

November 21, 2023

City of Marysville
Community Development Department
501 Delta Ave
Marysville, WA 98270

**RE: Creekside PRD - Response to Technical Review #2
PA23-005**

Dear Reviewer(s),

Please refer to our responses below which address all review comments received from the City of Marysville dated 8/28 for planning, 9/25 for surface water, and 9/27 for traffic. Located at 7808 40th Street, 7811 & 7715 40th Street NE, APNs 29050200100200, 29050200100300, and 29050200100400. You will find the markup comments listed in the order that they were written followed by our response in *italics*.

Planning Comments:

Amy Hess, Senior Planner, ahess@marysvillewa.gov

1. In reading MMC 22E.010.100(5)(b), it does not appear that buffer reduction can be applied as it does not appear that subsection (iv) or (v) are being met. The habitat scores are all greater than 4 except for offsite Pond A (see page 14 of CAR).

Response to applicant response: Pursuant to MMC 22E.010.100(3) and 22E.010.220(2), where existing buffer area plantings provide minimal vegetative cover and cannot provide the minimum water quality or habitat functions, buffer enhancement shall be required. Buffer enhancement in degraded areas will be required regardless of whether or not buffer averaging is proposed. As previously noted, this proposal does not meet the criteria to utilize buffer averaging, as required by MMC 22E.010.100(5)(b). Please identify an alternative plan to address the buffer impacts. An updated mitigation plan, that does not include buffer areas otherwise required to be enhanced, and demonstrates that all impacts are being mitigated, may need to be submitted.

Response: Wetland buffer averaging for wetlands with a habitat score of 5 points or greater has been removed from the mitigation plan. Required areas of impact have been assessed and quantified and with provided mitigation through purchase of mitigation banking credits.

2. For Net Project Area calculations, only the non-transferrable critical areas should be removed. This would be the stream channel only on this site. Please revise the calculation appropriately.

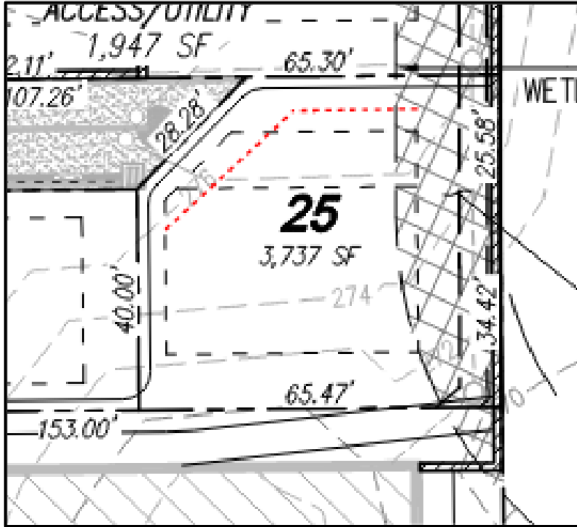
"Net project area" means the gross project area minus:

- (1) Floodplains;
- (2) **Nontransferable critical areas (e.g., stream channels) per MMC 22E.010.360;**
- (3) Utility easements 30 feet wide or greater;
- (4) Publicly owned community facility land;
- (5) Storm water detention facility tracts or easements (unless underground and usable for recreation). If stormwater detention areas are designed and constructed to meet low impact development standards, 50 percent of the area used for detention may be counted as net project area; and

(6) Right-of-way, private roads, access easements, and panhandles. As an alternative to an itemized deduction, the developer may elect to take a flat 20 percent deduction from the gross project area for right-of-way, private roads, access easements, and panhandles.

Response: After discussion with City staff given the amount of non-transferrable credits onsite, the City is allowing an adjustment to the net project area calculation provided that additional active open space amenities are provided within the development. These amenities are shown on the landscape plans.

3. The setbacks for lot 25 should be revised as depicted below.



Response: Lot 25 setbacks have been revised as depicted above.

4. Bulk and dimensional standards for a PRD are outlined in MMC 22G.080.080. The table on sheet 2 of the Preliminary Site plan indicates a lot size that does not meet the minimum; see below.

