus, no commercial use may be made of any Data comprising lists of individuals contained herein.

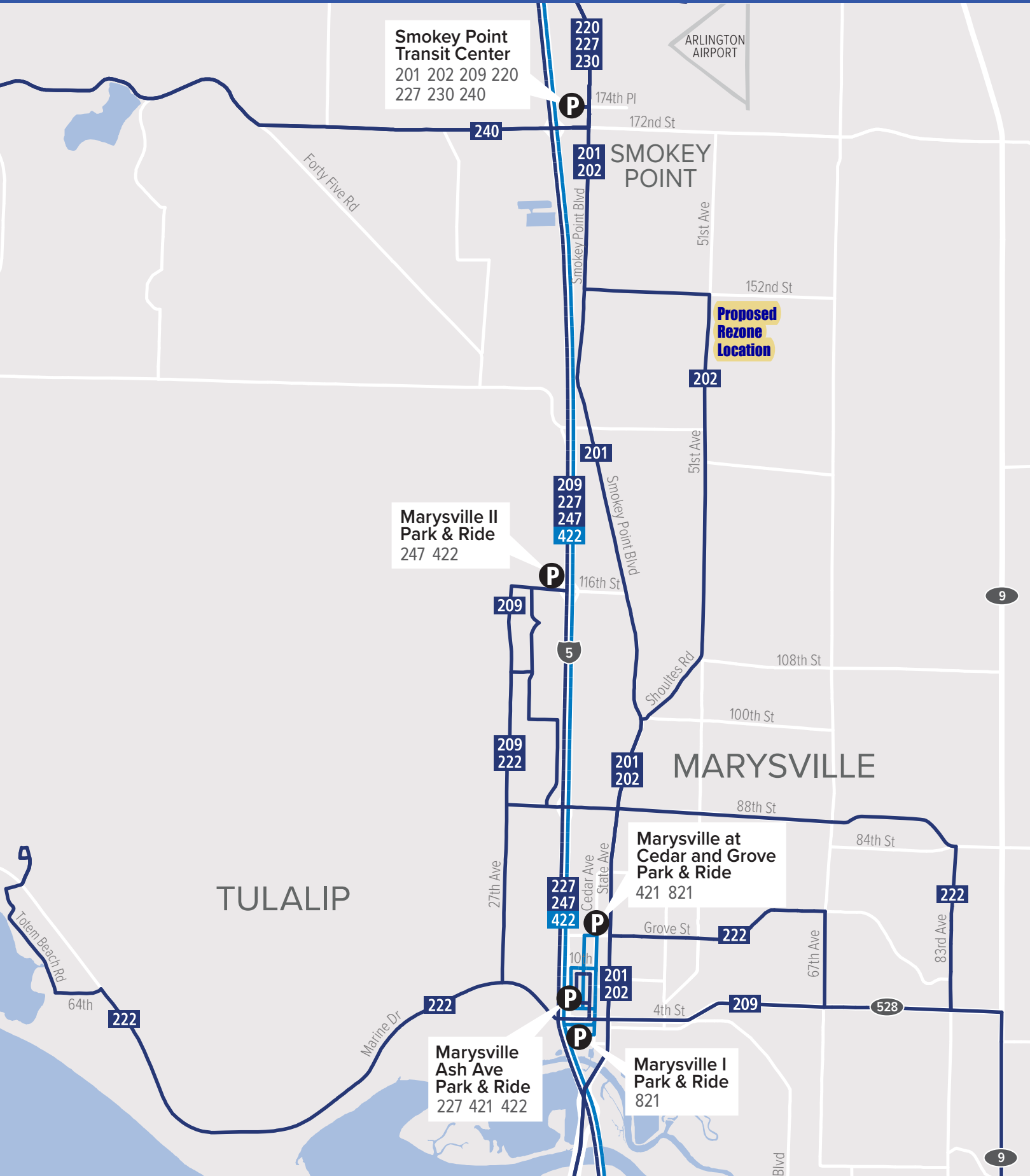
Notes

This map was automatically generated using Geocortex Essentials.

