

**Community
Development**



**501 Delta Ave
Marysville, WA 98270**

**Hearing Examiner
January 16, 2025**

Call to Order

Hearing Examiner Kevin McDonald called the meeting to order at 6:00 p.m.

Present:

Hearing Examiner: Kevin McDonald

Marysville Staff: Planning Manager Chris Holland, Senior Planner Amy Hess, Senior Planner Emily Morgan, Deputy City Attorney Burton Eggertsen, Jesse Hannahs, City of Marysville Traffic Engineering Manager, Asst. Fire Chief/Fire Marshal Tom Maloney, Asst. Police Chief Jim Lawless, Ken McIntyre, City of Marysville Development Services Manager

Public Hearings

1. PA24-008 - Lakewood Heights PRD

Project Title: Lakewood Heights Planned Residential Development

File Number: PA24-008

Owner/Applicant: MJS Investors//Land Technologies, Inc.

Address: 1125 & 1507 172nd Street NE (SR 531)

Request: Preliminary Subdivision and Planned Residential Development (PRD) Approval to subdivide a 29.48 acre property into 182 detached single family lots, and concurrently receive the Hearing Examiner's Recommendation of Approval of the concurrent rezone to City Council for Affirmation and adoption by ordinance.

Hearing Examiner McDonald opened the public hearing at 6:00 p.m. He introduced the application and summarized the staff recommendation to approve the proposal with 25

conditions of approval. He stated he has read the 39 exhibits provided so far in the public record including Exhibit 39 which is the Staff Report & Recommendation dated December 20, 2024. He admitted all 39 exhibits into the record. He reviewed his role in the process, the hearing procedures, and his expectations that all testimony would be truthful.

Staff Presentation:

Senior Planner Amy Hess reviewed the project proposal and staff recommendation as described in the Staff Report & Recommendation.

Hearing Examiner McDonald asked for clarification about the number of acres involved in the rezone. Ms. Hess clarified it is a shift. About 1.3 acres would go from Mixed Use (MU) to R-6.5, and 1.64 (MU) would go from R-6.5 to Mixed Use.

Applicant Testimony:

Merle Ash, Land Technologies, representing the owner, reviewed benefits of the plat including 182 homes in a very livable community with a lot of open space, active recreation facilities, unique stormwater treatment facilities, extension of sewer into the Lakewood community, and road improvements including roundabouts. He reiterated that they would be shifting land and not really rezoning land. The intention is to get rid of the split zoning and make it consistent with the Mixed Use and parcel lines and residential use and parcel lines.

Public Testimony: None

Hearing Examiner McDonald closed the public hearing and the public record at 6:20 p.m. He stated he would take everything into consideration and provide a recommendation to the City.

2. PA24-024 Stevens PRD MDNS Appeal

Project Title: Stevens Planned Residential Development MDNS Appeal

File Number: PA24-024

Applicant: KB Home

Applicant Contact: Courtney Flora - McCullough Hill, PLLC, 701 5th Ave, Ste. 6600, Seattle, WA 98104

Appellant: 35th Avenue Community Action Group, LLC

Appellant Contact: William B. Foster, 1907 Everett Ave, Everett, WA 98201

Location: East of I-5 and 35th Ave NE, north of 98th St. NE, and west of 39th Dr. NE

Appealed Action: Appeal of the SEPA MDNS issued for a project action proposal to construct a 59 lot single-family PRD Subdivision. The appeal is filed on the grounds that the City knew, or should have reasonably known, that the City's Decision to issue the MDNS were arbitrary, capricious, unlawful, and/or exceeded the City's lawful authority under the United States Constitution Amendment XIV regarding due process, Washington State Constitution Article 11, Section 11 regarding police powers, RCW 82.02.020, RCW 43.21C.030, 43.21C.033, and 43.21C.060, RCW 36.70B.060, Marysville Municipal Code, and common law.

Staff Rec.: Uphold the SEPA Mitigated Determination of Non-Significance (MDNS) issued on November 6, 2024, for the proposed 59 lot single-family Planned Residential Development (PRD) Subdivision request, subject to the mitigating conditions imposed in the MDNS and subject to all applicable development conditions imposed pursuant to the Marysville Municipal Code (MMC), as outlined in this Staff Recommendation.

Land Use Request: The applicant is proposing a 59-lot Planned Residential Development (PRD) subdivision. The subject site is comprised of an assemblage of (7) existing lots; there are (5) existing residences with accessory structures that are to be demolished with development.

Applicant: KB Home

Agent: Latta Engineering, PLLC

Admin. Rec.: Approve the Preliminary Planned Residential Development (PRD) Subdivision for the creation of (59) single family lots.

Introduction:

Hearing Examiner McDonald opened the public hearing at 6:22 p.m. He introduced the subject of the hearing noting that there is both a land use proposal and an appeal. He summarized the staff recommendation to uphold the SEPA MDNS subject to the mitigated conditions listed in the MDNS. Staff is also recommending that the Hearing Examiner approve the proposed 59-lot subdivision subject to the conditions listed in the Staff Recommendation. He clarified that there are two separate staff reports and recommendations - one for the appeal and one for the site development plan. He has read both reports, reviewed the submittal materials, and viewed the site. He reviewed the purpose and general procedures of the hearing. He entered 44 exhibits into the

record including Exhibit 43 which is the Staff Report & Recommendation on the SEPA Appeal dated January 6, 2025 and Exhibit 44 which is the Staff Report & Recommendation for the underlying land use proposal also dated January 6, 2025.

Regarding the procedures, Deputy City Attorney Burton Eggertsen suggested that the standard 5-minute time limit would be insufficient for the purposes of the appeal since all three parties are represented by counsel. He recommended waiving the time limit to ensure everyone has full opportunity to provide their argument and to build a robust record. Hearing Examiner McDonald concurred.

Courtney Flora, McCullough Hill, PLLC representing the applicant, agreed. Furthermore, Ms. Flora presented a procedural request related to testimony format. She recommended that the PRD approval matter be handled first. Regarding testimony for the SEPA appeal, she recommended that the appellant go first with their expert testimony, and requested that the applicant would then have the ability to cross examine witnesses. Then the applicant and City could put on their expert testimonies. She acknowledged that the public comments might concern both aspects.

Hearing Examiner McDonald stated he would like to combine the comments into one comment period for both matters since the public testimony would likely overlap. He asked city staff about the recommendation to run the land use proposal first since it was contrary to their initial recommendation. Deputy City Eggertsen stated he had no issues with her request to address the land use proposal first. Regarding the request for cross examination, Hearing Examiner McDonald stated he does not do cross examinations during hearings. The testimony is one way toward him. The burden is on the people providing testimony to make sure that he knows everything they want him to know.

Ms. Flora asked for confirmation that the pre-hearing brief and the witness and exhibit list were in the record. Senior Planner Morgan replied that it had been added to the file of record as additional exhibits.

