## PRELIMINARY SHORT PLAT APPROVAL

Community Development Department • 501 Delta Avenue • Marysville, WA 98270
Office Hours: Mon - Fri 8:00 AM - 4:30 PM • Phone: (360) 363-8000



## DEPARTMENT REVIEW - FINDINGS OF FACT \& CONCLUSIONS

1. Description of Proposal. Land Resolutions (agent) on behalf of James Funston (applicant) has requested a 5-lot planned residential development (PRD) short plat.
1.1. A preliminary planned residential development short plat application is an Administrative Decision. No public hearing is required.
2. Site Location. The project site is located at $1252751^{\text {st }}$ Ave NE and is further identified by Assessor's Parcel Number (APN): 30050300302600.
3. Site Description. The project site is currently developed with a single family residence and accessory structures, to be demolished with development. The ground surface within the site is relatively level. The site is generally vegetated with grass pasture areas, underbrush and scattered young to mature trees.
4. Project History. A pre-application review (PREA22-017) was completed April 21, 2022 for a 3-lot short plat. The development proposal has since been modified to reflect this application, 5-lot PRD short plat.
5. Letter of Completeness. An application was deemed complete on June 27, 2023.
6. Public Notice. Notice was provided in accordance with MMC 22G.010.090, Notice of development application.
7. Request for Review. A Request for Review of the proposed development was sent to the Local, County, State \& Federal Agencies and Districts identified on page 1 of this report. The following comments were received; if above-referenced agencies are not listed below, no comments were received:

|  | $\quad$ Nature of Comment |
| :--- | :--- |
| Public Works, Traffic | Requirements and recommendations are addressed in the approved <br> Traffic Concurrency Recommendation, dated March 8, 2024. |
| Public Works, <br> Development Services | - Provided information regarding the required improvements which <br> are to be further reviewed with Civil Plan Review. <br> - The project is vested under the 2019 Stormwater Management <br> Manual for Western Washington. Formal drainage review will be <br> conducted during Civil Plan Review. |
|  | - Capital facility fees would be required to be paid prior to issuance <br> of the building permit. |
| Public Works, <br> Surface Water | The City has adopted the 2019 Stormwater Management Manual <br> for Western Washington. |
| For residential projects triggering MR \#6 Runoff Treatment and \#7 |  |
| Flow Control, the HOA gets lot ownership and landscaping |  |
| responsibility. The City gets routine maintenance easement for |  |
| hard infrastructure maintenance, if applicable. |  |

[^0]| Marysville Fire District | - Access for fire apparatus appears to be acceptable and fire hydrant <br> locations appear to be adequate. <br> - Future homes to be constructed may require residential sprinkler <br> installation for a number of reasons, including: if homes are three <br> or more stories tall, if fire flow from hydrants does not meet fire <br> code requirements, if any part of homes is further than 200 ft. from <br> the public road ROW with no hydrant provided on-site, or to <br> mitigate access deficiencies. |
| :--- | :--- |
| Building Department | Provided requirements for the building permit submittal. |

8. Public Comments. No comments from the public were received.
9. State Environmental Policy Act Review. Pursuant to MMC 22E.030.090, the proposed short plat is exempt from SEPA review.
10. Critical Areas. The subject property does not have critical areas on or near the site; therefore, the provisions of MMC 22E.010 Critical Areas Management would not apply.
11. Access and Circulation. Access to the development is proposed via an extension of $126^{\text {th }}$ St NE, ending in a cul-de-sac. Each lot would be served by a single driveway off of the proposed internal road extension.

Per approved Engineering Development and Design Standards (EDDS) variance, dated February 29, 2024 (Exhibit E026), Josh King, Development Services Manager, accepted justification to allow the applicant relief from constructing a sidewalk along the north side of the new road ( $126^{\text {th }} \mathrm{St} \mathrm{NE}$ ) as well as allowing the standard 35 ft . radius of the required intersection to be reduced to a 25 ft . radius. This variance was approved provided that the existing conditions of the $126^{\text {th }}$ St NE intersection limit the radius of the curb return respective of adjacent property impacts and the existing topography further limits the construction of a walkway along the edge of the new road.
12. Traffic Impacts. Per the Traffic Impact Analysis Trip Generation for Developments Memorandum dated December 20, 2021, prepared by Jeff Laycock, Director of Public Works, trip generation rates for residential units are calculated at a rate of 1 weekday PM peak hour trips (PMPHT) per dwelling unit. Therefore, four (4) new PMPHT would be generated for the proposed development. Traffic impact fees shall be vested at a rate of $\$ 6,300.00$, per PMPHT, totaling $\$ 25,200(\$ 6,300 \times 4)$, with a credit applied for the new SFR proposed on Lot 2.

