



CITY OF SNOHOMISH

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SITE DEVELOPMENT PLAN DECISION

**FROM THE OFFICE OF THE PLANNING & DEVELOPMENT SERVICES DIRECTOR
FOR THE CITY OF SNOHOMISH**

In the Matter of the Application of)	
McDonald's Redevelopment)	FINDINGS, CONCLUSIONS AND DECISION
For Approval of a Site Development Plan)	

Project File Number: 04-19-SDP

PROPONENT/CONTACT:

McDonald's USA LLC, attn: Patrick Banker
18121 102nd Dr. SE
Snohomish, WA 98296
(425) 677-1121

Location: 917 Avenue D (Parcel Nos. 28060700300300 and 00487700001904)

Land Use Designation: Commercial (COM)

Application Complete: April 16, 2019

A. SUMMARY OF DECISION

The application is for a Site Development Plan (a Type 3 permit) to allow demolition of the existing 3,521-square-foot McDonald's restaurant and construction of a 4,586-square-foot restaurant with a 44-stall parking lot, landscaping, and associated site improvements. The Planning & Development Services Director is the decision-making authority for Type 3 permits. The Site Development Plan is **APPROVED**, subject to conditions.

B. SUMMARY OF RECORD

Request:



Patrick Banker, on behalf of McDonald's USA LLC (Applicant), requested approval of a Site Development Plan (SDP) to demolish the existing McDonald's restaurant and construct a new, 4,586-square-foot restaurant with associated site improvements. The property is located in the Commercial land use designation.

Exhibits:

This decision was based on review of the following records:

Exhibit #	Record Name/Description	Date
1	Application forms: SDP and Land Use, with legal description and property owner authorization	4/4/19
2	SDP Applicant Narrative Description of Proposal	4/4/19
3	Title Insurance/Guarantee, Chicago Title Insurance Co	4/4/19
4	Affidavit of Adjacent Property Owners List with map and spreadsheet	4/11/19
5	Civil Construction Documents/site plan	6/3/19
6	Geotechnical Engineering Report, The Riley Group, Inc.	4/4/19
7	Stormwater Drainage Report, Navix	6/3/19
8	Trash Enclosure Plan	4/4/19
9	Trip Generation Memo, Transportation Engineering NorthWest	4/4/19
10	Parking Analysis	6/3/19
11	Determination of Complete Application Letter	4/16/19
12	Response to corrections letter, Navix	6/3/19
13	Notice of Application and Determination of Non-Significance, including annotated SEPA Checklist, declarations of posting and distribution, mailing labels, and Everett Herald affidavit of publication	4/18/19
14	Applicant's Design Review Proposal Self-Assessment	4/4/19
15	Design Review Analysis	7/17/19
16	Concurrency Determination Certificate	7/17/19
17	Review memorandum from Sharon Pettit, Building Official	7/16/19
18	Review memorandum from Andrew Sics, Project Engineer	7/19/19

General Property Information (existing conditions):

Property Information	
The site is a 0.89-acre parcel addressed as 917 Avenue D in Snohomish, WA (Snohomish County Assessor's tax parcel 28060700300300 and 00487700001904) located in the southwest quarter of Section 07, Township 28 North, Range 07 East, WM.	
Site Photo (facing east from Avenue D)	Aerial Image
	
Existing Land Use	
Subject Site	Restaurant
Property to North	Convenience store
Property to South	Trail
Property to East	Vacant property
Property to West	Bank, electrical substation (across Avenue D)
Comprehensive Plan and Zoning Map Designation	
Subject Site	Commercial
Property to North	Commercial
Property to South	Commercial
Property to East	Commercial
Property to West	Commercial
Existing Vegetation	
The site is fully developed with an existing building and parking lot, with ornamental landscaping around the perimeter.	
Existing Topography	
The site is generally flat.	
Critical areas	
The site is fully developed with no critical areas.	

C. FINDINGS OF FACT & ANALYSIS

Based on the records above, the adopted ordinances of the City of Snohomish, and other information on file with the City, the Planning & Development Services Director enters the following Findings and Conclusions.

