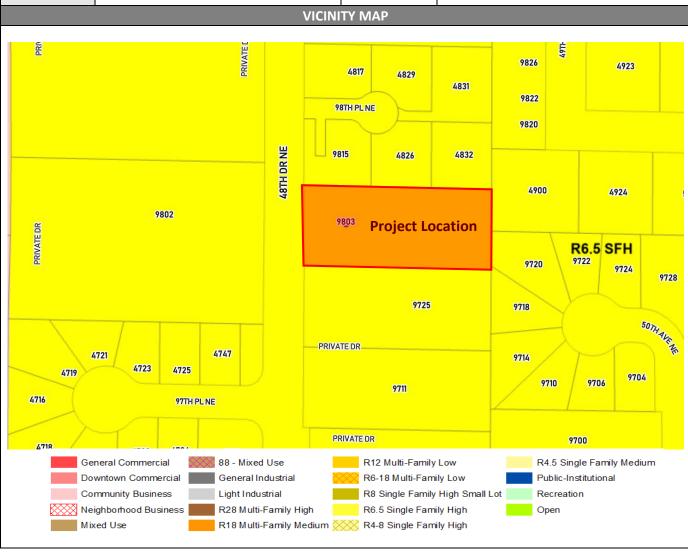


PRELIMINARY SHORT PLAT APPROVAL

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

PROJECT INFORMATION										
Project Title	Linscott-Kirk Short Plat			Date of Report		ort	March 5, 2024			
File Number	SP23-006			Attachments		re	Preliminary Short Plat Map (Exhibit 19 – see attached)			
Administrative Recommendation	Approve the preliminary 3-lot short plat subject to the recommended conditions of approval.									
BACKGROUND SUMMARY										
Applicant	Robert Linscott									
Request	The applicant is proposing a 3-lot short plat. Lot 1 and 3 are proposed as duplex lots with Lot 2 proposed as one single family residence, for a total of (5) units. The proposed lots would be accessed via a private access tract off of 48 th Drive NE.									
Site Address	9803 48 th Drive NE				APN(s)	0053	38500001200			
Legal Description (abbreviated)	Lot 12 of Pal	12 of Palmer Tracts			Section	16	Township	30	Range	05E
Comprehensive Plan	Single Family High	Zoning	R-6.5		Shoreline En		ronment		N/A	
Water Supply	Current	Proposed			Sewer		Current		Proposed	
water Supply	Marysville	Marysville			Supply		Marysville		Marysville	
		R	REVIEWING	AG	ENCIES					
Marysville	Local Age	encies	State & Federal		eral	County		Other		
Building	Comcast		□ DAHP □			Health District		Tulalip Tribes		
Fire District Development	$I = I \cdot I$	Ziply DOE			Planning Public Works - Land			Stillaguamish Tribe		
Services	□		☐ WDFW ☐ WSDOT			Development			TTIDE	
	PUD No. 1		WUTC			Public Works				
Operations										
ACTION										
□ Administrative	☐ City Council ☐ Quasi-Judicial ☐ Planning Commission									
Date of Action	March 5, 2024			Approved [☐ Denied			☐ Continued	
STAFF										
Name Emily Morgan Title Senior Planner Phone 360.363.8216 E-mail emorgan@marysvillewa.gov							.gov			

SURROUNDING USES					
	Comprehensive Plan	Zoning	Land Use		
North	Single Family High	R-6.5	Single family residences		
East	Single Family High	R-6.5	Single family residences		
South	Single Family High	R-6.5	Single family residential on large lot		
West	Single Family High	R-6.5	Retirement Home		



DEPARTMENT REVIEW - FINDINGS OF FACT & CONCLUSIONS

- 1. **Description of Proposal.** Land Resolutions (agent) on behalf of Robert Linscott (applicant) has requested a 3-lot short plat.
 - 1.1. A preliminary short plat application is an Administrative Decision. No public hearing is required.
- 2. **Site Location.** The project site is located at 9803 48th Drive NE and is further identified by Assessor's Parcel Number (APN): 00538500001200.
- 3. **Site Description**. The project site is currently developed with a single family residence to be demolished with development. The ground surface within the site is relatively level with a gentle slope. Vegetation within the site consists of grass yard areas, shrubs, brush, and young to mature trees.
- 4. **Project History.** A pre-application review (PREA23-028) was completed July 22, 2023 for a 3-lot short plat.
- 5. Letter of Completeness. An application was deemed complete on November 22, 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:

	Nature of Comment	
Public Works, Traffic	Requirements and recommendations are addressed in the approved	
	Traffic Concurrency Recommendation, dated February 8, 2024.	
Public Works,	Provided information regarding the required improvements which	
Development Services	are to be further reviewed with Civil Plan Review.	
	• The project is vested under the 2019 Stormwater Management	
	Manual for Western Washington. Formal drainage review will be	
	conducted during Civil Plan Review.	
	Capital facility fees would be required to be paid prior to issuance	
	of the building permit.	
Public Works,	The City has adopted the 2019 Stormwater Management Manual	
Surface Water	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.	
Marysville Fire District	Both duplexes will likely require residential sprinklers due to total	
	square footage. Lots 2 and 3 will require fire sprinklers due to	
	distance from public right of way.	
	Access for fire apparatus appears to be acceptable.	
Building Department	Provided requirements for the building permit submittal.	

