



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)
Centennial Family Dentistry) FINDINGS, CONCLUSIONS AND DECISION
For Approval of a Site Development Plan)

Project File Number: SDP20-0007

PROPOSER

Rocks & Dirt 1, LLC
9102 164th St SE | Snohomish, WA 98296
(425) 444-1741

CONTACT:

Franklin Ng, Architectural Werks
11416 98th Ave SE, Ste 200 | Kirkland, WA 98034
(425) 823-2244

Location: 133 Maple Avenue (Parcel No. 00579401700701)

Land Use Designation: Mixed Use (MU)

Application Complete: December 4, 2020

A. SUMMARY OF DECISION

The application is for a Site Development Plan (a Type 3 permit) to allow construction of a 2,599-square-foot dental office building and a 13-stall surface parking lot. The proposed project includes associated site and frontage improvements, utilities, landscaping, and open space areas. 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:

Franklin Ng, on behalf of Rocks & Dirt 1, LLC (Applicant), requested approval of a Site Development Plan (SDP) to construct a new building for commercial use with associated parking and site improvements. The proposal includes a request for reduction of the perimeter landscape buffer requirements of Chapter 14.240 SMC. The property is located in the Mixed Use 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	11/9/2020
2	Applicant Narrative Description of Proposal	11/9/2020
3	Subdivision Guarantee, Fidelity National Title Insurance Company	11/9/2020
4	Declaration of Adjacent Property Owners List with map	11/30/2020
5	Full Plan Set	2/11/2021
6	Preliminary Drainage Report, D. R. STRONG Consulting Engineers Inc.	2/11/2021
7	Geotechnical Report, GEO Group Northwest, Inc.	11/9/2020
8	Traffic Study, Northshore Traffic Consultants	11/9/2020
9	Landscape Reduction Letter	2/11/2021
10	Determination of Complete Application Letter	12/4/2020
11	Notice of Application, including declarations of posting and distribution, mailing labels, and Everett Daily Herald documentation of publication	12/18/2020
12	Comment from Washington State Department of Transportation	12/18/2020
13	Comment from Snohomish County PUD No. 1	12/22/2020
14	Comment from Washington Department of Archaeology & Historic Preservation	12/23/2020
15	Comment from Puget Sound Clean Air Agency	12/29/2020
16	Design Review Analysis	3/2/2021
17	Landscape Plan Determination	3/1/2021
18	Determination of Concurrency	3/10/2021
19	Review memorandum from Sharon Pettit, Building Official	12/17/2020
20	Review memorandum from Sukhpreet Dhaliwal, Project Engineer	3/3/2021

General Property Information (existing conditions):

Property Information	
The site is a 0.16-acre parcel addressed as 133 Maple Avenue in Snohomish, WA (Snohomish County Assessor's tax parcel 00579401700701) located in the southwest quarter of Section 18, Township 28 North, Range 06 East, WM.	
Site Photo (facing southeast from Maple Ave)	Aerial Image
	
Existing Land Use	
Subject Site	Vacant (two buildings were demolished in fall of 2020)
Property to North	Residential (across Rainier Street)
Property to South	Residential
Property to East	Residential
Property to West	Residential and mixed use (across Maple Avenue)
Comprehensive Plan and Zoning Map Designation	
Subject Site	Mixed Use
Property to North	Pilchuck District, Center (across Rainier Street)
Property to South	Mixed Use
Property to East	Mixed Use
Property to West	Historic Business District (across Maple Avenue)
Existing Vegetation	
The site is vacant with maintained lawn and scattered trees.	
Existing Topography	
The site is generally flat.	
Critical areas	
Prior to building demolition, the site was fully developed and contains 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 construction of a 2,599-square-foot dental office building and a 13-stall surface parking lot. The proposed building is oriented facing the front property line with pedestrian access on Maple Avenue with

the parking lot in the rear. The proposed project includes associated site and frontage improvements, utilities, landscaping, and open space areas. The applicant requested a reduction of the perimeter landscape buffer requirements of Chapter 14.240 SMC.

2. Public Notice and Comment

The application was determined to be complete on December 4, 2020, and is vested to development regulations in effect at that time. Notice of the application was issued in accordance with City codes on December 18, 2020, by posting the site, publication in the Everett Daily Herald, and mailing to owners of property within 300 feet of the site boundaries. (Exhibit 11).

Four agency responses were received (Exhibits 12, 13, 14, 15).

- WSDOT had no concerns;
- Puget Sound Clean Air Agency (PSCAA) responded with potentially applicable regulations related to building demolitions;
- Snohomish County PUD stated there is enough electric system capacity to serve the development, and any necessary upgrades to existing facilities would be at the developer's expense
- DAHP commented that the building was eligible for listing in the National Register of Historic Preservation and recommended it be recorded in the WiSAARD database prior to demolition.