Deputy Director Eggertsen noted that the City had received a last minute submission today from the appellant which was a Memorandum related to a traffic study. Given that the City has not had a chance to review it, he requested that the record remain open after the hearing to provide staff a chance to review it and provide any supplementary comments related to it.

Bill Foster, representing the appellant on the SEPA appeal, agreed with all the above procedural decisions.

Land Use Proposal

Staff Presentation:

City of Marysville Senior Planner Emily Morgan reviewed the land use proposal as described in the Staff Report & Recommendation proposing a 59-lot PRD single-family

detached subdivision with site improvement such as recreational open spaces, construction of internal plat roads, extension of utilities, street frontage improvements, landscaping, pickleball courts, walking trails, benches, picnic tables and a playground. Residential Density Incentives (RDI's) which would allow the applicant to go above the base density include having a dual stormwater and active recreation space; project design; and using non-active space as both. She discussed stormwater infiltration, public utilities, and traffic impacts.

She introduced three additional exhibits into the record including: Exhibit 45 - the applicant's supplemental appeal materials; Exhibit 46 - a supplemental report provided by the appellant (traffic impact analysis review by a third party); and Exhibit 47 - all public comments which have been submitted up until close of business today at 5 p.m., January 16, 2025. Staff has reviewed all materials for compliance with the Marysville Municipal Code as well as the Marysville Comprehensive Plan and other state statutes and recommends approval as conditioned.

Hearing Examiner McDonald asked what cross street on 35th the existing sewer is on and how far north would it need to go to connect to the site. Ms. Morgan replied it is approximately 1500 feet from the site near 94th Place. Hearing Examiner McDonald asked if there would be trenching and sewer line installation that entire distance. Ms. Morgan confirmed that there would be with improvements along the property frontage only.

Hearing Examiner McDonald asked about potential flooding of the stormwater retention site which would also be doubling as a recreation space. Ms. Morgan deferred to the engineering team for details. She thought the trenching would all be underground and buried.

Applicant Testimony:

Courtney Flora introduced Eric Enstrom, KB Home, Director of Land Development; Aaron Golden, Director of Acquisitions and Entitlements; and a technical team available to respond to questions. She stated that KB Home agrees in full with the staff recommendation and all the conditions of approval and asks that the Hearing Examiner approve the PRD.

Eric Enstrom, KB Home, described his responsibilities as Director of Land Development, his qualifications, his experience, and his role in this project. He gave a presentation on the proposed project including site details, site improvements, zoning, five existing homes on the site, removal of existing septic drain fields, sanitary sewer extension to and through the site, water extension, frontage improvements, and onsite stormwater system. He reviewed some background on the application process including a neighborhood meeting, city review, local agencies' review, the SEPA checklist, numerous technical reports (Transportation Impact Analysis; wetland, fish, and wildlife habitat assessment; arborist report, geotechnical report, and a stormwater report) and the subsequent issuance of the MDNS (Mitigated Determination of Non Significance).

He stated that with the implementation of conditions as determined by the municipality, the potential impacts of the project will be mitigated and there will be no potential impacts by the project to the environmental elements considered by SEPA. Conditions relate to the installation of fire sprinklers; payment of all traffic, park, and school impact fees; a tree conservation plan; decommission of all onsite septic systems and wells; preparation of wet season groundwater monitoring report; hydro geologic site review and design report; dedication of right-of-way and construction of frontage improvements along 98th and the internal roads to meet road standards; and dedication of right-of-way and frontage improvements along 35th Avenue. KB Home agrees with the Staff Report and related conditions.

He noted that the project must meet the basic treatment performance goal which provides treatment of 91% of the project stormwater runoff volume prior to infiltration to the underlying site soils. However, the stormwater system proposed for this project will provide treatment of 100% of the stormwater runoff from the project site which exceeds the highest treatment level required by the Department of Ecology.

Hearing Examiner McDonald referred to the stormwater system and asked if they would be separating pollution generating stormwater from other stormwater. Mr. Enstrom explained they would all be collected in the same stormwater system. Prior to entering the treatment portion of the facility, it will go through a pre-treatment facility which removes any heavy solids in the water. He further described the underground system.

Public Testimony:

Brent Seman, 3807 98th Street NE, stated he has lived next to the potential development for ten years. Over that time he has seen 35th Avenue blocked and barricaded with fallen trees. At worst he has had to climb over 21 fallen trees to obtain medications and necessities for his stranded family. He has seen firetrucks and ambulances unable to cross fallen power lines three days after a storm and has heard stories of stretchers being carried for hundreds of yards beyond stopped emergency vehicles. He commented that residents were trapped in their neighborhood for four hours due to a single car crash. He expressed frustration at the responses he has received from the City about this and the push for increased development without appropriate traffic solutions. He stated that the 35th neighborhood is a funnel and no matter how large they make the entrance it will not improve the flow. The planned traffic circles will add more cars to the traffic situation and the I-5 backup situation. These additions will compound traffic problems. He feels the traffic studies are biased, have failed to consider the cumulative impacts of these developments, and will create a danger they will not be able to correct. He fears for the lives of his family and his neighbors in this area. He also is concerned about the safety of his well. He is frustrated that his street will not receive city water and sewer while the development receives it. He is also concerned about fire risks associated with increased development.

John Ray, 3910 100th Place NE, explained that there is only one entrance and exit to the neighborhood. Trees and wires fall across roads and block access a lot. He is sure that response times will increase when this project is built. The fire department's own policy says that in order to add homes to a neighborhood when only one entrance and exit exist, there are two mitigation options - the first is to mandate sprinklers; the second is a separate entrance. In this case the Fire Department mandated sprinklers in the new homes, but this does not help the current residents because the neighborhood is still dangerous. It also does not mitigate the most common emergency response which is medical calls.

Additionally, the proposed mitigation plan also does not propose anything to protect existing wells from being contaminated. The water table is only 30 feet from the surface and is easily polluted by ordinary seepage through lawns and yards. No recourse method has been provided for residents when the wells become polluted. The City said that existing residents will have access to city water but his house is too far away to make an easy connection, and he would have to pay for it.

The existing traffic congestion should preclude any new development along the 88th Street corridor. The traffic study provided and funded by KB Home severely underestimates and understates the impact to traffic from the proposed development. He referred to the new response to traffic that was just submitted. It states that the number of trips by residents of the proposed development are severely understated. The existing traffic flows were only calculated using algorithms and not actual traffic data. KB Homes is required to pay \$340,000 to mitigate the traffic effects, but the City has also said there is really no impact. The effects of Chick-fil-A and 7-11 being closed and the planned Burger Master were probably not included in the traffic assessment which would understate the impacts.