The City Engineer and Traffic Engineer issued a written concurrency recommendation dated March 8, 2024 (Exhibit 31) informing the developer of the project's impacts and mitigation obligation pursuant to Chapter 22D.030, Traffic Impact Fees and Mitigation. Pursuant to MMC Section 22D.030.070(1)(d), an applicant is required to make a written proposal for mitigation of traffic impacts to the Public Works Director based on the concurrency recommendation. The applicant accepted the traffic concurrency recommendation on March 8, 2024 (Exhibit 32).

As conditioned, the development would not result in adverse traffic impacts and adequate mitigation would be achieved.
13. Park Impacts. Pursuant to MMC 22D.020, the applicant shall mitigate City of Marysville parks impacts through payment of the park impact fee in effect at the time of building permit application.

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14. School Impacts. Pursuant to MMC 22D.040, the applicant shall mitigate school impact for the Marysville School District through the payment of the school impact fee in effect at the time of building permit application.
15. Utilities. The following utilities will be provided to the site:

Storm Drainage: According to the Preliminary Storm Drainage Report, prepared by Elias J. Troutman, EIT and Joseph M. Smeby, PE, dated October 2023 (Exhibit E027), the roof runoff from the new buildings would be connected to individual infiltration systems. Road runoff form the new roads and driveways would be collected, treated, and infiltrated on-site.

Water: An existing $8^{\prime \prime}$ ductile iron water main is located in $51^{\text {st }}$ Ave NE. Line extensions though the development are proposed as $8^{\prime \prime}$ ductile iron.

Sewer: The sewer service would be provided by $8^{\prime \prime}$ PVC line extension through the proposed development.
16. Application Review. MMC 22G.010.140(3) requires the city to determine whether or not the project is consistent with the following items described in the applicable plans and regulations:
16.1. Type of land use permitted at the site, including uses that may be allowed under certain circumstances, such as planned residential development and conditional uses, if the criteria for their approval have been satisfied.

Staff Comment: Pursuant to MMC 22C.010.060, single family residences and duplexes are permitted outright in the R-4.5 zone.
16.2. Density of residential development in urban growth areas.

Staff Comment: The base density permitted for single family residences in the R-4.5 zone is 4.5 dwelling units per net project area. The density of the project is calculated as follows:

| Single Family | 0.83 acres $\times 4.5$ du/acres $=3.73$ units or 4 unit |
| ---: | :--- |
| Bonus Density Allowance per <br> MMC 22C.010.090(1)(b) | 3.73 base density $\times 20 \%=0.75$ or 1 bonus unit allowed |
| Total Allowed Units | 5 units |

The applicant is proposing to install perimeter fencing to satisfy the bonus provision of Benefit 7c, project design. This density incentive provides for the installation of perimeter fencing and/or landscaping, at least 6 ft . in in order to improve design/compatibility between neighboring land uses. The density incentive allows for 1 bonus unit per 500 lineal ft. of perimeter fencing and/or landscaping. This benefit shall be pursued if fencing is otherwise required by code. MMC

As proposed, the applicant would install 570 lineal ft . of fencing along the perimeter. Per MMC 22G.090.580, a 6 ft . sight obscuring fence is required to be installed if it is determined during civil plan review that the existing grade would be increased by 2 ft . or greater, causing the newly created lots to be a higher elevation than the abutting property. If this is determined to be the case, alternate method to achieve (1) bonus RDI unit must be pursued.

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### 16.3. Availability and adequacy of public facilities identified in the comprehensive plan.

Staff Comment: The Comprehensive Plan designation for the subject property is Single Family, Medium Density. The proposed development has been reviewed for compliance with the Comprehensive Plan to ensure consistency with the goals and policies related to the Single Family, Medium Density designation.

As conditioned, the proposed development would be consistent with the City of Marysville Comprehensive Plan.

### 16.4. Development Standards.

Staff Comment: The project site is currently zoned R-4.5 Single Family, Medium Density. It allows detached single-family residences at a density of 4.5 dwelling units per net project acre. The maximum density for the R-4.5 zone may be increased by $20 \%$ through the application of residential density incentive (RDI) provisions as outlined in MMC 22C.090. The applicant is proposing RDI to achieve (1) bonus unit/lot.

The proposed PRD short plat would meet all bulk and dimensional requirements set forth in MMC 22G.080.080, Modification of Development Regulations.

The proposed development and subsequent use of the property would comply with the intent of the R-4.5 zone, and as conditioned herein, complies with all of the applicable design and development standards.