3. SEPA Review

The City Planning Director, acting as the City SEPA Responsible Official, determined the application is categorically exempt from SEPA review as minor new construction pursuant to WAC 197-11-800 and SMC 14.90.045.

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 the condition that parking lot lights be limited to 30 feet in height and incorporate shielding to limit glare, the proposed site layout is consistent with adopted standards. (Exhibits 5 and 16)

5. Utilities

- 5.1 Adequate water service is available to serve the site from an existing connection to the 6-inch main in Maple Avenue. A condition of approval will require third party fire flow testing prior to issuance of construction permits, to ensure adequate fire flow and pressure are available to serve the development. (Exhibits 5 and 20)
- 5.2 Adequate sewer capacity is available in the area to provide sanitary sewer service to the site. A new 6-inch side sewer will connect to the existing 10-inch main in Maple Avenue. An old side sewer is present on the site, which can be removed in its entirety if the new side sewer is installed within the same alignment or abandoned and capped at the right-of-way. A condition will require the property owner to be responsible for damage to infrastructure resulting from the old side sewer, if abandoned in place. (Exhibits 5 and 20)

- 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). The project is exempt from flow control because it will discharge via manmade conveyance elements directly to the Snohomish River, a flow-control exempt water body. Runoff from the roof and parking areas will be conveyed to a new storm main and associated storm structures in Rainier Street, discharging to a ditch alongside the Centennial Trail. Conditions are required to ensure the storm improvements are consistent with applicable standards. (Exhibits 5, 6, and 20)

6. Access, Frontage Improvements, Traffic Impacts, Transportation

- 6.1 One access point on Rainier Avenue is proposed to serve the site. The proposed driveway width is 26 feet and extends to the surface parking lot. Vehicles have adequate maneuvering area to avoid backing into the street. Pedestrian access will be from the parking lot as well as the sidewalk on Maple Avenue. (Exhibits 5, 8, and 20)
- 6.2 Frontage improvements are proposed on Rainier Street and Maple Avenue, consistent of new curb, gutter, sidewalk, and curb ramps at the southeast corner of the Rainier Street and Maple Avenue intersection. The City Engineer concurs that with conditions, the proposed frontage improvements are consistent with the City Engineering Design Standards. (Exhibits 5 and 20)
- 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 applicant provided a professional traffic analysis that determined an additional 9 PM peak hour trips will be generated by the 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 5, 8, 18, and 20)
- 6.4 Community Transit Routes 270, 271, and 424 provide transit service adjacent to the project site. A bus stop is located at the intersection of Second Street and Maple Avenue, within 500 feet of the site, according to the Community Transit website (www.communitytransit.org).

7. Consistency with Comprehensive Plan

The City of Snohomish Comprehensive Plan designation of the subject property is Mixed Use. 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.

8. Consistency with Snohomish Municipal Code (SMC)

Applications for Site Development Plans are subject to the specific criteria of SMC 14.65.020A, in addition to development regulations of Title 14.

Criteria	Analysis
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>	Adequate infrastructure is available to serve the development. The City Engineer has determined that the proposed frontage improvements are consistent with Engineering Standards. The development will be served by existing Community Transit facilities. The site will be 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, 6, and 20)

<i>2. The design and appearance of the structure shall be compatible with applicable design standards and guidelines.</i>	The design and appearance of the new structures will be reviewed for consistency with adopted design standards during building permit review.
<i>3. The development shall be consistent with the Comprehensive Plan.</i>	Commercial developments are consistent with the Comprehensive Plan designation for the site.
<i>4. The development shall mitigate any significant adverse environmental impacts.</i>	The proposal falls below the threshold for minor new construction and therefore no significant adverse impacts are anticipated.
<i>5. Concurrency requirements shall be complied with.</i>	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 8, 18, and 20)
<i>6. The development shall be consistent with the health, safety, and general welfare.</i>	The Building Official has reviewed the proposal and determined that with conditions related to the water system, the project will protect the health, safety, and general welfare of the community. (Exhibit 19)
Criteria	Analysis
8.2 Chapter 14.205 SMC, Permitted Land Uses	<p>The purpose of the MU designation is to “encourage a mix of single- and multi-family residential, commercial, and light industry uses in the same area, on the same site, and in the same structure”. Commercial uses are allowed in the MU zone.</p>
8.3 Chapter 14.210 SMC, Dimensional and Other Requirements	<p>The MU zone requires 15% open space, of which 5% must be landscaped. The site is 7,683 square feet, with 1,160 square feet in open space (15%), of which 874 square feet will be landscaped (11.3%).</p> <p>Building setbacks in the MU zone are 0 feet from all property lines, subject to compliance with the perimeter landscaping requirements of Chapter 14.240 SMC, discussed below. The proposed new building will meet minimum setback requirements to all parcel lines. (Exhibits 2, 5, 9, and 17)</p> <p>Height is limited to 35 feet.</p>
8.4 Chapter 14.235 SMC, Off-Street Parking, Loading, and Access Requirements	<p>The City’s parking regulations require one space for every 200 square feet of gross floor area for most commercial uses, including general personal services and office/patient clinics.</p> <p>The building is 2,599 square feet, for a parking requirement of 13 stalls. A surface parking lot containing 13 stalls (one of which is ADA compliant), is proposed for the development. Therefore, the parking requirement is determined to be met. (Exhibits 2 and 5)</p>