Jade Seman, 3807 98th Street NE, said she doesn't trust decisions made by the City. Marysville chose to create a dangerous neighborhood when they annexed the land and started approving developments without thought for how dangerous 88th Avenue would become. She asked why they would allow these conditions to become worse. 88th Street is sick; 36th Avenue has also become dangerous because of Chick-fil-A drivers. She recounted the unsafe traffic conditions in this area. She expressed concern about the simulated traffic studies and lack of checks and balances. In addition, Snohomish County is forcing development in nearby communities that also must funnel into 88th Street. KB Home stands to profit millions of dollars from this project and they have only been asked to pay \$300,000 in traffic fines for creating permanent danger. She feels that the residents' safety has been sold out and sold out cheaply.

Evan McCallister, 3715 92nd Place NE, praised the police, fire department, and EMS for their work, but noted that if they can't get to the people it won't do any good. He expressed concern about their potential inability to get to people that need help. He also raised concerns about the impacts of new development on water pressure, electrical load, fire risk, and water pollution risks.

Jim Lubbehusen, 3724 98th Street NE, shared a photo and expressed concerns about severe congestion in the area. He thinks roundabouts are going to make the situation even worse.

Lisa Weiss, 3525 98th Street NE, expressed strong opposition to the building of the 59-house subdivision in her neighborhood. Safety should be the highest priority when considering any kind of development in the city. She moved to the city in 2019 and was very surprised at the drastic impacts of the addition of Chick-fil-A in 2020. She also discussed the daily train activity with predicted increase in train traffic to 43 trains daily by 2035 bringing the gates down for 145 minutes every day. She expressed safety concerns about this combined with the addition of all the new homes and another restaurant. She is also concerned about the contamination of the wells. Residents are concerned about their family's health. She shared about contamination of her well before she purchased her home. She is also concerned about the overwhelmed school system in Marysville which is definitely not prepared to be facilitating more students at this time with its serious budget issues. She urged the City to look at the whole picture when considering their approval.

Loretta Edson, 3711 97th Avenue NE, spoke in opposition to the building of the 59-home development based upon the safety risks that are being put upon them. She referred to the California fires and commented that they only have one way out and in to their neighborhood. It would be nice to have another way to get in and out. She is not opposed to development but believes it should be smart and sustainable. She commented that the high number of small lots of the proposed development do not fit in with the current neighborhood with its large lots. Existing residents are also concerned about their wells and septic systems. She noted that KB Home has been involved in several litigations and fined regarding water contamination.

Loretta Garduno, 9227 37th Avenue NE, has lived in her home for 32 years and is vehemently opposed to the development of the Stevens PRD of 59 additional homes on 14 acres for a variety of reasons. The fact that there is only one way out and one way in to the neighborhood is a horrendous safety issue for vulnerable humans living in the area. Emergency vehicles would not be able to respond in a timely manner to prevent loss of life. She implored the Hearing Examiner to deny the Stevens project noting that traffic congestion is already an issue and unsafe when a train goes by and when I-5 is backed up for miles. In the event of a catastrophe such as a fire, residents would be locked in with no alternate road to escape. She does not believe the City has adequately addressed concerns over safety, loss of life, and congestion. No one in the area thinks this is a good idea. Infrastructure does not support the development. Public safety is paramount.

Glenice McKeon, 3723 97th Place NE, stated she is deeply concerned by this development. Her neighborhood is served by the one access road, 35th Avenue NE. She recounted a couple stories demonstrating how dangerous this has been. After recent storms neighbors have had to jump fences to get in to their homes. Neighbors regularly carry chainsaws in their trucks so they can egress the area if necessary.

Additionally, they are very concerned about the environmental impact, even though there is some mitigation being done, because of their shallow wells. She feels the community's safety and health needs to be prioritized.

Dirk Mitchell, 3606 92nd Place NE, concurred with all the other comments, primarily the traffic impacts of this development. He thinks the roundabouts will make it even harder to get in and out than it is now. It is already congested every day all day and this development will not make it any better. He thinks people with wells have very valid concerns. He also questioned the kind of treatment the stormwater would receive and wondered who maintains the systems.

Monica Schweigert, 3607 100th Place NE, has run an adult family home in the neighborhood for 16 years. When it started, emergency vehicles could respond within ten minutes. Now, it takes 20 minutes at the fastest for them to get there because of the bad traffic. She understands that they need more growth, but expressed concern about the damage this is causing to the people who are already there. She urged them to provide another way out at least.

Kandis Goetz, 3710 97th Place NE, referred to RCWs and Comprehensive Plan verbiage related to ensuring the vitality and character of established neighborhoods; citizen participation and coordination; and preserving the scale and form of existing residential areas while accommodating new growth. She does not believe these things have been done. She agrees with all the previous comments about safety. She wondered when the zoning was changed as she was not aware of it and didn't know if her neighbors were either.

Shirley Warthen, 3730 93rd Place, commented that most of what she has written has already been stated. She hopes the Hearing Examiner is recognizing the applause for each person as concurrence. She noted that their dead-end road has over 170 houses on it. The current plan is putting all of them at risk. She recommended that they do a northbound off/onramp to I-5 as an additional access point. She doesn't think this would be a financial burden to KB Home since they just published their 2024 revenue at \$2 million with a proposed \$7 million for 2025.

Chris Meyn, 9323 35th Avenue NE, commented that the greenbelt between them and I-5 is a big tinder pile. He wondered if they are going to do anything about that. When they add more homes, the roads get blocked, and the fire department can't get in, he thinks they should have the address of the KB Home representatives as well. He noted that the entire neighborhood is against this, but Marysville doesn't seem to care.

Marty McKinney, 3817 98th Street NE, stated he has lived in the neighborhood for seven years and thinks he has spent one year in traffic trying to get to and from his house. His occupation took him by a KB Home project recently under construction in Auburn. He noted a sign saying that the new homes are 3-6 bedroom homes sandwiched together. He wondered how many cars will be in a 6 bedroom home. The traffic is already horrendous. This kind of project is just going to make it worse.

Debbie Boyce, Mount Vernon resident who works at 3817 98th Street NE, recounted being stuck in the neighborhood for many hours after a storm knocked down a tree blocking 35th Street and knocking the power out. She expressed concern about not having another way out of the neighborhood.

Penny Winterburn, lives on 64th Avenue NE caring for her elderly parents, but urged the City to listen to its citizens who live in the area. She has two separate family friends that live in the neighborhood and is concerned about the safety of this situation. She stated she would not buy a home in a neighborhood with only one way out for the safety of her and her family. She stated that driving in Europe's roundabouts is very different because every other car is allowed in and people aren't sitting and waiting for their turn to enter.

Ross Eddy, 3520 98th Street, agreed that 35th is a big problem, but especially 88th and 35th, with the train tracks on 88th at one end and the freeway exit and entrance at the other end. It is backed up every afternoon and you can't get into or out of 35th a lot of times. He wondered about putting an overpass at the railroad tracks.