1. Requested action and project description
The proposed action is approval of a Site Development Plan (SDP) to allow demolition of an existing McDonald's restaurant and construction of a 4,586-square-foot McDonald's restaurant with 44-stall parking lot, landscaping, and associated site improvements.
2. Public Notice and Comment
The application was determined to be complete on April 16, 2019, and is vested to development regulations in effect at that time. Notice of the application was issued in accordance with City codes on April 18, 2019 by posting the site, publication in the Daily Herald (Everett), and mailing to owners of property within 300 feet of the site boundaries. (Exhibits 11 and 13)
3. SEPA Review
Pursuant to the State Environmental Policy Act (SEPA), the City of Snohomish acted as lead agency for review of environmental impacts likely to be caused by the proposal. Based on information contained in the SEPA checklist and other information in the project file, the City issued a Determination of Non-Significance (DNS) on April 18, 2019. The DNS was not appealed so the determination stands as issued. (Exhibit 13)
4. Design Review
The proposal is subject to administrative design review under SMC 14.230.040. The applicable design standards are contained in the adopted Design Standards and Guidelines (Outside the Historic District), 2004. The building will undergo a separate design review analysis during building permit review. The site layout and design were reviewed for consistency with applicable standards. With a condition that the building permit application include the covered garbage enclosure design, the proposed site layout is consistent with adopted standards. (Exhibits 5, 8, 14, 15)
5. Utilities
5.1 The site has an existing connection to domestic water service; no changes or improvements are required to the water service connection. A two-inch backflow assembly will be installed adjacent to the existing water meter. A new six-inch ductile iron fire line will be constructed on the site, extending from the water main in Avenue D to the building. A new fire hydrant will be installed at the southwest corner of the property. A fire department connection (FDC) will be installed from the fire hydrant to the building. (Exhibits 5 and 18)
5.2 The site has an existing connection to sanitary sewer service; the side sewer will be upgraded to current City standards in the same location. The dumpster enclosure will include a drain connected to the sanitary sewer system. (Exhibit 18)
5.3 Stormwater improvements and erosion control measures must meet the minimum requirements of the 2012 Department of Ecology Stormwater Manual for Western Washington (DOE Manual). An on-site conveyance system will route all runoff from the site to two infiltration galleries before discharging to the City's storm system. Overflow from infiltration galleries will discharge to a different connection point to the City system. (Exhibits 5, 7, and 18)
6. Access, Frontage Improvements, Traffic Impacts, Transportation
6.1 The development will maintain the existing access point from Avenue D, which will be reconstructed. Vehicles have adequate maneuvering area to avoid backing into the street. Two new ADA accessible ramps are proposed across the driveway, within the sidewalk alignment on Avenue D. (Exhibits 5 and 18)
6.2 The City Engineer has determined that the proposed project will not require any frontage improvements on Avenue D. (Exhibit 18)

<p>6.3 Traffic impact fees of \$1,603 per new PM peak hour trip generated by the proposal are required to mitigate city-wide transportation system impacts for new development. The Trip Generation memo submitted by the applicant found that an additional 18 PM peak hour trips will be generated by the redevelopment above and beyond the number of peak hour trips generated by the current development. The City Engineer has determined that with payment of the traffic impact fee, concurrency requirements of SMC 14.295.100 will be met and the level of service will not decline below adopted standards for any transportation facility. (Exhibits 16 and 18)</p>	
<p>6.4 Community Transit Routes 109, and 271 provide transit service adjacent to the project site. A bus stop is located at the intersection of Tenth Street and Avenue D, within 150 of the site, according to the Community Transit website (www.communitytransit.org).</p>	
<p>7. Consistency with Comprehensive Plan</p>	
<p>The City of Snohomish Comprehensive Plan designation of the subject property is Commercial. Staff has determined that the proposal complies with all relevant Comprehensive Plan goals and policies. Comprehensive Plan goals and policies with particular relevance to the proposal are included as Attachment A.</p>	
<p>8. Consistency with Snohomish Municipal Code (SMC)</p>	
<p>Applications for Site Development Plans are subject to the specific criteria of SMC 14.65.020A, in addition to development regulations of Title 14.</p>	
<p>Criteria</p>	<p>Analysis</p>
<p>8.1 SMC 14.65.020A <i>1. Adequate streets, sidewalks, transit stops, open spaces, parks, schools, water, sewer, and stormwater facilities shall be available to the proposed development.</i></p>	<p>Adequate infrastructure is available to serve the development. The City Engineer has determined that the existing streets and sidewalks are adequate so additional frontage improvements are not required. Sidewalks are present on Avenue D. The development will be served by existing Community Transit facilities. The site is currently served by City water and sewer services. Stormwater facilities will be provided in accordance with Department of Ecology standards, as adopted by the City of Snohomish. (Exhibits 5, 7, and 18)</p>
<p><i>2. The design and appearance of the structure shall be compatible with applicable design standards and guidelines.</i></p>	<p>The design and appearance of the new structure will be reviewed for consistency with adopted design standards during building permit review.</p>
<p><i>3. The development shall be consistent with the Comprehensive Plan.</i></p>	<p>Fast food restaurants are consistent with the Comprehensive Plan designation for the site.</p>
<p><i>4. The development shall mitigate any significant adverse environmental impacts.</i></p>	<p>No significant adverse environmental impacts were identified. (Exhibit 13)</p>
<p><i>5. Concurrency requirements shall be complied with.</i></p>	<p>The City Engineer has determined the proposal will comply with concurrency requirements, and level of service for intersections will not be reduced below adopted levels as a result of the proposed development. (Exhibits 16 and 18)</p>