Community Transit System Map

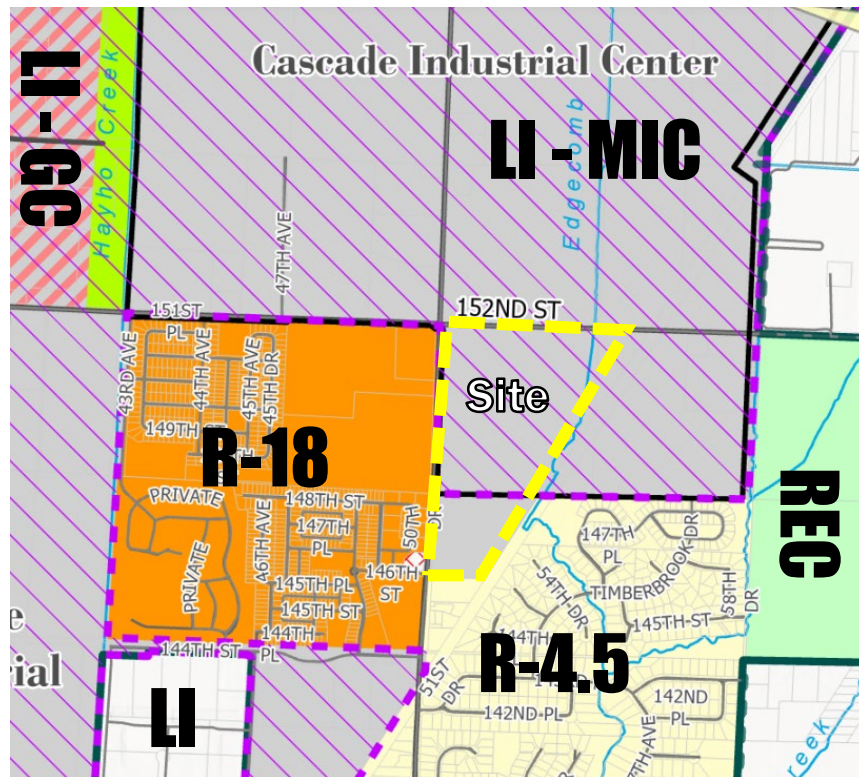
Marysville/Tulalip detail

March 2022

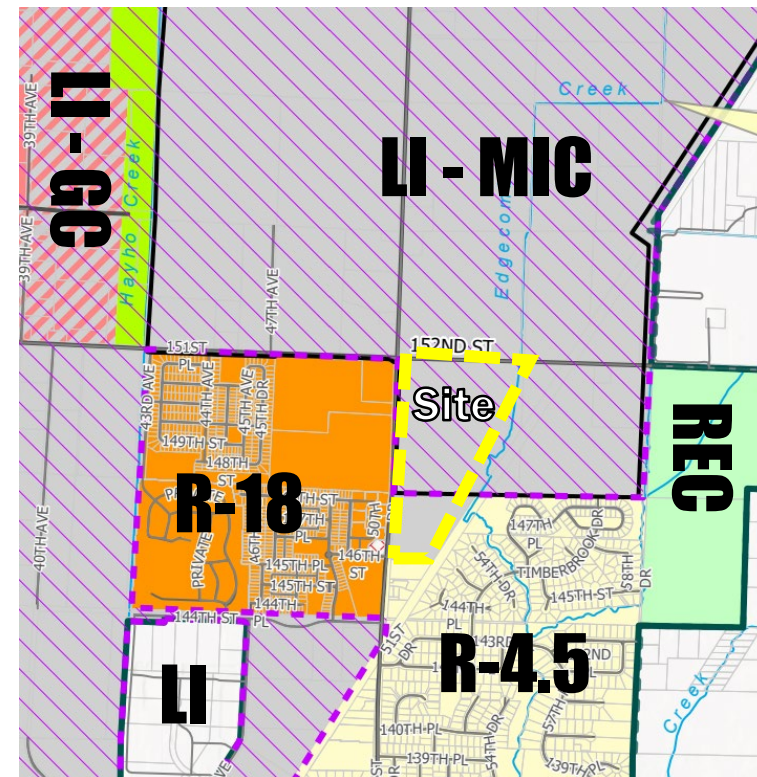


Existing Land Use & Zoning Designations

Land Use Designation

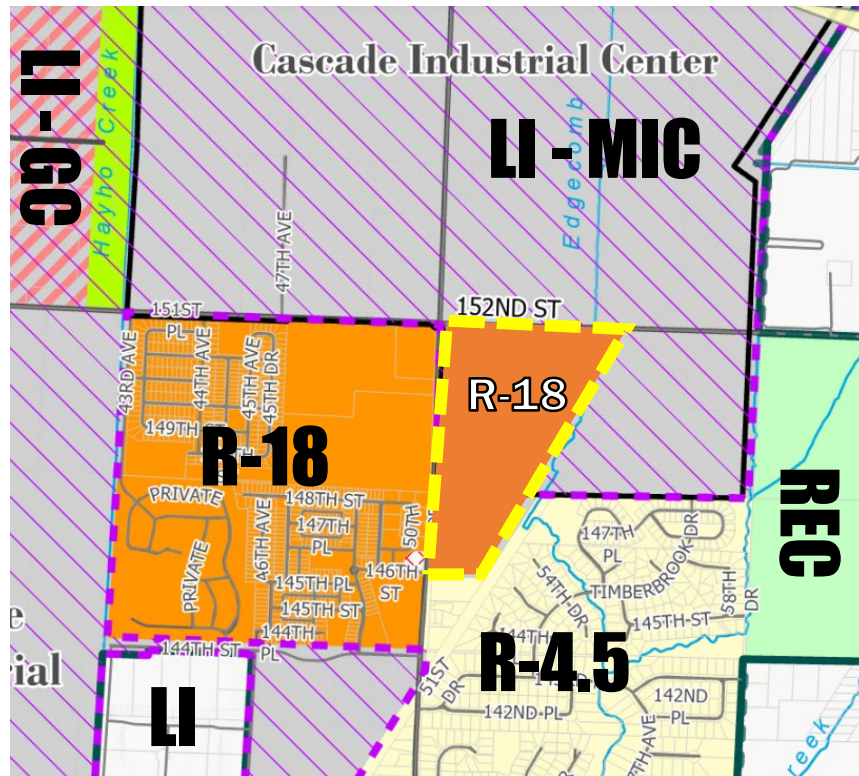


Zoning

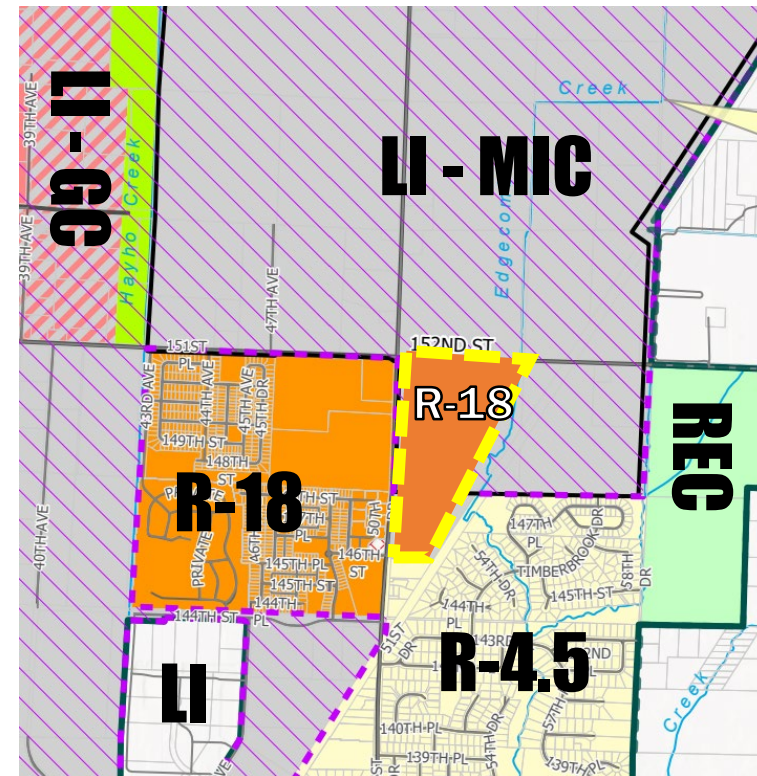


Proposed Land Use & Zoning Designations

Land Use Designation



Zoning





COMMUNITY DEVELOPMENT DEPARTMENT
501 Delta Avenue ♦ Marysville, WA 98270 ♦ (360) 363-8100

March 31, 2023

David Toyer
Toyer Strategic Advisors, Inc.
10519 20th Street SE, Ste. 3
Lake Stevens, WA 98258

Re: 51st Avenue – KM Capital, LLC – *Technical Review 1*
CPA23003

Dear David,

Thank you for your submittal. After preliminary review of the above-referenced proposal, the Planning Division has the following comments. Comments 1 through 3, and any forthcoming comments from the Public Works Department's Transportation Division, will need to be addressed prior to a State Environmental Policy Act (SEPA) determination being issued and a recommendation on the proposal being submitted to the Planning Commission:

