



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

May 5, 2023

Estefania Escamilla
4G Development and Consulting, Inc.
P.O. Box 270571
San Diego, CA 92198

Re: Chick-fil-A Drive Thru – *Technical Review 1*
PA 23001

Dear Estefania,

After preliminary review of the above referenced proposal, the City of Marysville has the following comments:

City of Marysville Community Development – Planning Division

Chris Holland, Planning Manager
360.363.8207
cholland@marysvillewa.gov

1. Include File Number PA23001 on all future site, civil construction, landscape and lighting plan submittals.
2. In the project description interior modifications to the kitchen equipment and meal assembly areas is proposed. A separate building permit will be required for the interior improvements. Please contact Mike Snook, Building Official, 360.363.8210, msnook@marysvillewa.gov, for permitting requirements.
3. In the project description it states that site improvements include new site lighting and planting areas. These plan will need to be provided for review.
4. It appears that Chick-fil-A is proposing to utilize a portion of APN 30052100207600 as part of the new drive-thru stacking lane. Has Chick-fil-A received approval to include the drive-thru off-site on APN 30052100207600? Provide documentation that Chick-fil-A has legal authority to utilize a portion of APN 30052100207600 as a permanent drive thru and stacking lane.
5. In the Parking Variance Request it states that the site has a shared parking agreement in place, allowing the Chick-fil-A team members and customers to utilize parking stalls within the Shopping Center, bringing the total parking stall count to 112 available parking stalls. Please provide this documentation to supplement the parking variance request.
6. The site plan shall be amended to depict and reference the applicable Auditor’s File Number, of the encumbrances outlined in the Title Report, prepared by First American, dated March 22, 2023:
 - a. City of Marysville water line easement, recorded under AFN 200703270866;
 - b. Puget Sound Energy gas line easement, recorded under AFN 200703270869;

- c. PUD electrical distribution line facility easement, recorded under AFN 200703270871;
 - d. City of Marysville utility line easement, recorded under AFN 201705250488; and
 - e. City of Marysville utility maintenance easement, recorded under AFN 201806280258;
7. The site plan shall be amended, as follows:
- a. Provide auto-turn movement for the drive-thru and solid waste collection areas.
 - b. Provide impervious surface calculations (maximum 85%).
8. A recommended condition of variance approval is to require Chick-fil-A to dedicate the necessary right-of-way needed for the funded 88th Street NE/I-5 interchange improvements.

City of Marysville Public Works – Engineering

Shane Whitney, Civil Plan Reviewer
360.363.8227
swhitney@marysvillewa.gov

Existing Utilities:

- 9. The onsite utilities are shown on record drawing RD 281.
- 10. Per MMC 14.03.250, utilities are to be extended along the street frontages of the proposed project. No extensions are required.

Frontage Improvements:

- 11. Frontage improvements are not required for the proposed improvements.

Access:

- 12. No new access points are being proposed.

Drainage:

- 13. All projects in the city of Marysville must comply with requirements stipulated under the MMC 14.15.040 and 14.15.050.
- 14. Stormwater drainage: The city has adopted the 2019 Ecology Manual. It appears the supplied report generally conforms to the requirements. A full review will be completed at time of civil submittal.
- 15. The maximum allowed impervious surface coverage for the Zoning designation is 85%.

Other Comments:

- 16. All projects in the city of Marysville must comply with requirements stipulated under the MMC 14.15.040 and 14.15.050.
- 17. Survey control datum NAVD-88 and NAD-83 are required to be used. Civil construction plans will not be accepted in any other datum.
- 18. The onsite grading and placement of any retaining walls must be compliant with section 22D.050.030 of the MMC.
- 19. Prior to civil plan approval we will require conformation from WSDOT that the proposed project will not hamper their future improvements.