As conditioned, the proposed development would comply with the required development standards.
17. Factors Considered by City Departments. MMC 22G.090.360 requires the City to review the short plat application to determine whether it meets the following criteria:
17.1. Public Use and Interest. Evaluation of the proposed short subdivision to determine whether the public use and interest are served;
Staff Comment: Based on the review of application materials for the proposed project, staff concludes that as conditioned, the public use and interest would be served.
17.2. Public Health, Safety, and General Welfare. Evaluation of the proposed subdivision to determine whether the public health, safety and general welfare have been served and that the subdivision is consistent with the requirements of RCW 58.17.110;

Staff Comment: Per above Finding 16.4, the proposed PRD short plat application would make appropriate provisions for the public health, safety, and general welfare would be served in accordance with RCW 58.17.110.
17.3. Comprehensive Plan. Evaluation of all elements of the comprehensive plan and its consistency with the proposed short subdivision;
Staff Comment: Per above Finding 16.3, the proposed development would be consistent with the elements of the Comprehensive Plan.
17.4. Existing Zoning. Evaluation of existing zoning and its compliance with the proposed short subdivision and Article V of this chapter, Land Division Requirements;

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Staff Comment: The project site is zoned residential. The purpose of residential zones in the City of Marysville is to implement comprehensive plan goals and policies for housing quality, diversity and affordability, and to efficiently use residential land, public services and energy.

As conditioned, the proposed development would comply with the applicable development standards of Title 22 of the Marysville Municipal Code.
17.5. Natural Environment. Evaluation of the impacts and provision for mitigation of all impacts on all elements of the natural environment including topography, vegetation, soils, geology and all environmental issues;

Staff Comment: The project site does not contain critical areas and is not subject to environmental review via the SEPA review process pursuant to MMC 22E.030.090(1)(a) and WAC 197-11-800(6); therefore, this provision would not apply, however, staff reviewed impacts on all elements of the natural environment including topography, vegetation, soils, geology, and all environmental issues, and determined compliance with MMC Chapter 22G.090, Article V, Land Division Requirements, as conditioned herein.
17.6. Drainage. Evaluation of all drainage impacts and provisions made for mitigation of all drainage impacts;

Staff Comment: Per Finding 15, on-site drainage impacts would be contained and infiltrated on-site. As conditioned, the proposed development would not allow for adverse drainage impacts.
17.7. Open Space. Evaluation of all impacts and provision for open space;

Staff Comment: Being as the proposed short plat is also to be a PRD, the development must dedicate $15 \%$ of the net project area as open space with $35 \%$ of that area dedicated as active open space. The net project area is calculated at $36,203 \mathrm{sq}$. ft . ( 0.83 acres) which would require the dedication of $5,773 \mathrm{sq}$. ft . of open space; therefore, $2,021 \mathrm{sq}$. ft . must be dedicated as active open space. As proposed, the dedicated open space tract appears to meet these standards.

As conditioned, the proposed development would satisfy the required open space requirements.
17.8. Public Systems Capacity. Evaluation of all impacts and provisions made for mitigation of impacts on public systems including parks, schools and community facilities;

Staff Comment: As conditioned, the proposed development would be required to make payment for Traffic, School, and Park impact fees.
17.9. Public Services. Evaluation of all impacts and provisions made for mitigation of impacts on public services including streets, all public utilities, fire and police protection;

Staff Comment: As conditioned, all impacts have been evaluated, and provisions have been made for mitigation of impacts on public services including streets, all public utilities, fire, and police protection.
17.10. Floodplain. Identification of short subdivisions proposed in the floodplain and compliance with requirements of this title and Chapter 22E. 020 MMC, Floodplain Management;

Staff Comment: The proposed development is not located within floodplain area; therefore, this provision would not apply.

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17.11. Sidewalks. Pursuant to RCW 58.17.060(2), the applicant shall be required to show that sidewalks are provided to assure safe walking conditions for students who walk to and from school;

Staff Comment: As conditioned, the proposed development would be required to install adequate sidewalks along $51^{\text {st }} \mathrm{St} \mathrm{NE}$ and the internal access road.
18. Decision Criteria for Planned Residential Developments. MMC 22G.080.050(2) requires the applicant to fulfill the requirements and intent of the city's development regulations, comprehensive plan, and subarea plans.

Staff Comment: Compliance with the required criteria of the above section has been demonstrated through Findings 16 and 17. As conditioned, the requirements of this section would be satisfied.
19. In House Days. Pursuant to MMC 22G.010.200, a decision on the application shall be made within 120 days from the date of the letter of completeness. A decision on this application was made (70) inhouse calendar days from the date of completeness.