1. The requested R-18 Multi-family, Medium Density zone allows for a base density of 18 dwelling units per net project acre and a maximum density of 27 dwelling units per net project acre through the application of the residential density incentive provisions set forth in Chapter [22C.090](#) MMC. The Trip Generation Analysis prepared by Kimley Horn dated February 15, 2023 anticipates approximately 684 multi-family residences will be constructed on the 48.01 acre site with a future project action. While there are significant critical areas encumbrances on-site, it still appears that this estimate may be conservative. If a 25 percent deduction for net project area is made, an estimated project yield might range from 648 (base) to 972 units (maximum). Should a higher unit count or range of units be contemplated in the Trip Generation Analysis? If not, please provide a brief description of why the provided figure is a reasonable estimate. If so, please amend the Trip Generation Analysis and applicable sections of the SEPA checklist accordingly.
2. The following revisions or supplemental information is requested for the SEPA checklist:
 - 1 Earth (g) – Include a reference to the maximum 70 percent impervious surface which would be allowed if the property is rezoned to R-18.
 - 3 Water (a)(1) – It is indicated that the consultant is not aware of any surface water body on or in the immediate vicinity of the site (including year-round and season streams, saltwater, lakes, ponds, wetlands); however, the Technical Memorandum prepared by Soundview Consultants, LLC dated February 17, 2023 and supporting critical areas documentation identifies the following surface water bodies on or in the vicinity of the site: Wetland AH and Edgecomb Creek. Please amend to reflect.
 - 3 Water (a)(2) – Reviewing the critical areas documentation that was provided, it is recommended that this section be revised to include a statement that future project actions may require work over, in, or adjacent to Wetland AH and Edgecomb Creek which will be analyzed during future project action review.
 - 3 Water (a)(3) – Amend to briefly summarize the fill of the 51st Avenue NE ditch, impacts to Wetland AH, and realignment of Edgecomb Creek that are anticipated to accompany a future project action.

- 3 Water (c)(1) – Recommend indicating that a future project action will require stormwater facilities be constructed in accordance with the 2019 Stormwater Management Manual for Western Washington or then-current regulations.
- 5 Animals (a) – The list of animals in the vicinity is very limited. Have animals such as hawk, deer or eagle been observed in the vicinity?
- 5 Animals (b) – The City’s GIS indicates Chinook, Coho, Cutthroat, and Chum are present within Edgecomb Creek. Reviewing the National Oceanic and Atmospheric Administration (NOAA) Fisheries website ([Chinook Salmon \(Protected\) | NOAA Fisheries](#)), it appears Chinook are ESA Threatened in Puget Sound and that the checklist may need to be amended to reflect this.
- 5 Animals (d) – This section should mention the realignment of Edgecomb Creek and wetland buffer mitigation that is anticipated with a future project action, and that it is anticipated that the critical areas and buffers will be placed in a Native Growth Protection Area (NGPA) tract or easement for future protection.
- 8 Land and Shoreline Use (g) – It should be noted that Edgecomb Creek is not subject to the Shoreline Master Program.
- 8 Land and Shoreline Use (h) – Provide a brief description of the on-site critical areas, Wetland AH and Edgecomb Creek.
- 8 Land and Shoreline Use (i) – Recommend that an estimate of the number of future residents that would be live in a future project be provided that is consistent with the preliminary Trip Generation Analysis.
- 8 Land and Shoreline Use (l) – A landscape buffer along the eastern property line will be required to screen the anticipated future project from adjacent single family residential areas.
- 9 Housing (a) – Recommend an estimated range of housing units that are projected with a future project action be noted that is consistent with the requested zoning and the preliminary Trip Generation Analysis.
- 10 Aesthetics (a) – Cite the allowable height of 45 feet in the R-18 zone.
- 10 Aesthetics (b – second one that should be c) – Recommend that it be indicated that future project actions will be subject to design standards and landscaping as required by code.
- 12 Recreation (c) – Future residential project actions will be required to provide open space on-site and pay park mitigation fees.
- 13 Historic and Cultural Preservation (d) – Future project actions will be required to follow the Department of Archaeology and Historic Preservation’s Inadvertent Discovery protocols in the event that a cultural resource is encountered.
- 14 Transportation (d) – While certain transportation improvements will not be identified until a project action is submitted, it is anticipated that frontage improvements will be required along the property’s 51st Avenue NE and 152nd Street NE frontages.
- 14 Transportation (f) – Recommend citing the estimate of trip generation for a future project action from the Trip Generation Analysis.
- 15 Public Services (a) – Future project actions would increase the need for the variety of public services listed in this section
- 15 Public Services (b) – Future project actions will require the payment of school, traffic and park mitigation fees, and water, sewer and storm capital improvement charges to help mitigate the project’s impacts.