Ronald Seman, retired Seattle architect, stated he is familiar working with developers. Some are good and honest; others are not. He believes city staff has done their job and so has KB Home as far as following the rules of law. However, in this particular case, there are special circumstances of only having one way in and out. He feels the Hearing Examiner should de-incentivize how many houses they can build because of the safety issues rather than just having to pay a fee.

Robert Pearce, 80th Avenue south of 50th Place, expressed concern about access to this neighborhood. He praised Marysville for how attuned they normally are to their residents. He hopes they will help these people to mitigate their egress and ingress issues. He agreed with the need for more housing, noting they are under at state mandate to do so, but encouraged them to accommodate the folks that are impacted. He added that if he was in this neighborhood he would be looking at ways to work with the contractor, developer, and the City to join the sewer system and get potable water from the system.

Doug (Matt) Johnson, 10011 39th Drive NE, (online) stated he is for responsible development, but he does not consider this responsible. He believes the developer has a right to build, and the property owner has a right to sell the property, but these rights do not take precedent over the existing residents' right for the impact to be mitigated. He pointed to the City of Marysville and the developer's failure to acknowledge and properly respond to his public comments including his request for reasonable accommodation under the ADA (Americans with Disabilities ACT). The City has claimed that all state and local laws were followed, but that cannot be true as it has provably failed to comply with both federal and state civil rights laws which supersede state and local policies. He stated that despite his public comments that included reasonable accommodation requests due to his disability, his concerns were ignored and no other active process occurred, violating his rights under both federal and state law. He stated that the City of

Marysville cannot exclude, ignore, or fail to accommodate individuals with disabilities in public participation. Government agencies must engage in an interactive individualized process to accept and determine accommodations. Failure to reply to an accommodation request is a violation of state and federal law even if the City ultimately determines that no modification is necessary or that an accommodation request is unreasonable. The City of Marysville cannot claim that the process was fair and lawful while disregarding federal civil rights protections. Additionally, developers and businesses involved in public projects must also comply with ADA requirements ensuring that individuals with disabilities have equal access to public participation in development-related decision making.

Ms. Morgan informed the Hearing Examiner that they have been receiving email comments after 5:00 p.m. when staff members were out of the office. She requested that the public hearing comment portion remain open in order to submit comments and update the record until 9 a.m. tomorrow morning (January 17) so staff has time to compile that as well as the exhibits that were submitted this evening. Deputy City Attorney Eggertsen requested seven days to analyze and respond to the traffic impact analysis provided today by the appellant. Hearing Examiner McDonald stated that the public record would be extended to 9 a.m. tomorrow in order to receive additional public comments and seven days from today for a response to the traffic impact analysis.

MDNS Appeal

City Testimony:

Deputy City Attorney Burton Eggertsen explained that the City's role in reviewing development applications is to evaluate a project proposal for compliance with state law and local regulations. In addition, the City is required by state law (specifically the Growth Management Act (GMA)) to both grow and meet certain growth targets. The City is left with very little discretion when it comes to residential development applications if they are in compliance with state and local regulations. The City is requesting that the Hearing Examiner uphold the issuance of the MDNS in this matter as the project is in compliance with state law and local regulations and the issuance is not clearly erroneous which is the legal standard for review. He addressed the appellant's arguments, referenced a number of documents, and facilitated relevant testimony.

He explained that the appellant's first argument is that the development will cause the intersection of 36th Avenue NE and 88th Street and perhaps other intersections as well to fall below an acceptable level of service. The applicant prepared a Traffic Impact Analysis (TIA) from Kimley-Horn (Exhibit 11) which found the studied intersections would not fall below an acceptable level of service after construction of this project. Based on this review of that TIA, the City issued a concurrency recommendation (Exhibit 21) and the applicant accepted the same (Exhibit 25).

Jesse Hannahs, City of Marysville Traffic Engineering Manager, stated that he reviewed the TIA and found that this project would not cause the intersection of 36th Avenue NE and 88th Street or any other studied intersection to fall below an acceptable level of service. He issued the concurrency recommendation for this project which included a number of required mitigation conditions including payment of traffic impact fees. The concurrency recommendation was accepted by the applicant. He affirmed that this project is consistent with the Transportation Element of the Comprehensive Plan. He also explained that there are future projects planned for 88th Street which would include an 88th Street interchange project with four roundabouts on 88th Street. Upon a request by the Hearing Examiner, Mr. Hannahs explained how the City calculates level of service and how it is acceptable to have the level of service projected for this development. Per GMA, the TIA considers any funded projects that are scheduled for construction within six years of the opening of a development in its analysis. Therefore, the TIA assumes that the four roundabouts are constructed and open for traffic on 88th Street. The level of service is calculated based on the delay at each intersection.

Deputy City Attorney Eggertsen explained that the appellant's second argument is that the proposed development would result in inadequate access for emergency vehicles to the neighborhood off of 36th Avenue NE and 88th Street. Evidence contained in the record indicates that there is adequate access for emergency vehicles for this neighborhood. In addition to not causing it to fall below an acceptable level of service, the potential impacts of this project were reviewed by the Marysville Fire District and the Police Department. The Fire District (Exhibit 40) found that response times would be similar following construction of this project, and those response times are within an acceptable range. The development will be required to have fire sprinkler systems for units constructed and must meet necessary access-related requirements (Exhibit 23). The Marysville Police Department also prepared a report on incidents located in the vicinity of this project (Exhibit 22) and found that in recent years there were lower call responses for this neighborhood compared to earlier years.

Asst. Fire Chief/Fire Marshal Tom Maloney stated that the Fire District reviewed this project based on the current code that the City has adopted and found it will not result in any issues for the District with regards to emergency access off of 36th Avenue NE and 88th Street. He confirmed that residential fire sprinklers are required for all developments with single access over 30 lots. Fire turnarounds and minimum street sizes are also required in this development and all developments in single access neighborhoods.

Asst. Police Chief Jim Lawless explained that response times were reviewed for this area and found the addition of this project would not result in inadequate response times to the neighborhood accessed by 36th Avenue NE and 88th Street.

Deputy City Attorney Eggertsen stated that the appellant's third argument is that the increase in impermeable surfaces as a result of this development threatens contamination of private wells in the area. He explained that the project is required to comply with city code and Department of Ecology Stormwater Management Guide

guidelines. All runoff is required to be contained and treated onsite in a stormwater facility which must be at least 100 feet from private wells. No untreated runoff will be permitted to be discharged off the proposed project site.

Ken McIntyre, City of Marysville Development Services Manager, stated that his department reviewed the drainage report for this project and did not find any evidence that an increase in impermeable surfaces as a result of this project would threaten contamination of private wells. The runoff from impermeable surfaces will be collected on site.