## CONDITIONS OF APPROVAL

Based on the foregoing findings and conclusions, review of the environmental documents submitted by the applicant, and the City's regulatory authority to implement the policies, standards, and regulations of the Comprehensive Plan and Marysville Municipal Code, the Community Development Director hereby grants Preliminary Administrative Short Plat and Planned Residential Development Approval subject to the following conditions:

1. The preliminary short plat map (Exhibit 29) shall be the approved site layout.
2. Prior to civil construction plan approval, a final landscaping plan meeting the requirements outlined in MMC Chapter 22C.120, Landscaping and Screening, shall be submitted for review and approval. All required landscaping, fencing, and open space improvements shall be installed prior to final short plat PRD approval.
3. All power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or line shall be placed underground either by direct burial or by means of conduit or ducts providing service to each building.
4. In order to achieve density greater than 4.5 dwelling units per acre, the applicant shall be required to comply with MMC Chapter 22C. 090 Residential Density Incentives.
4.1. The applicant is proposing RDI Benefit 7c, installation of perimeter fencing. Per MMC 22G.090.580, a 6 ft . sight obscuring fence is required to be installed if it is determined during civil plan review that the existing grade would be increased by 2 ft . or greater, causing the newly created lots to be a higher elevation than the abutting property. If this is determined to be the case, alternate method to achieve (1) bonus RDI unit must be pursued.
5. Accessory dwelling units shall not be allowed within this PRD per MMC 22G.080.070, or as amended.
6. Prior to final PRD approval, the applicant shall submit to the City for its approval, covenants, deed restrictions, homeowners' association bylaws, and other documents providing for preservation and maintenance of all common open space, parking areas, walkways, landscaping, signs, lights, roads, and community facilities consistent with MMC Section 22G.080.120. All common areas and facilities shall be continuously maintained at a minimum standard at least equal to that required by the City,

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and shall be approved by the City at the time of initial occupancy. Said restrictive covenants shall also include provisions to address parking enforcement and a statement from a private attorney as the adequacy of the covenants to fulfill the requirement of the PRD.
7. The applicant shall submit payment to Marysville School District No. 25 for school impacts caused by the development in accordance with MMC Chapter 22D.040, School Impact Fees and Mitigation. School mitigation fees will be based on the fee schedules in effect at the time an individual building permit application is accepted by the City, and will be required to be paid prior to building permit issuance unless deferred until a time preceding final building inspections being granted.
8. The applicant shall submit payment to the City of Marysville for park impacts caused by the development in accordance with MMC Chapter 22D.020, Parks, Recreation, Open Space and Trail Impact Fees and Mitigation. Park mitigation fees will be based on the fee schedules in effect at the time an individual building permit application is accepted by the City, and will be required to be paid prior to building permit issuance unless deferred until a time preceding final building inspections being granted.
8.1. Credit shall be granted to Lot 1 if a complete application for a building permit to replace or reconstruct an existing structure that was removed or destroyed is submitted within 3 years after the structure was removed or destroyed in order for the exemption to apply
9. The project is subject to the following (3) traffic mitigation obligations as required by the Traffic Concurrency Recommendation, dated March 8, 2024. Said obligations are as follows:
9.1. The applicant shall be required to construct frontage improvements along $51^{\text {st }}$ Ave NE, and the internal short plat road ( $126^{\text {th }} \mathrm{St} \mathrm{NE}$ ), prior to final short plat approval. Roadway improvements, channelization, site access and lighting plans shall be required to be reviewed and approved by the City Engineer, prior to construction plan approval. $51^{\text {st }}$ Ave NE is classified as a minor arterial and is to be built with (2) travel lanes, a turn lane, and bike lanes, together with curb, gutter, and 5 ft . sidewalk with a 5 ft . planter meeting the standards of the EDDS SP 3-201-004.
9.2. The applicant shall be required to dedicate public right-of-way for $51^{\text {st }} A v e N E$, and the internal plat road ( $126^{\text {th }}$ St NE), in accordance with MMC 12.02A.110(1)(c), Dedication of Road right-of-way - Required setbacks. Right-of-way widths and required dedication shall be determined by the City Engineer. $51^{\text {st }}$ Ave NE is a minor arterial, a 70 ft . right-of-way is required.
9.3. In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity improvements as set forth in MMC 22D.030.070(3), for the development. Traffic impact fees shall be vested at a rate of $\mathbf{\$ 6 , 3 0 0 . 0 0}$, per PMPHT, totaling $\mathbf{\$ 2 5 , 2 0 0}$.

## Prepared by: Emily

Reviewed by: Amy

## DETERMINATION

This Preliminary Administrative Short Plat and Planned Residential Development Approval is issued pursuant to MMC Section 22G.010.150(h). Administrative decisions may be appealed to the Hearing Examiner in accordance with MMC 22G.010, Article VIII, Appeals. Appeals must be filed within fourteen (14) calendar days of the date of the Preliminary Administrative Short Plat and Planned Residential Development Approval.

Date: $\qquad$ Signature:


The above recommendation, including conditions of preliminary approval, are subject to change if the proposed phasing parameters, land uses or any other information provided by the applicant or their authorized representative proves inaccurate.



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