- 15 Public Services (c) – Future project actions will require connections, and extensions where necessary, of water, sewer and storm infrastructure.
- 3. Please review and address the attached comments from Ms. Kinnamon dated March 2, 2023. The comments pertaining to the review and approval process have been addressed.
- 4. An initial Planning Commission work session on this Comprehensive Plan map amendment and rezone request is anticipated in late April or early May.
- 5. Critical areas and associated buffers are anticipated to provide significant buffering along the majority of the eastern property line. Pursuant to MMC 22C.120.120, Table 1, a 10 foot wide, Type L1 landscape buffer with a six foot tall, sight-obscuring fence or wall will be required along property lines abutting single family zoned properties. Reductions in the landscape buffer would not be supported as the deciduous trees along the railroad right-of-way become quite sparse during the fall and winter providing more limited screening. Fencing may be conditioned to be a good neighbor or picture frame style fence that is aesthetically pleasing to abutting properties.
- 6. Comments are anticipated from the Transportation Division of Public Works and will be forwarded upon receipt.
- 7. An Olympic Pipeline easement is located on the property. Past residential projects adjacent to the pipeline have required coordination with the pipeline on appropriate setbacks for residential uses.
- 8. The Planning Division is contemplating concurrently rezoning the small area of R-4.5 Single Family, Medium Density that is immediately south of the subject site and west of the Burlington Northern Santa Fe railroad to R-18 Multi-family, Medium Density.

Enclosed please find comments from other departments, agencies and the public. After you have had an opportunity to review the comments, please let me know if you would like to set up a meeting to discuss them further. If you have any questions, please contact me at 360.363.8240 or by email at agemmer@marysvillewa.gov.

Sincerely,

Angela Gemmer

Angela Gemmer
Principal Planner

cc: Haylie Miller, Community Development Director
Chris Holland, Planning Manager

From: Kristin Kinnamon <bikenbus@gmail.com>
Sent: Thursday, March 2, 2023 1:32 PM
To: Angela Gemmer
Subject: Re: [External!] 51st Ave. rezone proposal - process questions
Attachments: [image001.png](#)

Dear Angela,

Thank you for that information. Please add to the record my concern about school impacts of this big zoning change . How is the school district supposed to plan for and teach students when a new development attracts a new elementary school worth of students that weren't expected?
Kristin

On Thu, Mar 2, 2023, 11:48 AM Angela Gemmer <agemmer@marysvillewa.gov> wrote:

Hi Kristin,

Thank you for your comments. They will be part of the record.

The submittal has been routed to Public Works and the Washington State Department of Transportation for review. It's anticipated that the City's Traffic Engineering Manager will have comments on impacts to 51st Avenue NE and adjacent roads and intersections. The review comments for all impacted departments and agencies will be provided to the applicant to review and address.

The first public meeting will be a Planning Commission workshop where the proposal will be discussed and questions from the Planning Commission will be addressed. Typically public testimony is not taken at workshops; however, written comments from the public will be provided to the Planning Commission. After workshopping the proposal (this may be one or more meetings depending on the questions and the discussion), a Public Hearing will be set before the Planning Commission where public testimony will be received. At the Public Hearing, the Planning Commission will consider city staff's recommendation and any public testimony, and then formally make a recommendation on the proposal to City Council.

The proposal will then be discussed at the City Council workshop meeting (first meeting of the month). It would then typically be scheduled for the following City Council meeting for action; however, sometimes more meetings or a hearing are necessary (although typically a second hearing does not occur unless determined necessary by City Council).

The earliest this will likely be workshopped with the Planning Commission is the second meeting in March (although April is likelier). Planning Commission packets are available at the following link ([Public folder \(marysvillewa.gov\)](#)) and are usually ready late on Wednesday the week before the Planning Commission meeting.

Please let me know if you have any questions.