Deputy City Attorney Eggertsen summarized that given the City's very limited discretion and its role in review, it issued the MDNS. For the reasons provided, the City requests that the Hearing Examiner uphold the issuance of the MDNS and deny the appeal.

Appellant Testimony:

Bill Foster, attorney for the appellant, introduced Traffic Engineer Gary Norris.

Gary Norris, Traffic Engineer, 8316 309th Avenue SE, Preston, WA, stated he is a licensed professional traffic engineer and has been working in this capacity for 15 years in the Puget Sound region. He has experience working for the cities of Seattle, Bellevue, and Renton. He referred to the statement by the City that the level of service analysis considered the future roundabouts and that this was the basis for their level of service determinations. However, in his review of the TIA done by Kimley-Horn he saw no review of the roundabout analysis.

The evaluations were based on traffic signal operations at each of the three intersections identified - the southbound I-5 ramp, the northbound I-5 ramp, and the 36th Avenue intersection. To say that there is an acceptable level of service in that corridor is completely in error. He asserted that the traffic engineering consultant used a wrong method of level of service analysis for a corridor like this. The analysis used was a standard Synchro analysis which is based on a standalone intersection for a short 15 minute period of time. From that they determined what the level of service was for those three intersections. Because of the limited time, the evaluation they presented was somewhat reasonable. Appendix D of the report documents the level of service analysis for each of the three intersections for each of the time periods being considered.

The report showed that the queues are either impacted by the upstream traffic signal or they are over capacity which leads to the conclusion that this process is not adequate to evaluate this corridor in terms of level of service. He recommended seeking out other analysis techniques to understand what is going on with the queuing and what the impact of the upstream signals is in terms of level of service. He stated that he did not find a roundabout analysis at all in the appendix. Additionally, he stated that as roundabouts start to approach capacity, traffic signals provide better benefits for adjacent intersections. He thinks that a roundabout analysis should be done to see if there is capacity in the roundabouts to address the traffic volumes that are out there.

Regarding the single access to the property, he said he counted about 200 homes that exist on this corridor in addition to the commercial area at the south end of the corridor. He is surprised to hear the police and fire departments say there is no impact on access with this development. If there is an accident or the road is otherwise blocked, are the police and fire departments going to be able to get there? He hasn't seen anything in the TIA that shows that this was even considered. There was also no evaluation of the impact of the train crossing. He thinks the city staff should go back to the analysis and look at the implications of catastrophic events on this corridor in terms of the ability for emergency vehicles and support services to access this area. If they can't prove they can meet those standards under a catastrophic event he thinks the City should be required to put together a program to establish a secondary access to this corridor.

Finally, Mr. Norris referred to the lack of active transportation facilities along this corridor. He commented that there needs to be some kind of trail or pathway from this development to other corridor facilities and the 88th Street corridor. He summarized that this development needs to be returned to the staff to evaluate these issues more fully and give a clear indication of the viability of this development.

Mr. Foster asked Mr. Norris about the propriety of the level of service calculations expressed in the TIA engaged by the applicant. Mr. Norris responded that he does not believe they are correct based on the information presented in the technical appendix about the backup information that supported the level of service analysis.

Mr. Foster requested that the appellant also be given seven additional days to provide an additional response to the level of service calculations. Deputy City Attorney Eggertsen stated that the City would be opposed to that. The City only requested the additional time based on new information that was provided by the appellant today. The appellant is now asking for additional time to respond to a TIA that they have had for months. Ms. Flora also joined in the objection. The Hearing Examiner agreed and summarized that he will keep the record open for seven days for the purpose of the City responding to existing information.

Mr. Foster commented that Mr. Norris was saying that the TIA submitted by the applicant is flawed for several reasons; the primary one is that the City used a traffic simulation algorithm model that doesn't deal with the conditions that exist on this particular site. The Synchro analysis is limited to a snapshot in time of intersections that are standalone or independently operating and is a wrong algorithmic analysis which reached the wrong conclusions. The traffic engineer preparing the TIA should have used the SimTraffic algorithmic system. Additionally, he noted that Mr. Norris explained that the suggestion that these roundabouts would be fine if the record had anything in it or the TIA provided by the applicant had anything in it which pertained to the effect of the roundabouts. There also has not been anything in the TIA submitted by the applicant to deal with catastrophic situations. As stated by almost all the people testifying tonight, the road doesn't work well in its current design in its current use, but if you add a catastrophic event, it certainly is not going to work well. He thinks it is

interesting that the fire district will be requiring new homes to be sprinkled. This is fine, but it doesn't solve the congestion problem or the problem of the residents who are already there whose houses aren't sprinkled. Additionally, he noted that 85% of the calls that the fire department receives are not fire calls, but EMT calls. He summarized that the TIA and the conclusions reached therein as far as the level of service don't tell the whole story or are in fact inaccurate. He doesn't think that the Hearing Examiner can conclude that it is appropriate to claim there is an acceptable level of service if the methodology of calculating the level of service is flawed which they assert is the case.

Applicant Testimony:

Ms. Flora brought up a jurisdictional issue related to state statute RCW 43.21C.501 which she described and entered into the record. This would exempt transportation-related claims from SEPA appeals throughout Washington State if the project is consistent with the transportation element of a local comprehensive plan and if the project is subject to impact fees. Both of those criteria are established here. It is their position that the Hearing Examiner doesn't have jurisdiction of the transportation-related claims in this appeal. The applicant would like to have the opportunity to brief that after the close of the hearing. Hearing Examiner McDonald stated they would not be accepting any new exhibits following the close of the hearing. Ms. Flora commented that they would be submitting a legal brief summarizing the evidence and testimony that was presented at the hearing with applicable legal authority. It would not be containing any new evidence or argument or testimony. Hearing Examiner McDonald stated that he could not accept any new exhibits after they adjourn the hearing tonight.

Ms. Flora introduced Transportation Engineer Kassandra Leingang to provide testimony.

Kassandra Leingang, Senior Transportation Manager, Transpo Group, described her experience and her role on this project to peer review the TIA that was done by Kimley-Horn. She noted that Brad Lincoln was unable to attend so she was present in his place tonight. She described the peer review process undertaken. She explained that the Tulalip roundabout project will put in four roundabouts along the 88th Street corridor changing it from a signalized corridor to a roundabout corridor. Ms. Flora presented two new exhibits which were given to staff - an illustrative plan of the 88th Street corridor and a provision from the Tulalip Tribes website describing the Tulalip roundabout project.

