



PRELIMINARY BINDING SITE PLAN APPROVAL

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

PROJECT INFORMATION									
Project Title	AHM Binding Site Plan			Date of Report	June 16, 2014				
File Number	PA 14007			Attachments	Preliminary BSP; MDNS dated May 8, 2012, MDNS Addendum dated May 31, 2014 and Preliminary Commercial Site Plan Approval, dated May 24, 2012.				
Administrative Recommendation	Approve the NON-PROJECT ACTION <i>Preliminary Binding Site Plan</i>								
BACKGROUND SUMMARY									
Applicant	AHM Development, LLC								
Request	NON-PROJECT ACTION <i>Preliminary Binding Site Plan</i> in order to subdivide a 1.65-acre parcel into two separate lots. This parcel previously obtained preliminary Commercial Site Plan Approval in order to construct two commercial buildings totaling approximately 16,800 SF on May 24, 2012 under File Number PA 12003.								
SEPA Status	In accordance with WAC 197-11-600, the City of Marysville is incorporating, by reference, the Mitigated SEPA Threshold Determination of Non-Significance (MDNS), issued on May 8, 2012 for the project site, and an addendum to the MDNS, issued on May 31, 2014.								
General Location	11929 Smokey Point Boulevard			APN(s)	30050900200700				
Acreage (SF)	1.65-acres (71,874 SF)			Section	09	Township	30N	Range	05E
Comprehensive Plan	Mixed Use	Zoning	MU	Shoreline Environment			N/A		
Water Supply	Current	Proposed		Sewer Supply	Current		Proposed		
	None	Marysville			None	Marysville			
Present Use of Property	The site is vacant undeveloped land								
REVIEWING AGENCIES									
Marysville	Local Agencies & Districts		State & Federal		County			Other	
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input checked="" type="checkbox"/> Land Development <input type="checkbox"/> Parks <input type="checkbox"/> Planning <input type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works	<input checked="" type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input checked="" type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lakewood SD 306 <input type="checkbox"/> PUD No. 1 (electric)		<input type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input type="checkbox"/> DOE <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input type="checkbox"/>		<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			<input checked="" type="checkbox"/> Tulalip Tribes <input checked="" type="checkbox"/> Stillaguamish Tribe <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
ACTION									
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> City Council	<input type="checkbox"/> Quasi-Judicial	<input type="checkbox"/> Planning Commission						
Date of Action	June 16, 2014		<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Continued				
STAFF CONTACT									
Name Chris Holland	Title Planning Manager	Phone 360.363.8207	E-mail cholland@marysvillewa.gov						

SURROUNDING USES

	Comprehensive Plan	Zoning	Land Use
Site	Mixed Use	MU	Vacant
North	Single-family, Medium-Density	R-4.5	Developed single-family subdivision
East	Mixed Use	MU	Quilceda Creek multi-family apartment complex
South	Mixed Use	MU	New Hope Fellowship Foursquare Church
West	N/A	N/A	BNSF Railway and State Avenue

Vicinity Map



- | | | | |
|-----------------------|-------------------------|---------------------------------|---------------------------|
| General Commercial | 88 - Mixed Use | R12 Multi-Family Low | R4.5 Single Family Medium |
| Downtown Commercial | General Industrial | R6-18 Multi-Family Low | Public-Institutional |
| Community Business | Light Industrial | R8 Single Family High Small Lot | Recreation |
| Neighborhood Business | R28 Multi-Family High | R6.5 Single Family High | Open |
| Mixed Use | R18 Multi-Family Medium | R4-8 Single Family High | |