Thank you,



Angela Gemmer, Principal Planner

CITY OF MARYSVILLE

Community Development Department

501 Delta Avenue, Marysville, WA 98270

360.363.8240 or agemmer@marysvillewa.gov

Please note we have now relocated to 501 Delta Avenue.

From: Kristin Kinnamon <bikenbus@gmail.com>

Sent: Thursday, March 2, 2023 10:48 AM

To: Angela Gemmer <agemmer@marysvillewa.gov>

Subject: [External!] 51st Ave. rezone proposal - process questions

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

Dear Angela,

I have briefly reviewed the application for a Comprehensive Land Use Map Amendment by Toyer & Associates for 48 acres on 51st Avenue. This proposed change from light industrial to multifamily is very significant - in terms of traffic generation as well as employment and other goals for the Cascade Industrial Center.

Reading through the Environmental Checklist however was extremely disappointing. The applicant simply repeated "non project action" and put no work into assessing how this change will impact current and future city residents or workers.

What are the next steps in this process? Will the Planning Commission or City Council have a hearing? Will someone (city or applicant) provide some analysis of the impact of this proposed change? The traffic analysis cites 2,500 new weekday trips requiring \$1.5 million in additional mitigation (and for some reason assumes vehicles will only go north or west, not south). This is a huge change and the written documentation to date does nothing to justify it.

Sincerely,

Kristin Kinnamon

Marysville, WA

Kristin Kinnamon

Sharing Wheels Community Bike Shop, board member

McClinchy Mile Camano Climb, coordinator 2023

B.I.K.E.S. Club of Snohomish County, member

425-923-7868 (personal cell)

From: Kacey Simon
Sent: Friday, March 10, 2023 7:43 AM
To: Angela Gemmer
Subject: RE: 51st Avenue Comprehensive Plan Amendment and Rezone

Hi Angela,

We do not have any comments on this review.

Thanks,

Kacey Simon

***We have moved to the new Marysville Civic Campus.
Please note our new address below***



Kacey Simon
Civil Plan Reviewer
City of Marysville
501 Delta Ave
Marysville, WA 98270
360.363.8280 Office

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

From: Angela Gemmer <agemmer@marysvillewa.gov>

Sent: Friday, February 24, 2023 5:41 PM

To: Angela Gemmer; Jesse Hannahs; Ken McIntyre; Shane Whitney; Kacey Simon; Adam Benton; Matthew Eyer; Brooke Ensor; Mike Snook; anderdm@wsdot.wa.gov; Doug Gresham; knelson@tulaliptribes-nsn.gov; Todd Gray; City of Arlington Planning; Martin Wray; Robert.larson@ziply.com; Robert.nance@ziply.com; Wicklund, Mary; DFW R4Cplanning; gregg_kuehn@msvl.k12.wa.us

Subject: 51st Avenue Comprehensive Plan Amendment and Rezone

When: Friday, March 10, 2023 12:00 AM to Saturday, March 11, 2023 12:00 AM (UTC-08:00) Pacific Time (US & Canada).

Where: THIS IS NOT A MEETING INVITE - THIS IS AN RFR WITH COMMENTS REQUESTED 3.10.23



MARYSVILLE
WASHINGTON

THIS IS NOT A MEETING INVITE – THIS IS A REQUEST FOR REVIEW (RFR) WITH COMMENTS REQUESTED TO BE RETURNED BY 3.10.23.

File Number:	PA23003
Project Title:	51 st Avenue Comp. Plan Amendment and Rezone

From: Mike Snook
Sent: Tuesday, February 28, 2023 12:57 PM
To: Angela Gemmer
Cc: Jordan Sanchez
Subject: PA23003 51st Avenue Comp. Plan Amendment and Rezone

Follow Up Flag: Follow up
Flag Status: Completed

Hi Angela,

Building has no comments at this time.

Thank you,

Michael Snook, CBO
Building Official
CITY OF MARYSVILLE – Community Development Department
501 Delta Avenue, Marysville WA 98270
360.363.8210
msnook@marysvillewa.gov



From: Brooke Ensor
Sent: Tuesday, February 28, 2023 3:45 PM
To: Angela Gemmer
Cc: Matthew Eyer
Subject: CPA23-003 51st Avenue Comp. Plan Amendment and Rezone

Angela,
There are no surface water comments on CPA23-003 51st Avenue Comp. Plan Amendment and Rezone.

Thank you!

Brooke Ensor

City of Marysville
NPDES Coordinator
Office: 360-363-8288
Cell: 425-754-8480