Ms. Leingang explained that in addition to reviewing all the documents she also conducted an independent transportation evaluation that included the implementation of the roundabouts to see what the resulting level of service would be. She also took a look at the safety relative to what was reported in the traffic study and the additional detail from police reports. She reviewed train data on the corridor that was provided as part of the Comprehensive Plan and did some additional review about queuing. Hearing Examiner McDonald asked about the model used. Ms. Leingang said she did not do any additional level of service analysis for the signalized corridor. That was done in the

Kimley-Horn report and was based on Synchro. However, as part of her queuing evaluation, she looked at it both in Synchro and SimTraffic given the proximity of the intersections. She found that the impact with the addition of the project relative to without project conditions was a change in queues of one vehicle or less at the study intersections.

Ms. Flora referred to the claim that the level of service analysis done by Kimley-Horn was incorrect. Ms. Leingang explained that the analysis conducted using Synchro is the standard operations which is done on every traffic study. They often include multiple intersections. It includes peak hour conditions with a peak hour factor adjustment. Hourly volumes are input into the analysis. Not only is this the standard practice of evaluations, it is also the standard of the City of Marysville and consistent with the analysis done in their Comprehensive Plan.

Hearing Examiner McDonald asked if the analysis of future conditions had incorporated future land use forecasts as well as transportation infrastructure that is presumed to be on the ground at the time of the study. Ms. Leingang affirmed that the additional analysis included the planned additional infrastructure of the four roundabouts that is planned and funded. It was evaluated both in the near term (2027) and the long term (2033). The forecasts account for future growth in the area. She clarified that the current counts did include Chick-fil-A which was open at the time. The Tulalip roundabout project is a funded project and is expected to be in place in 2027 which aligns with the projects horizon year of 2027. She re-affirmed that when a transportation improvement is planned and fully funded, it is appropriate to include it in the transportation analysis.

Ms. Flora asked Ms. Leingang to discuss her review of the Kimley-Horn study and their level of service (LOS) conclusions as well as her own studies. Ms. Leingang clarified that the level of service that Kimley-Horn did assumed the existing corridor, and they showed that the operations under that corridor were meeting the standard of the intersections with the 36th and 88th intersections operating acceptably at LOS D under the signalized condition. With the Tulalip roundabout improvement project, Ms. Leingang's analysis using SIDRA and the Network analysis, showed that the 36th and 88th intersection would result in LOS A in the future. The queues were significantly reduced so that they were no longer resulting in queuing impacts to the adjacent I-5 interchange. She confirmed that the proposed project satisfies the City's concurrency standards. She described the level of service standards and how they are calculated. Ms. Leingang discussed the queuing studies done by Kimley-Horn. She reviewed the Synchro files and found that the change without and with the project would only be one vehicle or less which is not a significant amount.

Ms. Flora asked Ms. Leingang to discuss what she learned about safety issues around the site with her analysis. Ms. Leingang explained the police reports occurred in the vicinity, not necessarily at an intersection. She found there were 42 accidents over a five-year period that either occurred at the intersection or were related to the intersection. This results in a collision rate of less than 1 which is the threshold used to identify if there is a safety issue that should be evaluated further. In her opinion there is

not a likelihood of a significant adverse impact related to safety issues based on the project. She discussed how the Tulalip roundabouts may impact the safety issue. She explained that roundabouts are generally safer than traditional signalized intersections as they have a reduction in collision severity and remove the conflicts that typically occur with turning maneuvers.

Ms. Flora asked Ms. Leingang to respond to the concerns about having only one way in and one way out of the area. Ms. Leingang explained that the traffic analysis assumes that all the traffic is moving to and from the singular signal. In terms of an emergency condition, there are additional access points through the adjacent retail that would provide access at the north end of the commercial (35th). She believes there is still ample capacity on 35th north of the commercial area to which emergency responders would have access to.

Ms. Leingang commented on her review of transportation-related issues in the SEPA appeal. She referred to item 6.2, which addresses the appellant's only access to the parcels via 35th requiring the use of the intersection of 88th Street and 36th Avenue NE and which mentions difficulties associated with the train tracks. Ms. Leingang explained that 36th Avenue NE serves as the single access for the homes located north of 88th as well as some of the commercial located at the northwest corner. The commercial at the northeast corner is also provided additional access points at 88th. This is an existing condition, and the reason for the single access is because of I-5 to the west and the creek to the north and east. That intersection of 36th and 88th is evaluated in the TIA. With the existing signalized intersection the corridor operates acceptably at LOS D with the addition of the project. Regarding the trains, the Transportation Element of the Marysville Comprehensive Plan identifies that there will be an additional 20 daily trains that occur at that crossing location. Based on that, one would likely occur during the PM peak hour. In her analysis, it is not likely that the project will pose a significant adverse impact related to safety or access at that intersection.

Ms. Flora referred to RCW 43.21C.501 and asked Ms. Leingang if this project is consistent with Transportation Element of the City's Comprehensive Plan. Ms. Leingang stated that it is and confirmed that the project is subject to impact fees.

Next, Ms. Flora responded to the DN traffic analysis which she just received this afternoon. Regarding the contention that the TIA used the wrong level of service analysis, Ms. Leingang explained that Synchro is the City's standard methodology and is consistent with the evaluation that is completed for intersection level of service and is consistent with the Transportation Element of the Comprehensive Plan. She also did the supplementary queuing evaluation that looked at it both in Synchro and Sim Traffic and considered with and without the project. That analysis showed limited change in queuing of one vehicle or less with the addition of the project. She also evaluated queuing with the addition of the Tulalip roundabout improvement project at the intersection which was completed using SIDRA which is the standard for roundabout evaluation. That analysis showed that the 95th percentile queues at the intersection

along the corridor are forecast to be significantly reduced with the planned improvement project, and the queues are not forecast to extend to the adjacent intersections.

Regarding Mr. Norris's contention that there was no evaluation of level of service done with the proposed roundabout design, Ms. Leingang replied that she completed an additional analysis. It showed that 36th and 88th intersection would improve to operate at LOS A and that the queues would not impact the adjacent intersection. It also showed that the change in queuing with and without the project was one vehicle or less. Additionally, volume over capacity ratio was less than the standard .9 at the roundabouts.

She then discussed her evaluation of the impact of the railroad crossing which is located more than a quarter mile east of the 36th Street intersection along 88th. The project trips for the proposed project are anticipated to be oriented with the majority of trips to and from the freeway away from the train tracks. It is recognized that a train event results in increased congestion in the vicinity; however, given the train frequency, the project trip distribution patterns, and the trip generation for the project, the project is not anticipated to have a significant impact on conditions during a train event.

Ms. Flora asked if Mr. Norris did any sort of independent transportation analysis. Ms. Leingang replied that he did not; his testimony was based on Kimley-Horn's study. Ms. Leingang summarized that based on her review, her own independent analysis, and testimony she has heard today, she does not believe that the project would have any adverse transportation impacts.

Ms. Flora noted she also had two stormwater experts present to respond to public comments.