1.0 FINDINGS AND CONCLUSIONS

1. AHM Development, LLC (applicant), submitted a NON-PROJECT ACTION *Preliminary Binding Site Plan* (BSP) in order to subdivide a 1.65-acre parcel into two separate lots. This parcel previously obtained preliminary Commercial Site Plan Approval in order to construct two commercial buildings totaling approximately 16,800 SF on May 24, 2012 under File Number PA 12003. Future development of the site shall comply with the conditions outlined in the Commercial Site Plan approval (attached).
2. The application was determined to be complete on April 10, 2014 (Exhibit 15).
3. The site is currently vacant undeveloped land.
4. In accordance with WAC 197-11-600, the City of Marysville is incorporating, by reference, the Mitigated SEPA Threshold Determination of Non-Significance (MDNS), issued on May 8, 2012 (attached) for the project site, and an addendum to the MDNS, issued on May 31, 2014 (attached). All applicable mitigation measures issued in the original MDNS and Addendum apply to this proposal.
5. Public notice of the NON-PROJECT ACTION BSP was provided in accordance with MMC 22G.010.090 (Exhibit 15).
6. As of the date of this administrative decision no public comments have been received on this application.
7. A *Request for Review* of the proposed development was sent to the following Local, County, State & Federal Agencies and Districts:
 - a. *Marysville Fire District*: Marysville Fire District had no comments on the application (Exhibit 16).
 - b. *City of Arlington*: No comments received.
 - c. *City of Lake Stevens*: No comments received.
 - d. *Stillaguamish Tribe*: No comments received.
 - e. *Tulalip Tribes*: No comments received.
8. MMC 22G.100.100(3) requires the City to determine whether or not the BSP complies with the following criteria:
 - a. Whether the proposed BSP and development of the parcel(s) relate to all elements of the Marysville Comprehensive Plan.

Staff Comment: The Comprehensive Plan designation for the subject property is Mixed Use. The current proposal is a NON-PROJECT ACTION BSP in order to subdivide a 1.65-acre parcel into two separate lots. A PROJECT-ACTION Commercial Site Plan Approval (attached), was approved for this site on May 24, 2012, under File Number PA 12003. The commercial site plan proposed construction of two commercial buildings totaling approximately 16,800 SF.

The following development policies outlined in the Comprehensive Plan that are specifically pertinent to this request, and were used to establish appropriate conditions, are as follows:

LAND USE ELEMENT

General Development Land Use Goals & Policies

Policies: LU-154, LU-156, LU-157, LU-158, LU-160, LU-161, LU-163, LU-164, LU-165

HOUSING ELEMENT

Housing Policies

Policies: HO-1, HO-3, HO-8, HO-14, HO-20, HO-21, HO-23, HO-HO-26, HO-29, HO-30

ENVIRONMENTAL ELEMENT

General Environmental Goals and Policies

Policies: EN-1

Earth Goals and Policies

Policies: EN-19, EN-21

Water: Quality, Wetland and Watershed Protection, Storm Water Runoff, Drainage, Shoreline Goals and Policies

Policies: EN-27, EN-28, EN-32, EN-38

Wildlife Goals and Policies

Policies: EN-40, EN-41

TRANSPORTATION ELEMENT

Transportation System Efficiency and Safety

Policies: T-8, T-9

Public Involvement and Agency Coordination

Policies: T-13

Land Use and Economic Development

Policies: T-20, T-21

Mobility Options

Policies: T-24, T-26

Sustainable Transportation Systems and the Environment

Policies: T-34, T-38

Level of Service Standards and Concurrency

Policies: T-41

Financing and Implementation

Policies: T-44, T-46

PARKS AND RECREATION ELEMENT

Policies: PK-9, PK-11, PK-12, PK-17

UTILITIES ELEMENT

Policies: UT-1

PUBLIC FACILITIES & SERVICES ELEMENT

Police, Fire, Library

Policies: PS-1, PS-9, PS-11

Schools

Policies: SC-11

Water, Sewer, Storm Drainage, Solid Waste

Policies: PF-1, PF-15, PF-26

- b. Whether the proposed BSP meets the zoning regulations.

Staff Comment: The proposed NON-PROJECT ACTION BSP is zoned Mixed Use (MU). The purpose of the MU zone is to provide for pedestrian- and transit-oriented high-density employment uses, together with limited complementary retail and higher density residential development, in locations within activity centers where the full range of commercial activities is not desirable.

After review of the NON-PROJECT ACTION BSP, and other supporting documentation and materials submitted with the application, the proposal has been determined to comply with all of the applicable development standards outlined in Title 22 MMC, *Unified Development Code*.

- c. Whether the binding site plan properly takes into account the topography, drainage, vegetation, soils and any other relevant physical elements of the site.

Staff Comment: The current proposal is a NON-PROJECT ACTION BSP. Future development of the site shall be required to comply with all of the applicable design and development regulations related to topography, drainage, vegetation, soils and any other relevant physical elements of the site.

- d. Public Services:

- i. Adequate water supply

Staff Comment: An 18-inch ductile iron water main is located within State Avenue and an 8-inch ductile iron water main is located within 41st Ave NE and 42nd Dr NE. Future PROJECT-ACTION development shall require compliance with all applicable Marysville Municipal Codes (MMC) related to extending public water service to the site.