- 8. **Public Comments.** A public comment was received December 13, 2023 via email from William Perry. Mr. Perry relayed concerns regarding construction noise and the implementation/effectiveness of best management practices during construction activities.
 - 8.1. Staff responded to Mr. Perry's concerns by providing the public nuisance and disturbance regulations of MMC 6.76.060(11), which limits construction work to occur between the hours of 7am and 9pm. Further, relayed that as a requirement of the proposed development, dust control is a condition of their site grading requirements and stormwater pollution prevention plan (SWPPP). City construction inspectors will be monitoring to ensure no off site pollution occurs and to ensure that construction fencing is properly utilized.
- 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 a 30 ft. private access tract off of 48th Drive NE. Said tract would include a sidewalk with landscaping strip along the north side.
- 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 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 x 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 February 27, 2024 (Exhibit 22) 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 4, 2024 (Exhibit 23).

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.
- 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:

<u>Storm Drainage</u>: According to the Preliminary Storm Drainage Report, prepared by Elias J. Troutman, EIT and Joseph M. Smeby, PE, dated October 2023, the runoff proposed structures and public/private road surfaces will be collected and infiltrated through collection and infiltration via on-site infiltration trenches.

<u>Water:</u> An existing 8" ductile iron water main is located in 48th Drive NE. Line extensions though the development are proposed as 6" PVC.

<u>Sewer:</u> The sewer service would be provided by 8" 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-6.5 zone.

16.2. Density of residential development in urban growth areas.

Staff Comment: The base density permitted for single family residences in the R-6.5 zone is 6.5 dwelling units per net project area. The density for duplexes in the R-6.5 zone is 8 dwelling units per net project area. The density of the project is calculated as follows:

Single Family (Lot 2)	0.19 acres x 6.5 du/acres = 1.27 units or 1 unit
Duplexes (Lot 1 & 3)	0.47 acres x 8 du/acre = 3.76 units or 4 units
Total Allowed Units	5 units (1 single family and 2 duplexes)

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, High 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, High 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-6.5 Single Family, High Density. It allows detached single-family residences at a density of 6.5 dwelling units per net project acre. Duplexes are allowed at a modified density of 8 dwelling units per net project area per the Density and dimensions development conditions provisions of MMC 22C.010.090.

The proposed short plat would meet all bulk and dimensional requirements set forth in MMC 22C.010.080, Densities and Dimensions.

The proposed development and subsequent use of the property will comply with the intent of the R-6.5 zone, and as conditioned herein, complies with all of the applicable design and development standards outlined in Title 22 – Unified Development Code.

As conditioned, the proposed development makes appropriate provisions for the public use and interest, health, safety and general welfare.

- 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 13.4, the proposed 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 13.3, 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;
 - **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. Specific zoning for the subject property is R-6.5.
 - 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.
 - 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:** The proposed development does not include open space areas nor are open space areas required; therefore, this provision would not apply.
- 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.
- 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 48th Drive NE and the internal access tract.
- 18. **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 (42) 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 Approval* subject to the following conditions:

- 1. The preliminary short plat map (Exhibit 19) shall be the approved site layout.
 - 1.1. Pursuant to MMC 22C.010.290(2), sites shall be oriented to create an attractive street edge and are to have primary entrances facing the street. The proposed duplex unit closest to 48th Drive NE (Lot 1), shall be oriented with a façade facing 48th Drive NE and provide a pedestrian pathway connecting to the sidewalk.
- 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 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. 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.
- 5. 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.
- 6. The project is subject to the (2) traffic mitigation obligations as required by the Traffic Concurrency Recommendation, dated February 8, 2024. Said obligations are as follows:
 - 6.1. The applicant shall be required to construct frontage improvements along 48th Drive NE, prior to final short plat approval. Roadway improvements channelization, and site access shall be required to be reviewed and approved by the City engineer, prior to construction plan approval. 48th Drive NE is classified as a local access street and is to be built compliant with SP 3-302-002 of the EDDS.
 - 6.2. 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 future capacity improvements set forth in MMC 22D.030.070(3), for the development. Traffic impact fees shall be vested at a rate of \$6,300.00 per PMPHT, totaling \$25,200. Credit for the existing SFR shall be applied to Lot 2.

Prepared by: Emily Reviewed by: Chris

DETERMINATION

This *Preliminary Administrative Short Plat 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 Approval.

Date: March 5, 2024 Signature: Haylie Miller, 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.