David Baumgarten, Washington-licensed hydrogeologist, stated he has done a lot of projects in the Marysville valley regarding groundwater and stormwater and is very familiar with the water system in the valley. He explained that KB Home contacted him originally to determine the seasonal high groundwater level at the site which is required for the infiltration facility design and to get a handle on how the groundwater system works at the site. They installed four groundwater monitoring wells at the site in October 2024 and will continue to monitor groundwater levels in them until April 2025.

In general, the groundwater in Marysville is in the Marysville sands which is an unconfined aquifer and recharged by precipitation. In most of Marysville it is a very flat water table. In the winter it is also a very shallow water table (less than five feet below grade). Flow in most of Marysville is from north to south. However, the area where this site is located is very unique because of Quilceda Creek which has cut down into the valley floor about 40 feet and drains the groundwater down to the creek level. This can also be observed with the monitoring wells; the farther you are from I-5, the lower the water level is. He summarized that because of this drainage situation, groundwater flows to the east to the creek, building the project will not change the hydrogeology regime beneath the site.

He stated he looked at any potential impacts to ground level quantity or levels out there. He does not expect to see any change in this because they are not withdrawing any groundwater for use at this site. They are actually abandoning wells that were in use there. Also, with the stormwater infiltration and capturing 100% of the runoff, they are maintaining the recharge of the footprint on their site. After April 2025 they will look at the seasonal high groundwater levels in relation to the infiltration facilities to make sure they are meeting separation requirements. That report will also document the general discussion of the groundwater in the area.

He confirmed that based on his review of the staff recommendation and his ongoing hydro geologic characterization, he does not anticipate that the project will pose any significant adverse impacts related to groundwater flow direction or groundwater quality.

Mike Arnold, Atlas Geologics, 40 2nd Ave SE, Issaquah, Washington-licensed hydrogeologist, stated he has been an environmental consultant for over 34 years focusing on managing contaminated properties including residential, commercial, and industrial sites. Regarding the issues presented in the appellant's documentation, they identified materials that are commonly used in building materials and typical residential use; however, whether those actually make it to groundwater and are effectively contaminants is not clear because it has to do with scale. If the products are used in a lawful manner in normal use quantities, they are designed to be safe. If discharged in larger quantities the chemicals do have the potential to contaminate. In some cases they are designed to degrade in the environment and/or be readily taken up by materials such as materials that are going to be used in the stormwater management design for this development.

The sand filter with all of the organic material that this water will pass through is very commonly used in industrial settings He has even seen it used in a junkyard where the contamination is much higher than would be expected from a residential development. The stormwater filtration infrastructure effectively removes the contaminants from the water and mitigates that infiltration so that by the time it reaches groundwater there is no significant impact to groundwater quality.

Hearing Examiner McDonald asked what kind of contaminants he was referring to. Mr. Arnold explained the appellant's list contained quite a few contaminants including pesticides, metals from building materials and other uses, and fertilizers. He would also add petroleum products which are very common in residential uses. The stormwater management design was created to mitigate stormwater runoff contaminants in situations where there are sensitive groundwater septic. The Department of Ecology has only signed off on these because they work. He stated that that in his experience in groundwater investigations, they typically don't see chemical contamination such as described by the appellant resulting from normal residential use. The exception to this is that bacterial contamination is common from residential use when there are septic systems especially in older sites. His understanding is that there will be no septic infiltration on this site, and existing septic systems will be eliminated and

decommissioned. The entire sanitary runoff from this development will be funneled to municipal sewer.

Mr. Arnold affirmed that in his opinion, under normal residential use, this project does not pose a risk of significant adverse impacts in the area of water quality.

Closing:

Deputy City Attorney Eggertsen asked for confirmation that both the City and the applicant will have seven days to respond to the memorandum. Hearing Examiner McDonald confirmed this and clarified that no new information would be allowed after tonight except the public comments.

Hearing Examiner McDonald asked Mr. Eggertsen to respond to the concern raised about the jurisdiction to hear the issue if the project complies with the Comprehensive Plan and if there are impact fees. Mr. Eggertsen stated that from a legal perspective he concurs with the applicant's reading of that statute - that it does apply. He reiterated that the City has very limited discretion and often doesn't have the ability to address certain issues it otherwise might want to. For this reason the City addressed substantive arguments tonight because it understands public concerns and wants those addressed.

Mr. Eggertsen, for the City of Marysville, stated that the City understands the public concerns over this project, especially the fact that this is a neighborhood with only one access - one way in and one way out. He reiterated that the City's role in reviewing projects is limited. This, combined with the City's requirements under the GMA, the City is left with very little discretion with residential developments in particular. The City's resulting role is to determine if a project is in compliance with applicable laws and regulations. The City analyzed the project for compliance with those laws and regulations and found that it meets those standards. Because of that, the City is requesting that the MDNS be upheld and the appeal denied.

Mr. Foster, for the appellant, referred to the robust public testimony tonight about the traffic conditions that exist on 88th and 36th. He finds it incredible that the traffic consultant engaged by the applicant would believe that the conditions are going to improve to a LOS A; whereas Mr. Norris testified that the analysis is insufficient and inaccurate. He asserted that there needs to be an alternate access, and putting roundabouts on 88th is not a sufficient answer to the problem. Residents have testified that they can't get in and out of the area at times. Emergency services have been unable to access residents; 85% of those calls are not fire-related, so sprinklers won't help.

He believes the applicant and the City need to conduct a greater review of the TIA that was submitted in conjunction with this application. He believes there is an issue of whether the study was adequately and properly performed. Mr. Norris has testified that the TIA that he evaluated was just a snapshot in time. He pointed out that just as they

have been sitting in the hearing tonight, three or four trains have gone by. The impact of train traffic in that neighborhood is significant.

He recommended that this application be remanded back to have the applicant and/or the City prepare a supplemental impact analysis because there are serious questions as to whether or not the existing impact analysis portrays and accurate representation of the conditions that exist on the 88th Avenue corridor. For that reason, he submitted that the appeal of the MDNS should be granted. The decisions upon which that was made were based on a flawed TIA.

He stated that the impact of the potential roundabout construction was not addressed in the TIA. The only testimony has been that roundabouts will make it better, but he questioned that conclusion. The appellant believes that the testimony of the residents in the area portrays a more accurate picture of what they encounter on a daily basis, and they can't tolerate any more.

Ms. Flora, for the applicant, referred to the PRD approval and stated that the applicant has submitted testimony, and the staff recommendation demonstrates, that this project was subject to an extensive review process to ensure compliance with all applicable codes and mitigation of impacts. She acknowledged that the City is somewhat constrained in terms of its review. It has to look at the adopted Comprehensive Plan and the adopted zoning. If a project complies, it must be approved, and that is the case here. There have not been any claims about code violations in regard to this project. This is exactly the type of project that the City Council and city land use plans contemplate for this area. The applicant requests that the Hearing Examiner follow the staff recommendation and approve the PRD.