<p>6. <i>The development shall be consistent with the health, safety, and general welfare.</i></p>	<p>The Building Official has reviewed the proposal and determined that the project will protect the health, safety, and general welfare of the community. (Exhibit 17)</p>
<p>Criteria</p>	<p>Analysis</p>
<p>8.2 Chapter 14.205 SMC, Permitted Land Uses</p>	<p>The purpose of the COM designation is “to provide a commercial area suitable for shopping centers, as well as concentrations of individual shops and stores, which are auto-oriented and located along major arterials in the City. Such commercial areas should provide a wide range of convenience and general merchandise goods and services”. Restaurants are allowed in the COM zone.</p>
<p>8.3 Chapter 14.210 SMC, Dimensional and Other Requirements</p>	<p>The COM zone requires 15% open space, of which 5% must be landscaped. The site is 38,154 square feet, with 7,722 square feet in landscaped open space (20.2%). The site is now comprised of one lot as the two lots in existence at time of application were consolidated under Boundary Line Adjustment AFN 201809135004. The proposed new building will meet or exceed minimum setback requirements to all parcel lines. (Exhibit 5)</p>
<p>8.4 Chapter 14.235 SMC, Off-Street Parking, Loading, and Access Requirements</p>	<p>The City's parking regulations require one space for every 100 square feet of gross floor area for sit-down restaurants. Fast food restaurants are not listed in Chapter 14.235 SMC. 44 parking stalls are proposed (one stall per 104 square feet, or 9.59 stalls per 1,000 square feet). SMC 14.235.030 allows the Planning & Development Services Director to consider relevant data based on existing uses for uses not specified by the code. The applicant provided a parking analysis for similarly sized McDonald's restaurants in other locations, showing a peak demand between 3.95 and 6.39 parked vehicles per 1,000 square feet. Therefore, the parking requirement is determined to be met. (Exhibits 5 and 10)</p>
<p>8.5 Chapter 14.240 SMC, Landscaping, Screening, Fencing, and Retaining Walls</p>	<p>Perimeter landscaping is required to provide visual separation between incompatible uses. Adjacent land uses are currently commercial or vacant property, however a multi-family development is planned directly east of the site. The applicant is proposing to install perimeter landscaping along all property lines, in addition to landscape islands throughout the parking lot and drive-thru. Street trees are proposing along the Avenue D frontage. Landscape requirements are met. (Exhibit 5)</p>

D. CONCLUSIONS

Jurisdiction		
Pursuant to SMC 14.20.020, the City Planning & Development Services Director is the decision-making authority for Site Development Plan applications (Type 3 Permit).		
Conclusions Based on Findings		
#	Conclusion	Finding Reference
1.	Adequate infrastructure is available to serve the development. Adequate parking and vehicle circulation is provided. The development is served by existing Community Transit facilities. The development is currently served by water and sewer infrastructure. Stormwater facilities will be provided in accordance with Department of Ecology standards, as adopted by the City of Snohomish.	5.1-5.3, 6.1-6.4, 8.4
2.	The design and appearance of the structure will be reviewed as part of the building permit application for conformance with applicable design standards and guidelines.	4, 8.1
3.	Landscaping and natural open space is incorporated into the development.	8.3, 8.5
4.	The development will be consistent with the Comprehensive Plan. The project will be consistent with all applicable Design Standards and Guidelines. Utilities are present at the site with adequate capacity to serve the proposed development. The proposal does not cause levels of service for City services to drop below the adopted standards. The site meets the applicable dimensional standards.	4, 5.1-5.3, 6.2, 6.3, 7, 8.3
5.	The development will not create significant adverse environmental impacts. The City reviewed the project under SEPA and determined that potential adverse environmental impacts would be appropriately mitigated through enforcement of applicable regulations of the Municipal Code and imposition of the conditions of approval.	3, 8.1
6.	With conditions of approval, the development will comply with the City's concurrency requirements. The traffic impacts of the development on City intersections will be mitigated concurrent with the development.	6.3, 8.1
7.	<p>With conditions of approval, the development will protect the public's health, safety, and general welfare. Adequate on-site parking is provided. Adequate pedestrian facilities are present along the street frontage. The site will be landscaped. Conformance to recommendations of professional studies will ensure that the project addresses stormwater management as required and soil stability for walls and other structures. Consistency with the design standards will ensure that the development is compatible with the community context.</p> <p>The development must comply with applicable land use, environmental, and building regulations, as well as the City of Snohomish Public Works Department Design and Construction Standards. The engineering standards will ensure all improvements and infrastructure are designed and constructed in an appropriate manner. Compliance with the International Building Code and the City's engineering standards will ensure the drainage systems and structures are structurally sound.</p>	4, 6.1, 6.2, 8.1, 8.3, 8.4, 8.5

