

**Community
Development**



**501 Delta Ave
Marysville, WA 98270**

**Hearing Examiner
December 5, 2024**

Call to Order

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

Present:

Hearing Examiner: Kevin McDonald

Staff: Senior Planner Amy Hess, Planning Manager Chris Holland,
Development Services Manager Ken McIntyre, Traffic Engineering
Manager Jesse Hannahs

Public Hearings

1. PA24-006

Hearing Number: PA24-006 (Chevron)

Applicant: Meydenbauer Group, 12025 Willows Road, Redmond, WA 98052

Contact: John Hansen, Meydenbauer Group

Site Address: 1008 67th Ave NE, Marysville, WA 98270

Links to Exhibits:

- [E001 - Land Use Application - PA24-006.pdf](#)
- [E033 - Site Plan - PA24-006.pdf](#)
- [E002 - Land Use Application - PA24-006.pdf](#)
- [E003 - Project Narrative - PA24-006.pdf](#)
- [E004 - Title Report-Legal Description - PA24-006.pdf](#)
- [E005 - Environmental Checklist - PA24-006.pdf](#)
- [E006 - Critical Areas Report - PA24-006.pdf](#)
- [E007 - Traffic Impact Analysis - PA24-006.pdf](#)
- [E008 - Geotechnical Report - PA24-006.pdf](#)

E009 - Drainage Report - PA24-006.pdf
E010 - Landscape Plan - PA24-006.pdf
E011 - Site Plan - PA24-006.pdf
E012 - Preliminary Civil Plans - PA24-006.pdf
E013 - Letter of Completeness - PA24-006.pdf
E014 - Notice of Application - PA24-006.pdf
E015 - Request for Review - PA24-006.pdf
E016 - Affidavit of Publication - PA24-006.pdf
E017 - Technical Review Comments - PA24-006.pdf
E018 - Response Letter - PA24-006.pdf
E019 - Environmental Checklist - PA24-006.pdf
E020 - Response Letter - PA24-006.pdf
E021 - Traffic Impact Analysis - PA24-006.pdf
E022 - Variance Request - PA24-006.pdf
E023 - Site Plan - PA24-006.pdf
E024 - Building Elevations - PA24-006.pdf
E025 - Technical Review Comments 2 - PA24-006.pdf
E026 - Response Letter - PA24-006.pdf
E027 - Site Plan - PA24-006.pdf
E028 - Landscape Plan - PA24-006.pdf
E029 - Drainage Report - PA24-006.pdf
E030 - Technical Review Comments 3 - PA24-006.pdf
E031 - Variance Approval - PA24-006.pdf
E032 - Response Letter - PA24-006.pdf
E033 - Site Plan - PA24-006.pdf
E034 - Drainage Report - PA24-006.pdf
E035 - Site Plan - PA24-006.pdf
E036 - Snohomish County Traffic Offer - PA24-006.pdf
E037 - Concurrency Recommendation - PA24-006.pdf
E038 - Concurrency Acceptance - PA24-006.pdf
E039 - SEPA MDNS - PA24-006.pdf
E040 - Notice of SEPA MDNS - PA24-006.pdf
E041 - Response Letter - PA24-006.pdf
E042 - Notice of Public Hearing - PA24-006.pdf
E043 - Technical Review Comments 4 - PA24-006.pdf
E044 - Correspondence - PA24-006.pdf
E045 - Affidavit of Publication - PA24-006.pdf
E046 - Site Plan - PA24-006.pdf
E047 - Preliminary Site Plan - PA24-006.pdf
E048 - Affidavit of Publication - PA24-006.pdf
E049 - Correspondence - PA24-006.pdf
E050 - Staff Recommendation - PA24-006.pdf

Hearing Examiner McDonald introduced the hearing, summarized the application, and reviewed hearing procedures. The applicant would like to construct a gas station with four fuel pump islands, associated underground tanks, an above-ground canopy, and a

3,914 sf convenience store. Staff is recommending approval of the application with 14 conditions of approval to ensure that the application meets city code. He stated that this would normally be approved administratively; however, because of numerous public comments, city code allows for it to be heard by the Hearing Examiner. He stated he has read the staff report and reviewed all the submittal materials that are part of the public record. 51 exhibits including the Staff Report and Recommendation dated November 21, 2024 (Exhibit 50) were entered into the record. He also has viewed the site in person this afternoon.

Staff Presentation:

Senior Planner Amy Hess made the staff presentation and gave additional information about the project and staff's conditions of approval. Hearing Examiner McDonald asked about bike lanes. Senior Planner Hess replied that there are plans for bike lanes on both 67th and 100th. This will be detailed on the civil construction plan submittal. Hearing Examiner McDonald asked about the ultimate configuration for 67th and 100th. Senior Planner Hess explained the east side of 67th is Snohomish County jurisdiction. The frontage on the west side of 67th east will be built by each developer in accordance with the standard plan for 67th Avenue. The site is zoned Neighborhood Business, but the surrounding area within the City of Marysville is residential. Hearing Examiner McDonald asked about the design review of the facility. Senior Planner Hess explained that one of the conditions of approval is that building permit and building elevations will be reviewed for consistency with city standards. It will be required to be something of a smaller scale with more residential architecture features to help it blend in with the neighborhood.