**DENSITY, DIMENSION AND PARKING
PER MMC 22G.080.080**

REQUIREMENT	ALLOWABLE UNDER PRD REGULATION	PROPOSED
DENSITY: DWELLING UNIT/ACRE	AS ALLOWED PER THE UNDERLYING ZONE	6.5 DU/AC
MAXIMUM DENSITY:	AS ALLOWED PER THE UNDERLYING ZONE OR MODIFIED THROUGH THE RESIDENTIAL DENSITY INCENTIVES IN CHAPTER 22C.090 MMC	11.38 DU/AC
MINIMUM STREET SETBACK:	10 FEET	10 FEET
MINIMUM SIDE YARD SETBACK:	5 FEET (IF NO LOT LINE BETWEEN HOMES, 10 FEET SEPARATION REQUIRED)	5 FEET
MINIMUM REAR YARD SETBACK:	10 FEET (IF NO LOT LINE BETWEEN HOMES, 20 FEET SEPARATION REQUIRED)	10 FEET
BASE HEIGHT:	AS ALLOWED PER THE UNDERLYING ZONE	30 FEET MAX
MAXIMUM BUILDING COVERAGE:	NO MAXIMUM BUILDING COVERAGE	NONE
MAXIMUM IMPERVIOUS SURFACE:	70%	70%
MINIMUM LOT AREA:	3,500 SQUARE FEET	3,462 SF
MINIMUM LOT WIDTH:	30 FEET	40 FEET
MINIMUM DRIVEWAY LENGTH:	20 FEET	20 FEET
MINIMUM PARKING:	3 STALLS PER DETACHED SINGLE-FAMILY DWELLING	196 TOTAL*

* 2 STALLS PER LOT DRIVEWAY AND 2 GARAGE SPACES
MINIMUM NGPA/CRITICAL AREAS SETBACK 15 FEET

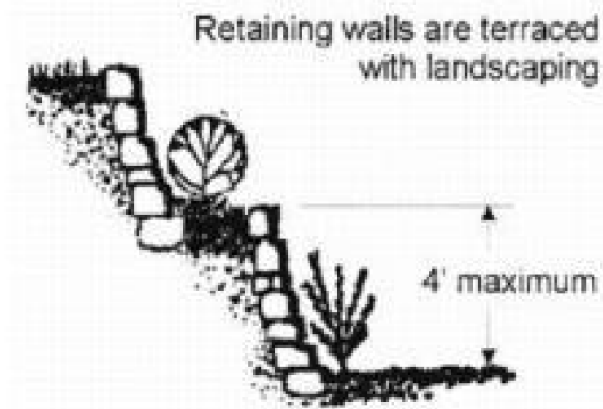
Response: Lot 37 that was previously under 3,500 sf has been revised to meet the minimum lot area requirement. The table has been updated accordingly.

5. Please provide the Wetland, Pond and Stream Letters assigned to each of the critical areas, as identified in the Critical Areas Report, on the Preliminary PRD Site Plan.

Response: Critical Area labels have been added to the preliminary plat set.

6. Pursuant to MMC 22D.050.030(4)(e), retaining walls taller than four feet shall be terraced so that no individual segment is taller than four feet. Walls between of lots 44 and 49, 27 and 24, along the southern boundary lots 29-35 , adjacent to 44th Street, and in scattered other locations, exceeding four feet will be required to meet the terracing requirements below. Lots directly abutting the wetland and *not visible* from adjacent lots or roadways are not required to meet these standards. Compliance will be verified during civil construction plan review.

Tall retaining walls must be terraced with landscaping as depicted below.



Response: All referenced retaining walls have been revised to 4' maximum. See sheet RD-02 for the updated wall and lot grading design. Specific retaining wall designs will be provided as part of the future grading permit submittal package.

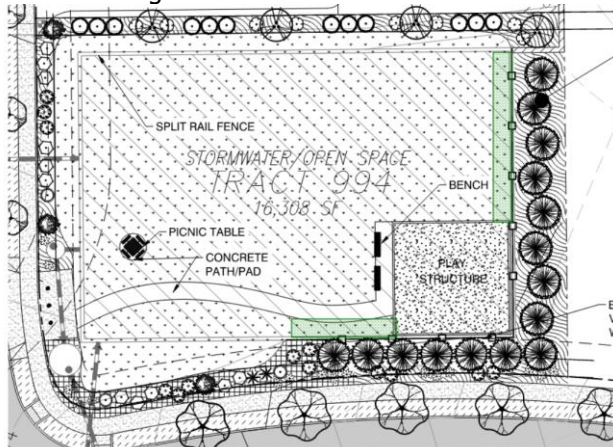
7. For sewer improvements across APN 01195800099700, a critical areas report will be required to be submitted outlining all impacts to critical areas and buffers, as well as proposed mitigation. This report should be submitted prior to submittal of construction plans.