E. DECISION

Based on the preceding Findings and Conclusions, the application for a Site Development Plan to allow demolition of the existing 3,521-square-foot McDonald's restaurant and construction of a 4,586-square-foot restaurant with 44-stall parking lot, landscaping, and associated site improvements is **APPROVED**, subject to the following conditions:

1. Traffic impact mitigation fees shall be remitted prior to issuance of a building permit for the generation of 18 P.M. Peak Hour Trips. The rate charged shall be the rate in place at the time of building permit issuance. The current rate is \$1,603.00 per P.M. Peak Hour Trip for a total fee of \$28,854.00. However, the total fee may change if the rate changes before a building permit is issued for this project.
2. The application for building permit shall include a design for a covered garbage enclosure.
3. Prior to issuance of a site/civil permit for site construction, the drainage easement along the southern property boundary shall be relinquished and documentation of the relinquishment shall be provided to the City.
4. All development shall be consistent with the project narrative, plans, and recommendations of the professional studies and reports submitted with the application, as approved the City, including but not limited to the geotechnical and stormwater drainage reports.

DECIDED this 22nd day of July, 2019



Glen Pickus, AICP
Planning & Development Services Director

F. EXPIRATION

This land use approval is issued in accordance with the permit validity limitations of SMC 14.20.120. The work authorized by this permit shall be commenced and substantial progress completed within two years of the date of this decision. Construction shall be completed within five years of the date of this decision.

G. APPEALS

This decision is made pursuant to the authority granted to the Planning & Development Services Director in accordance with SMC 14.20.020D. A City department, other party of record, or agency with jurisdiction may appeal the Planning & Development Services Director's decision to the City Hearing Examiner following the procedures contained in Chapter 14.20 SMC. If no timely appeal is filed, then the Planning & Development Services Director's decision shall be final. Appeals shall be filed with the City Clerk within 14 days from the date of this decision. Appeals may be filed between the hours of 8:00 a.m. and 4:00 p.m. Monday through Thursday, excluding holidays, at City Hall, 116 Union Avenue. Appeals shall include a filing fee of \$500 (five hundred dollars).

Appendix A

Comprehensive Plan Applicable Goals and Policies

- LU 2.5: Design standards.** Continue to improve and apply the adopted design standards to preserve the character of the City and its districts.
- LU 6: Develop thriving commercial areas that are safe, attractive, and convenient.**
- CO 6.1: Commercial capacity.** Designate adequate mixed-use areas to provide for a variety of commercial activities with differing characteristics and emphases as described below:
- a. **Commercial.** Concentrations of retail and service uses in neighborhood and community shopping centers or commercial corridors along arterials. Such commercial areas should provide a wide range of convenience, general merchandise, and specialty goods and services and may incorporate multi-family development to create vibrant centers.
- TR 23: Development review.** Review all land use and development proposals for compliance with the Transportation Element.
- TR 24: Concurrence.** Prohibit development if the development causes the level of service on transportation facility to decline below the standards adopted in this element, or ensure that funding is identified to implement improvements to increase capacity within six years of the development.
- CF 1.1: Fair share.** New development shall bear a fair share of facility improvement cost necessary to serve the development in order to maintain adopted level of service standards and measurable objective standards.
- CF 1.4: Maintain transportation LOS.** The City shall verify that transportation improvements are sufficient to maintain adopted level of service standards as development occurs.
- CF 2.1: Service capacity.** Permit new development only where utility system capacity and performance will be available at the time of demand for service.
- CF 2.11 Level of service.** Ensure that level of service (LOS) standards are maintained as growth occurs.
- a. **Transportation level of service.**
LOS E for the PM peak-hour for all intersections
 - b. **Sanitary Sewer**
No LOS identified. System improvements shall be in accordance with the current adopted General Sewer and Wastewater Facilities Plan and Combined Sewer Overflow Reduction Plan, and the City's National Pollutant Discharge Elimination System (NPDES) Permit.
 - c. **Stormwater**
No LOS identified. System improvements shall be in accordance with the current adopted Stormwater Management Plan and the City's National Pollutant Discharge Elimination System (NPDES) Permit.
 - d. **Potable Water**
No LOS identified. System improvements shall be in accordance with the current adopted Water System Plan.

e. **Fire Flows**

No LOS adopted. System improvements and development standards shall be in accordance with the International Fire Code, as adopted, which is based on the use and structure type.