20. A right of way use permit for all work proposed within City right of way is required. Cost for the ROW permit is \$250.00. ROW permit fees must be paid before right of way permit issuance.
21. Engineering construction plan review fees will be due prior to release of approved civil construction plans, pursuant to MMC 22G.030.020. Fees for commercial review is \$250.00 base fee + \$135.00 per hour.
22. Engineering construction inspection fees will be due prior to project closeout, pursuant to MMC 22G.030.020. Fees for commercial review is \$250.00 base fee + \$135.00 per hour.
23. Civil construction plan submittals are to be routed directly to Shane Whitney, Civil Plan Reviewer. The first *civil construction* plan submittal is to consist of a completed grading permit application, a plan set, a copy of the drainage report, and a copy of the geotechnical report. Once the documents are ready to be submitted, we will provide you a link to where the materials can be uploaded to.
24. The following are civil plan review timelines:
 - a. First review = 5 weeks
 - b. Second review = 3 weeks
 - c. Third review = 3 weeks
 - d. Subsequent reviews will be 3 weeks.
25. Please be advised these comments are in reference to specific items and do not imply a full review of the proposed application. Additional comments which may change the design requirements will be provided during the civil construction plan review process.

City of Marysville Public Works – Water Resources – WWTP

Brooke Ensor, NPDES Coordinator
360.363.8288
bensor@marysvillewa.gov

26. The City has adopted the 2019 Stormwater Management Manual for Western Washington and the drainage report must address this project as redevelopment. The original site plan used the 2005 SWMMWW and significant changes to Minimum Requirement 5 have been made between these editions.
27. For commercial projects triggering minimum requirements #6 Runoff Treatment and #7 Flow Control will be required to record a covenant/easement for all of the facilities that will become privately owned and maintained (attached). A draft should be submitted with Civil Plan review documents. An online copy of this form can be found by visiting the City web site: <http://www.marysvillewa.gov/96/Community-Development> then clicking on "Permit applications, forms and fees" then "Engineering Services."

I believe the original development occurred before the stormwater covenant/easement was required, with the stormwater site changes it needs to be recorded now. If this document has already been completed, please provide the Assessors File Number.

City of Marysville Public Works – Sanitation

Kristy Beedle, Sanitation Supervisor
360.363.8152
kbeedle@marysvillewa.gov

28. It looks like they are not providing enough room to accommodate the extra 4yd container that is needed for the weekend materials. They will need to make sure this is done as currently we are having to deliver the container on Friday and remove it Monday, which is not ideal especially when short staffed. Unless they have come up with another way of storing the extra and placing in the container after Mondays service. We also need to make sure that the new enclosure does not have a center wall or post.

City of Marysville Community Development – Building Division

Mike Snook, Building Official
360.363.8210
msnook@marysvillewa.gov

29. Applicant shall comply with any and or all provisions the 2018 Edition of the International Building, Residential, Mechanical, 2018 Uniform Plumbing Codes, and current Washington State Amendments.
30. All plans and permit applications will be required to be submitted electronically as part of their submittal process. One (1) complete set of building plans, structural calculations, and 2018 Washington State Energy Code work sheets.
31. Contact our office if you have questions in regards to permit applications, checklists and/or handouts that you and/or your design team will be preparing plans for on your project.
32. If any demolition of structures is proposed, and you are unsure if permit/s will be required for the removal of any existing structures. Please contact the Building Division at 360-363-8100, to ask any specific questions. An asbestos report will be required for each demo permit.
33. A grading permit will be required. A Geotechnical report shall be submitted to the City for this project. This is to be an in-depth report to address the following:
 - a. Soil Classification
 - b. Required Drainage Systems
 - c. Soil Compaction Requirements
 - d. Type of Footings, Foundations, and Slabs Allowed
 - e. Erosion Control Requirements
 - f. Retaining Walls
 - g. Fill and Grade
 - h. Final Grade
34. Any proposed structures will be required to be designed under the 2018 IBC, Chapter 16, and Structural Design Requirements. The seismic zone criteria is to be established under the guidelines of a Washington State Licensed Architect and/or Structural Engineer.
35. Please provide scaled plans with square footage.

36. ADA parking is to meet the requirements of the 2018 IBC, Chapter 11.
37. A Fire Sprinkler system may be required for the proposed canopies. The applicant is to verify this requirement with the Fire Marshal's Office.
38. All Electrical installations are to be permitted, inspected and approved through the City. The current code is NEC 2020 with WCEC Amendments. A separate application, plans, and plan review will be required.
39. Special Inspection may be required. The list of the type of inspections shall be indicated on the plans by the Engineer of Record. The owner is to notify the City of the registered special inspection agency prior to permit issuance.
40. Please allow approximately 4-6 weeks for first-time plan review comments.