Response: Noted. Soundview has provided a revised mitigation report.

8. Sheet 13 of the civil plans has incorrect lot numbers. Please be sure that all sheets accurately depict the revised layout and lot numbers on future submittals.

Response: Inaccurate lot number labels on sheet WS-01 have been corrected.

9. Perimeter plantings shall be installed around the east and south portions within open space tract 994. See areas in green identified below.



Response: *Origin Design Group has added the requested plantings to the landscape plans.*

Surface Water Inspector Comments:

Ryan Carney, Surface Water Inspector, rcarney@marysvillewa.gov

10. Please provide maintenance access to the stormwater facilities (spreader bars) on Tracts 993, 997, 998, and 999. applied for before the approval of the C&G permit is granted. These are located in wetland buffers/buffer mitigation areas.

Response: *Low impact hog fuel access paths have been provided to spreader bars in the aforementioned tracts.*

11. Please show stormwater facility features (access points, manholes, and vents) for the vault located on Tract 994 on the landscaping plans.

Response: *Origin Design Group has added the requested stormwater features to the landscape plans.*

Traffic Engineering Comments:

Jesse Hannahs, P.E, Traffic Engineering Manager

12. Traffic impact fees will be required from the City and depending on trip generation/distribution, may be required from the County and State.
a. 40th ST NE & 44th ST NE roadways are eligible for Traffic Impact Fee (TIF) credits.

Response: *Noted.*

13. A Traffic Impact Analysis (TIA) will be required.
 - a. This would include, for City approval, development of trip generation/distribution followed after City review/approval by identification of impacts and, where required, mitigation approaches.
 - b. TIA should follow City guidelines to be provided.
 - c. Trip Distribution shall follow representations to be provided for neighboring areas developed based upon Comprehensive Plan Traffic Model to be provided.

Response: An updated Traffic Impact Analysis is being prepared and will be submitted shortly after this submittal.

14. Undergrounding of existing overhead utilities along all public roadway frontages shall be required.

Response: Note has been added to sheets RD-01 and RD-02 stating "all existing utilities along 44th St NE and 9th Ave NE frontages shall be undergrounded."

15. Frontage improvements shall be required upon 44th ST NE.
 - a. 44th ST NE is designated as a Collector Arterial.
 - b. Roadway cross-section shall be 70' ROW three lane roadway with bike lanes per EDDS Standard Plan 3-201-004

Response: A dedicated 4' bike lane has been added to the cross section for 44th St NE.

16. Per the Comprehensive Plan, 40th ST NE shall be extended west from 79th Ave NE towards 71st Ave NE.
 - a. 40th ST NE is designated as a Minor Arterial
 - b. Roadway cross-section shall be 70' ROW three lane roadway with bike lanes per EDDS Standard Plan 3-201-004.
 - c. ROW shall be provided on the Southwest and Northwest corners of intersection of 79th Ave NE & 40th ST NBE to enable potential for future traffic signal installation.

Response: This has been shown accordingly on the plans as "Road C" which extends west from the 79th Ave intersection to the property line and shall be completed during future development.

17. Per EDDS 3-506, street lighting will be required.
 - a. Roadways:
 - i. Street Lighting upon public residential streets shall be PUD installed fiberglass pole installation type street lighting utilizing 100 watt equivalent LED fixtures.
 - ii. Street Lighting upon Arterial Streets of 79th Ave NE, 40th ST NE and 44th ST NE shall be PUD installed fiberglass pole installation type street lighting utilizing 250 watt equivalent LED fixtures.
 - b. Spacing of fixtures should be approximately 180'-220'.
 - c. As part of civil construction approval proposed PUD street lighting locations will be provided by the City to the developer for submission to PUD and incorporation into the PUD site electrical plans.
 - d. Snohomish County PUD Process:
 - i. For specific questions regarding street lighting, contact Eddie Haugen of Snohomish County PUD at (425) 783-8276 or wehaugen@snopud.com for more information.