With regard to the SEPA appeal, the applicant feels that the state statute is clear. RCW 43.21C.501 is explicit, and they believe that the transportation issues need to be dismissed based on that statute. The expert testimony provided by both transportation engineers concluded that the project meets level of service and does not pose a significant adverse impact in the area of transportation.

Ms. Flora stated that they hear the public comment and have spent a lot of time with KB Home reviewing the comments and thinking about how they can be mitigated; however, the issue in a SEPA appeal is whether the project poses an impact. The septic system will be removed, and there will be some improvements made. There is nothing in the record that indicates that there is a significant adverse impact under SEPA. She referred to her pre-hearing brief which outlines the applicable standard of review and some of the case law.

She concluded that the burden is on the appellant to present affirmative evidence of a probable significant adverse impact caused by the project. No one has submitted any affirmative evidence of a significant impact which is what the law requires. She summarized the appellant's request that the Hearing Examiner dismiss the SEPA appeal and approve the PRD.

Hearing Examiner McDonald summarized that the hearing would be closed at the close of business on January 23, 2025, limited to responses by the City and the applicant to the appellant's new transportation report. Public comment written and received after close of business today will be accepted until tomorrow at 9:00 a.m. The in-person portion of the hearing was closed at 9:25 p.m.

Hearing Examiner McDonald stated that after the close of the hearing next week he will review all the substantive information and the public testimony and provide a written decision within 15 calendar days. He expressed appreciation to everyone for their patience.

Adjournment

The meeting adjourned at 9:26 p.m.

Emily Morgan for

Laurie Hugdahl, Recording Secretary

PA24-008 – Lakewood Heights PRD Exhibits:

E001 - Land Use Application - PA24-008.pdf
E033 - Notice of SEPA MDNS - PA24-008.pdf
E002 - Project Narrative - PA24-008.pdf
E003 - Title Report-Legal Description - PA24-008.pdf
E004 - Environmental Checklist - PA24-008.pdf
E005 - Critical Areas Report - PA24-008.pdf
E006 - Critical Areas Report - PA24-008.pdf
E007 - Traffic Impact Analysis - PA24-008.pdf
E008 - Snohomish County Traffic Offer - PA24-008.pdf
E009 - Geotechnical Report - PA24-008.pdf
E010 - Drainage Report - PA24-008.pdf
E011 - Stormwater Pollution Prevention Plan - PA24-008.pdf
E012 - Building Elevations - PA24-008.pdf
E013 - Landscape Plan - PA24-008.pdf
E014 - Plat Map - PA24-008.pdf
E015 - Preliminary Civil Plans - PA24-008.pdf
E016 - Letter of Completeness - PA24-008.pdf
E017 - Notice of Application - PA24-008.pdf
E018 - Request for Review - PA24-008.pdf
E019 - Affidavit of Publication - PA24-008.pdf
E020 - Snohomish County Traffic Offer - PA24-008.pdf
E021 - Technical Review Comments - PA24-008.pdf
E022 - Correspondence - PA24-008.pdf
E023 - Response Letter - PA24-008.pdf
E024 - Plat Map - PA24-008.pdf
E025 - Preliminary Civil Plans - PA24-008.pdf
E026 - Stormwater Report - PA24-008.pdf
E027 - Traffic Impact Analysis - PA24-008.pdf
E028 - Correspondence - PA24-008.pdf
E029 - Technical Review Comments 2 - PA24-008.pdf
E030 - Concurrency Recommendation - PA24-008.pdf
E031 - Concurrency Acceptance - PA24-008.pdf
E032 - SEPA MDNS - PA24-008.pdf
E033 - Notice of SEPA MDNS - PA24-008.pdf
E034 - Plat Map - PA24-008.pdf
E035 - Site Plan - PA24-008.pdf
E036 - Notice of Public Hearing - PA24-008.pdf
E037 - Affidavit of Publication - PA24-008.pdf
E038 - Affidavit of Publication - PA24-008.pdf
E039 - Staff Recommendation - PA24-008.pdf

PA24-024 Stevens PRD MDNS Appeal Exhibits:

- E001 - Land Use Application - PA24-024.pdf
- E033 - SEPA MDNS - PA24-024.pdf
- E002 - Project Narrative - PA24-024.pdf
- E003 - Project Narrative - PA24-024.pdf
- E004 - Title Report-Legal Description - PA24-024.pdf
- E005 - Environmental Checklist - PA24-024.pdf
- E006 - Land Use Application - PA24-024.pdf
- E007 - Critical Areas Report - PA24-024.pdf
- E008 - Professional Study - PA24-024.pdf
- E009 - Drainage Report - PA24-024.pdf
- E010 - Geotechnical Report - PA24-024.pdf
- E011 - Traffic Impact Analysis - PA24-024.pdf
- E012 - Snohomish County Traffic Offer - PA24-024.pdf
- E013 - Preliminary Civil Plans - PA24-024.pdf
- E014 - Landscape Plan - PA24-024.pdf
- E015 - Plat Map - PA24-024.pdf
- E016 - Letter of Completeness - PA24-024.pdf
- E017 - Notice of Application - PA24-024.pdf
- E018 - Request for Review - PA24-024.pdf
- E019 - Affidavit of Publication - PA24-024.pdf
- E020 - Affidavit of Publication - PA24-024.pdf
- E021 - Concurrency Recommendation - PA24-024.pdf
- E022 - Correspondence - PA24-024.pdf
- E023 - Technical Review Comments - PA24-024.pdf
- E024 - Correspondence - PA24-024.pdf
- E025 - Concurrency Acceptance - PA24-024.pdf
- E026 - Resubmittal Letter - PA24-024.pdf
- E027 - Preliminary Civil Plans - PA24-024.pdf
- E028 - Landscape Plan - PA24-024.pdf
- E029 - Correspondence - PA24-024.pdf
- E030 - SEPA MDNS - PA24-024.pdf
- E031 - Notice of SEPA MDNS - PA24-024.pdf
- E032 - Affidavit of Publication - PA24-024.pdf
- E033 - SEPA MDNS - PA24-024.pdf
- E034 - Notice of Public Hearing - PA24-024.pdf
- E035 - Affidavit of Posting - PA24-024.pdf
- E036 - Affidavit of Publication - PA24-024.pdf
- E037 - Correspondence - PA24-024.pdf
- E038 - Response Letter - PA24-024.pdf
- E039 - Preliminary Civil Plans - PA24-024.pdf
- E040 - Correspondence - PA24-024.pdf
- E041 - Response Letter - PA24-024.pdf
- E042 - Response Letter - PA24-024.pdf
- E043 - Staff Recommendation - PA24-024.pdf
- E044 - Staff Recommendation - PA24-024.pdf