8.5 Chapter 14.240 SMC, Landscaping, Screening, Fencing, and Retaining Walls	<p>Perimeter landscaping is required to provide visual separation between incompatible uses. Adjacent land uses are currently single family to the south and multi-family to the east, with a required ten-foot, Type III visual buffer. SMC 14.240.010F allows consideration of an alternative landscape plan, if the proposal complies with the intent of the code. A reduction in the perimeter landscaping width was requested by the applicant with a Type IV fence proposed to provide solid screening. The request was approved with a condition by the Planning Director for the east and south sides. (Exhibits 5, 9, and 17)</p> <p>Landscaping is proposed throughout the site. Street trees are proposed along Maple Avenue and Rainier Street. Parking lot trees are proposed. Landscape requirements are met. (Exhibits 5, 16, and 17)</p>
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D. CONCLUSIONS

Jurisdiction		
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 will be 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
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 will be provided 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 site 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 construction of two new buildings for mixed use with associated parking and 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 nine 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 \$14,427.00. However, the total fee may change if the rate changes before a building permit is issued for this project.
2. Parking lot lights shall not exceed 30 feet in height and shall be shielded to prevent glare onto adjacent properties.
3. The Type IV cedar fence used for perimeter screening shall be solid, in order to restrict visibility.
4. The following revisions shall be made to the project plans prior to submittal for site civil permit:
 - a) Cover Sheet: correctly label "Avenue A" on the vicinity map;
 - b) Sheet C3: change P3 storm pipe material to PVC SDR-35;
 - c) Sheet C3: continue P2 storm pipe southeast past the new type 1 catch basin to the existing 12-inch CMP culvert and connect to the existing culvert via a new type 1 catch basin. Then discharge from said new catch basin into the ditch via a new 12-inch PVC SDR-35 storm pipe. The existing shallow catch basin's outlet pipe, 8-inch in diameter, will need to be abandoned in place with both ends plugged;
 - d) Sheet C3: if a new side sewer is installed in a new alignment, the property owner has the option to remove the old side sewer in its entirety, or abandon and plug it at the right-of-way line. If the side sewer is abandoned in place and collapses at some point in the future, the property owner would still be responsible to repair

- resulting damage to the surrounding public infrastructure to the satisfaction of the City Engineer;
- e) Sheet C4: the gores between the new sidewalk panel and property line along Rainier Street and Maple Avenue will need to be filled in with concrete sidewalk and transitioned to the existing sidewalk.
 - f) Sheet C4: the new curb ramps at the southeast corner of Maple Avenue and Rainier Street intersection shall be constructed per WSDOT Standards.
5. Prior to issuance of a site/civil permit for site development, a third party fire flow test must be performed to demonstrate that the proposed water improvements will meet minimum domestic and fire flow and pressure requirements.
 6. The development shall comply with the Snohomish County Inadvertent Discovery Plan for cultural resources.
 7. All development shall be consistent with the project narrative, plans, and recommendations of the professional studies and reports submitted with the application, as approved by the City, including but not limited to the geotechnical and stormwater drainage reports.

DECIDED this 16th day of March, 2021



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.
- CO 6.1** **b. Neighborhood Business.** Small-scale convenience retail and personal and professional service uses, either stand-alone or in small groups, compatibly located in residential areas. Uses are intended to primarily serve the daily needs of the immediate community and should be located and designed for pedestrian orientation and to preserve neighborhood character.
- CO 6.2** **Traffic.** All commercial development should be carefully located and designed to eliminate or minimize adverse impact of heavy traffic volumes, and to separate automobiles from pedestrian traffic.
- CO 6.7** **Commercial design.** All new commercial development should be designed to be compatible with the character of the neighborhood and immediate context of the site and consistent with applicable design standards.
- ED 1.2** **Livable wage.** Target industries that provide incomes at least equal to the County household median level.
- ED 3.1** **Economic development.** Recognize that economic development is critical to maintaining and increasing a high quality of life.
- PRO 2.3:** **Preserve open space.** When undeveloped land is converted to urban use, ensure that highly-valued open space is preserved, whenever possible.
- TR 23:** **Development review.** Review all land use and development proposals for compliance with the Transportation Element.
- TR 24:** **Concurrency.** 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.

UT 1.9: **Undergrounding utilities.** Require undergrounding of all new utilities for new developments.