Response: Noted.

18. ADA Curb Ramps:

- a. ADA curb ramps shall be provided to cross all legs of all public roadway intersections.
 - i. Add curb ramps for south leg of Road A intersection near Lots 8 & 40.
 - ii. Add curb ramps for east leg of Road A & Road B intersection.

Response: Added as requested. Per coordination with Jesse Hannahs, a Driveway Curb Ramp Combo is proposed at the east leg of Road A B to fit the constraints of the existing driveways and still provide a pedestrian crossing.

19. Roadway narrowing over culverts/wetlands:

- a. Traffic Division will support a variance request with requirement that sidewalks be 6' minimum width when planter strips is not provided.

Response: A variance request has been completed for this and will be submitted.

20. 79th Ave NE sidewalk Variance Request:

- a. Traffic Division will support variance request given stream challenges and limited future potential of development on west side of 79th Ave NE in vicinity of project.

Response: A variance request has been completed for this and will be submitted.

21. Sight distance analysis shall be required of all new intersections upon existing roadways.

Response: Sight distance plan ST-01 has been added to the set depicting a required 470' sight distance per EDDS.

21. A signing and channelization plan shall be required as part of civil construction plans.

- a. Signing:
 - i. Stop Sign with stop bar shall be placed on all residential street approaches to arterials. Residential street intersections should not have stop signs.
 - ii. Street Name signs at all intersections and where street name change
 - iii. Speed Limit signs at entrances to residential developments from arterials or where speed limits change.
 - iv. Parking restrictions, given challenges of sanitation pickup, shall be placed upon outside of all 90 degree curves within proposed development.
Example = from west of Tract 996 access drive to south of Lot 18.
 - v. Type IV Object Markers and Future Roadway Connection sign to be placed at west end of 40th ST NE.
Barricades are not desirable given significant maintenance requirements unless topography require installation for purposes of safety.
 - vi. Stop Sign with stop bar shall be placed on 40th ST NE approach to 79th Ave NE.

Response: Noted. Signing and channelization plans to be submitted as part of the civil construction submittal.

- b. Channelization:

- i. Stop bars upon residential street approaches to arterials of 40th ST NE and 44th ST NE shall be only striping upon residential streets.

Response: Stop bars have been added to residential street approaches to arterials of 40th ST NE and 44th ST NE.

- ii. 44th St NE striping shall add WB bike lane along curb line.

Response: Bike lane striping has been added along project's 44th St NE frontage improvements.

- iii. 40th ST NE shall be striped as permanent condition with bike lanes and two-way left turn lane including stop bar for EB approach to 79th Ave NE

Response: Proposed 40th St NE (Road C) now shows proposed striping on Section detail sheet RD-07 and in plan view.

Washington State Department of Ecology:

Doug Gresham, Wetland Specialist Doug.Gresham@ecy.wa.gov

23. The wetlands delineated on this property would be waters of the state subject to the applicable requirements of state law (see RCW 90.48 and WAC 173.201A) and Section 401 of the Clean Water Act (33 USC §1341) and 40 CFR Section 121.2. Because direct wetland impacts are proposed, the applicant shall obtain all necessary state and federal authorizations prior to beginning any ground-disturbing activities or vegetation removal. To obtain state and federal authorization, you should provide:

- a) A jurisdictional determination from the U.S. Army Corps of Engineers stating which delineated wetlands on the property are under federal jurisdiction.
- b) A JARPA form for impacts to jurisdictional wetlands submitted to Ecology at ecyrefedpermits@ecy.wa.gov
- c) For any non-federally regulated wetlands that the U.S. Army Corps of Engineers does not take jurisdiction for, submit a JARPA to Ecology at ecyrefedpermits@ecy.wa.gov so we can issue an Administrative Order.
- d) A mitigation plan for unavoidable wetland impacts following the standards in Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance (Ecology Publication # 21-06-003).

Response: Noted. USACE and Ecology has been contacted regarding required permits for this project, and a 401 Water Quality Certificate is being submitted to Department of Ecology. A mitigation plan has been provided as part of the resubmittal package. A Stormwater General Permit (NPDES) will be applied for in the future as part of the grading permit process.

Sincerely,
LDC, Inc.



Ian Faulds
Senior Planner