

Community
Development



501 Delta Ave
Marysville, WA 98270

**Hearing Examiner
August 29, 2024**

Call to Order

The meeting was called to order at 6:00 by Hearing Examiner Kevin McDonald.

Public Hearing

1. Williams Pointe Subdivision

File Number: PA24-014

Request: The applicant has requested approval of a 59-lot subdivision of approximately 13.09 acres; an existing residence is to be retained on proposed Lot 50. Lots 1 - 47 are proposed on parcels north of 44th St NE with Lots 48 - 59 located on a parcel south of 44th St NE.

Applicant: Joe Long, Keystone Land, LLC/ Tom Abbott, Solid Ground Engineering

Project Manager: Emily Morgan, Senior Planner, City of Marysville

Hearing Examiner McDonald introduced the topic and described the application as presented in the application and staff recommendation. Staff's recommendation is to approve the application with 18 conditions as stated in the staff recommendation. He stated he has read the staff report and all the submittal materials. He entered 39 exhibits into the record including Exhibit 39 which is the staff recommendation dated August 21, 2024. He has also visited the site. He made preliminary remarks regarding the purpose of the hearing, hearing procedures, and expectations that everyone would be truthful.

Staff Presentation:

Senior Planner Emily Morgan made the presentation. She admitted new exhibits into the record including Exhibit 40, the Affidavit of Publication for the Notice of Public Hearing; Exhibit 41, a public comment received today via email Danielle Gallacher, and

Exhibit 42, a response from the Public Works Traffic Division to a comment from Dennis O'Brien via email.

She addressed traffic issues that have been brought up related to sight distance from the 75th Avenue intersection on 44th. The applicant has worked with a neighbor to do a grading easement to pull back the grade and allow a greater sight distance. This should adequately meet the Traffic Division's requirements. If not, there will be a requirement to add a west bound acceleration/deceleration lane on 44th.

She also noted that because of the wetlands on the site and the transfer of density, the northern portion will be reviewed and dimensional standards for the R-8 zone would be applied. The southern portion of the site will be held to the underlying zoning which is R-6.5. Staff has reviewed everything for conformance to applicable codes and recommends approval as conditioned.

Hearing Examiner McDonald formally admitted exhibits 40-42 to the record.

Applicant Testimony:

Tom Abbott, Solid Ground Engineering, 8105 166th Avenue NE, Redmond, WA 98052, spoke on behalf of the applicant. They agree with staff's recommendations and conditions. He added that a previous project with a similar layout had been reviewed and approved but the connection to 44th and the extension of 75th Avenue was at that location. Previously only 125 feet of sight distance was provided and approved. With the addition of the graded easement that his client has negotiated, now 200 feet of sight distance has been provided. They will work with the City on whatever solution is required.

Hearing Examiner McDonald asked about an additional lane that could be required. Mr. Abbott explained it would be an additional lane on the north side of 44th for the purpose of people turning right from 75th to 44th. This would be determined during civil plan review.

Public Testimony:

Dennis O'Brien, 7615 44th Street NE, Marysville, WA 98270, expressed concern about the safety of the new intersection as designed. The EDDS has a sight distance for stopping of about 280 feet based on 35 mph speed limit and the 9% down grade across the intersection. It also has an entering sight distance of about 470 feet. He recommended a sign placed east of the intersection on the north side of the road warning people of a hidden intersection and that the widening of 44th Street to the west of the intersection for use as a merging lane. He would also like to see the widening of 44th used as both exiting and entering 44th.

Peggy Brucker, 7428 46th Place NE, asked about the project timeline and expressed concerns about the potential removal of trees that might be on her property.

Kim Corvath asked where 76th Street is going to come through. Staff reviewed the map and offered to speak with her more after the hearing.

Final Comments:

Ms. Morgan noted that Condition #7 requires that retention of significant trees be demonstrated. As part of the civil plan review staff will require an arborist report which evaluates existing trees and ones that can be retained, if possible, especially along the perimeter. Staff asked the applicant to discuss tree retention.

Joe Long, Keystone Land, 13805 Smokey Point Blvd, Marysville, WA, stated they have had an arborist to the site. He acknowledged that trees should be retained where possible in open space tracts and landscape buffers, mainly along the wetland boundary. They had an arborist out to look at trees along the property line and will do that again after civil grading is complete to ensure that nothing has been damaged. Regarding the project timeline, the start date is to be determined but is likely to be soon.

Jesse Hannahs, Traffic Engineering Manager, City of Marysville, commented that they are tentatively looking at requiring a westbound deceleration lane on 44th Street NE as well as an eastbound acceleration lane on 44th Street NE at the location of 75th Avenue NE as well as consideration of whether the eastbound left turn from 44th Street NE to 75th Avenue NE should be allowed or restricted. This will be evaluated as part of civil plan review.

Hearing Examiner McDonald asked if this needs to be documented as part of a condition. Ms. Morgan explained it is covered adequately under Condition 14.

The public hearing was closed at 6:27 p.m.

Hearing Examiner McDonald stated he would be providing a decision shortly.

Adjournment

The meeting was adjourned at 6:27 p.m.

Angela Gemmer for

Laurie Hugdahl, Recording Secretary

Attachments:

[E001 - Land Use Application - PA24-014.pdf](#)

E002 - Project Narrative - PA24-014.pdf

E003 - Title Report-Legal Description - PA24-014.pdf

E004 - Environmental Checklist - PA24-014.pdf

E005 - Traffic Impact Analysis - PA24-014.pdf

E006 - SnoCo Traffic Offer - PA24-014.pdf

E007 - Drainage Report - PA24-014.pdf

E008 - Critical Areas Report - PA24-014.pdf

E009 - Buffer Mitigation Planting Plan - PA24-014.pdf

E010 - Landscape Plan - PA24-014.pdf

E011 - Plat Map - PA24-014.pdf

E012 - Preliminary Civil Plans - PA24-014.pdf

E013 - Letter of Completeness - PA24-014.pdf

E014 - Notice of Application - PA24-014.pdf

E015 - Request for Review - PA24-014.pdf

E016 - Geotechnical Report - PA24-014.pdf

E017 - Affidavit of Publication - PA24-014.pdf

E018 - Affidavit of Posting - PA24-014.pdf

E019 - Technical Review Comments - PA24-014.pdf

E020 - Snohomish County Signed Traffic Offer - PA24-014.pdf

E021 - DOE Wetland Correspondence - PA24-014.pdf

E022 - Resubmittal Letter - PA24-014.pdf

E023 - Preliminary Civil Plans - PA24-014.pdf

E024 - Title Report-Legal Description - PA24-014.pdf

E025 - Wetland Report Memo - PA24-014.pdf

E026 - Technical Review Comments 2 - PA24-014.pdf

E027 - Resubmittal Letter - PA24-014.pdf

E028 - Critical Areas Report - PA24-014.pdf

E029 - Preliminary Civil Plans - PA24-014.pdf

E030 - Preliminary Site Plan - PA24-014.pdf

E031 - Concurrency Recommendation - PA24-014.pdf

E032 - Concurrency Acceptance - PA24-014.pdf

E033 - SEPA MDNS - PA24-014.pdf

E034 - Notice of SEPA MDNS - PA24-014.pdf

E035 - Notice of Public Hearing - PA24-014.pdf

E036 - Correspondence - PA24-014.pdf

E037 - Correspondence - PA24-014.pdf

E038 - Correspondence - PA24-014.pdf

E039 - Staff Recommendation - PA24-014.pdf