Revised application materials must be accompanied with a written response detailing how each of the items outlined above and attached hereto have been addressed, and what sheet the change(s) can be found.

If you have any questions regarding these comments, or would like to set up a technical review meeting, please contact me at cholland@marysvillewa.gov or by phone at 360.363.8207.

Sincerely,

Chris Holland

Chris Holland
Planning Manager

ecc: Haylie Miller, CD Director
Chick-fil-A, Inc.

Attachment: Stormwater Covenant and Easement



Stormwater Covenant and Easement

Community Development Department 80 Columbia Avenue Marysville, WA 98270

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

Instructions Page

For the Developer:

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

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

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

Recording notes:

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

When Recorded, Return to:

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

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

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

Stormwater Covenant and Easement (MMC 14.15.155)

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

(attach Exhibit A if necessary to fit full legal description)

WHEREAS, pursuant to Marysville Municipal Code Chapter 14.15, as may be hereafter amended, a condition of developing the Property requires that it have adequate stormwater drainage; and

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

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

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

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

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

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

- (1) The Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns, agrees to and shall:
 - (a) inspect and maintain the above described drainage control facilities in accordance with the provisions of Marysville Municipal Code (MMC) Title 14, the approved Facility Maintenance Plan (attached hereto as Exhibit B and incorporated by this reference), and any other provisions applicable to the facilities, as now and hereafter in effect;
 - (b) implement the terms of the drainage control plan required for development; and
 - (c) inform all future purchasers, heirs, successors, and assigns of the existence of the drainage control facilities and other elements of the drainage control plan and the limitations of the drainage control facilities.

- (2) The Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns, hereby grants permission for authorized representatives of the City of Marysville to enter onto the Property for inspection, monitoring, correction, or abatement of conditions related to the Property's drainage control plan, drainage control facilities, MMC Title 14, or any other MMC provision applicable to drainage control, as now and hereafter in effect.

- (3) If the private storm drainage system is not maintained in accordance with the approved or record drawing design, the Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns grants the City the right to inspect and repair the system and assess reasonable costs for the work that may be charged against the Property, the Property owner, or any beneficiary.

- (4) The Grantor, on behalf of the Grantor and the Grantor's heirs, successors, and assigns:
 - (a) Agrees and acknowledges that the City is not responsible for the adequacy or performance of the drainage control plan or the drainage control facilities;
 - (b) Agrees to accept any and all risks of harm, loss, injury, or damage related to the drainage control plan or the drainage control facilities; and
 - (c) Hereby waives any right to assert any and all present and future claims against the City, whether known or unknown, for any harm, loss, injury, or damage occurring either on or off the Property, related to the drainage control plan, the drainage control facilities, or drainage

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

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

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

By: _____ Date: _____

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

Type company name here

Type address here

Type City, State, Zip here

By: _____ Date: _____

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

Type company name here

Type address here

Type City, State, Zip here

ACKNOWLEDGEMENT

(Individual)

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

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

DATED this _____ day of _____, 20_____.

(Legibly print name of notary)
NOTARY PUBLIC in and for the State of
Washington, residing at _____
My commission expires _____

(Entity)

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

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

DATED this _____ day of _____, 20_____.

(Legibly print name of notary)

NOTARY PUBLIC in and for the State of

Washington, residing at _____

My commission expires _____

ACKNOWLEDGEMENT

(Individual)

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

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

DATED this _____ day of _____, 20_____.

(Legibly print name of notary)
NOTARY PUBLIC in and for the State of
Washington, residing at _____
My commission expires _____

(Entity)

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

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

DATED this _____ day of _____, 20_____.

(Legibly print name of notary)

NOTARY PUBLIC in and for the State of

Washington, residing at _____

My commission expires _____

EXHIBIT A

LEGAL DESCRIPTION

(Insert complete legal description):

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

EXHIBIT B

FACILITIES MAINTENANCE PLAN