- ii. Adequate sewage disposal

Staff Comment: An 8-inch PVC sewer main is located within State Avenue. Future PROJECT-ACTION development shall require compliance with all applicable Marysville Municipal Codes (MMC) related to extending public sewer service to the site.

- iii. Appropriate storm drainage improvements

Staff Comment: The current proposal is a NON-PROJECT ACTION BSP. Future PROJECT-ACTION development shall require storm drainage improvements to be designed in accordance with the Stormwater Management Manual for Western Washington (SMMWW) and applicable provisions of the MMC.

- iv. Adequate fire hydrants

Staff Comment: The current proposal is a NON-PROJECT ACTION BSP. Future PROJECT-ACTION development shall require fire hydrants to be installed in accordance with the applicable MMC.

- v. Appropriate access to all anticipated uses within the site

Staff Comment: The current proposal is a NON-PROJECT ACTION BSP. Future PROJECT-ACTION development shall require access to comply with the applicable MMC.

- vi. Provisions for all appropriate deeds, dedications, and/or easements

Staff Comment: Final deeds, dedication, and/or easements shall be required in accordance with the applicable provisions in the MMC and reviewed and approved, prior to recording the final BSP.

- vii. Examination of the existing streets and utilities and how the proposed BSP relates to them.

Staff Comment: The current proposal is a NON-PROJECT ACTION BSP. Future PROJECT-ACTION development shall require road and utility improvements in accordance with the applicable MMC.

- e. Examination of the project through the SEPA process and a determination of whether the proposed binding site plan complies with the SEPA requirements.

Staff Comment: In accordance with WAC 197-11-600, the City of Marysville is incorporating, by reference, the Mitigated SEPA Threshold Determination of Non-Significance (MDNS), issued on May 8, 2012 for the project site, and an addendum to the MDNS, issued on May 31, 2014. All applicable mitigation measures issued in the original MDNS and Addendum apply to this proposal.

- f. Binding site plans shall comply with the critical areas land division requirements of MMC 22E.010.350.

Staff Comment: A Critical Areas Reconnaissance Report was prepared by Wetland Resources Inc., dated December 20, 2006, to evaluate the potential presence of jurisdictional wetlands or streams on and in the vicinity the proposed development. According to the Wetland Reconnaissance Report, no jurisdictional wetlands or streams were found on or within 100' of the proposed development.

9. After evaluation of the application materials and other supporting documentation available to the City, Staff concludes that, as conditioned, the proposed NON-PROJECT ACTION BSP is beneficial to the public health, safety and welfare and is in the public interest.
10. After evaluation of the application materials and other supporting documentation available to the City, Staff concludes that, as conditioned, the proposed NON-PROJECT ACTION BSP does not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the comprehensive plan.
11. After evaluation of the application materials and other supporting documentation available to the City, Staff concludes that, as conditioned, the area, location and features of land proposed for dedication are a direct result of the NON-PROJECT ACTION BSP, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the NON-PROJECT ACTION BSP.
12. 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 seventy (70) calendar days from the date of completeness.

2.0 RECOMMENDATION

Based on the foregoing findings and conclusions, review of the existing environmental documents, and the City's regulatory authority to implement the policies, standards, and regulations of the Marysville Comprehensive Plan and MMC, the Community Development Department hereby grants **Preliminary NON-PROJECT ACTION BSP Approval**, subject to the following conditions:

1. The preliminary BSP received by the Community Development Department on June 6, 2014 (Exhibit 17) shall be the approved preliminary BSP layout.
2. Future PROJECT ACTIONS shall comply with the conditions of Commercial Site Plan Approval, issued on May 24, 2012 (attached).
3. Future PROJECT ACTIONS shall comply with the mitigation measures outlined in the MDNS (attached), issued on May 8, 2012, and the Addendum to the MDNS (attached), issued on May 31, 2014.

Prepared by: cu

Reviewed by: LOO

This **Administrative NON-PROJECT ACTION Preliminary BSP APPROVAL** is issued under MMC 22G.010.160. Administrative decisions may be appealed to the Hearing Examiner in accordance with MMC 22G.010 MMC Article VIII Appeals. Appeals must be filed within fourteen (14) calendar days of the date of administrative approval.

Date: 6/16/14

Signature: 
Gloria Hirashima, CAO/CD Director

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.