Application Testimony:

Matt LaLande, Meydenbauer Group, commented that they have taken great pride in this project. They feel that it will provide value to the community by providing a convenient retail and fueling location, especially for those traveling the corridor of 67th. Design characteristics of the project will be consistent with those of the local residential area and city standards. These include a more elevated outdoor canopy, fresh food, deli services, as well as health and automotive goods. Landscaping buffers around the project will include natural vegetated areas with pedestrian access from the sidewalks. Gathering areas will also be offered. Frontage improvements will include improvements to the roadway which will help improve traffic flow through the area and provide curb, gutter, and sidewalk. They will also be adhering to the highest standards for stormwater mitigation and fuel storage systems.

Hearing Examiner McDonald asked the applicant to further respond to environmental concerns raised by the public. Mr. LaLande explained that infrastructure improvements will be incorporating curb, gutters, and sidewalks which will channel roadway water into catch basins and stormwater drainage systems. This will address pollution that is currently on the roadway. Onsite stormwater will be treated with a series of biofiltration and detention systems that would then convey it to the city's infrastructure. Stormwater

that could potentially leave the site would be very minimal and would only be at the entrances and exits to the roadway. Through grading measures they can ensure that water does not sheet flow into the roadways but instead is captured and treated onsite. Additional upgrades to the site would include catch basins in close proximity to the site. He noted that the fuel would be stored in double-walled fiberglass tanks which have no issues related to corrosion or earthquake susceptibility. These will be bedded with gravel, lined with pea gravel, and stabilized in the soil. Technology will be installed on the tanks which will monitor the tanks and pressurize the system. All of these measures exceed code requirements. The applicant is confident that there will be no seepage into the groundwater. They look forward to working with the city on all aspects of this.

Public Testimony:

Lynn Phipps, 10208 49th Drive NE, Marysville, expressed concern about nearby farm animals and the potential for contamination of the creek. She also expressed concern about potential impacts to business at the coffee stand at 128th. Additional traffic related to the gas station is another concern. She doesn't see the need for another gas station and convenience store at this intersection.

Greg Neff noted that Lynn Phipps' animals are boarded at his property across the street from this project. He agrees that traffic on 67th is already ridiculous. He thinks the gas station is a bad idea to add to the area. He is concerned about impacts to the creek. The runoff comes down onto his driveway, through his pasture, and into the creek. He is very unhappy about this project.

Carlos Gutierrez, 9813 67th Ave NE, stated he has trouble just getting his mail due to the constant high volume of traffic. Increasing this by 792 more cars is not wise. He also does not feel a convenience store is necessary.

Dr. Dennis Edmondson, 6710 100th Street NE, commented on his past construction experience related to gas stations and expressed concern about the potential for underground leaks. He brought up concerns about the soil composition and questions about connecting to city water and sewer.

Julie Edmondson, 6710 100th Street NE, expressed concern about the terrible traffic at the intersection noting that no one stops at the 4-way stop.

David Walker, 10125 65th Drive NE, expressed concern about having a Chevron in his backyard. He stated that when he moved into his house the site was not zoned industrial. He has privacy and security concerns for his family. He also is concerned about environmental impacts, especially nearby trees.

Staff Final Comments:

Senior Planner Hess noted that the trees referred to are on a city-owned utility site, so they won't be impacted by this proposal. Regarding zoning, she clarified that the site has been zoned Neighborhood Business since at least the 2015 Comprehensive Plan.

Development Services Manager Ken McIntyre spoke to the enhanced stormwater standards that this site would be held to. He noted that there is a geotechnical study that will be done as part of the civil design. Dr. Edmonson requested a copy of that.

Traffic Engineering Manager Jesse Hannahs spoke to traffic concurrency and improvement requirements.

Senior Planner Hess summarized that she has considered all the concerns that have been raised. She believes the project complies with all applicable codes and standards, and the applicant will adhere to a higher level of design and service to ensure that it fits in with the character of the neighborhood. Staff requests that the Hearing Examiner approve the project with the 14 conditions as recommended by staff.

Applicant Testimony:

Mr. LaLande stressed that their intention is to create a better environment on the site than currently exists to address the traffic and stormwater issues. The additional turning lanes will greatly improve the traffic conditions. Additionally, the sidewalks will create a safer pedestrian environment. He noted that there will also be a significant landscaping buffer with 20-foot tall vegetation to help reduce light pollution.

Traffic Engineer Brad Lincoln from Kimley-Horn, 2828 Colby Avenue, Ste 200, Everett, WA 98201, reviewed how the planned improvements will make traffic better than it was before the development was constructed. Additionally, the widening of the right-of-way will provide for future signalization of the intersection when that becomes available.

Adjournment

Hearing Examiner McDonald closed the hearing at 6:58 p.m. He noted that he would provide a decision to the City of Marysville within 15 calendar days.

Angela Gemmer for

Laurie Hugdahl, Recording Secretary