



11930 Cyrus Way
Mukilteo, WA 98275
(425) 263-8000

Notice of Decision
for Wizard International
at 4600 116th Street SW
by Adam Clark

The City of Mukilteo has issued a Notice of Decision for a Land Use Development Permit as required by Regulatory Reform Act (RCW 36.70B.130) and Mukilteo Municipal Code (MMC 17.13.080), and has **APPROVED** the following project:

Project Name: Wizard International Industrial Addition

Proponent: Adam Clark of 2812 Architecture on behalf of Wizard International

Project Number: PPR-2016-002

Description of Proposal: Construction of a 9,120 square foot industrial addition with associated grading, parking, landscaping and frontage improvements located in the Industrial Park (IP) zone. This addition will be located on Lot 11 of the Harbour Pointe Business Center North Campus (whereas the existing building is located on Lot 10), otherwise known as 4600 116th SW, Mukilteo, Washington.

Location of Proposal: Section 21 Township 28 Range 04 Quarter SE HARBOUR POINTE BUSINESS CENTER, NORTH CAMPUS BLK 000 D-00 LOT 11; otherwise known as 4600 116TH Street SW, Mukilteo, Washington.

Notice of Decision Date: July 21, 2016

End of Appeal Period: August 4, 2016

Project Permit Expiration Date: July 21, 2019

Project Decision: Approved

Project Decision

Staff administratively reviewed this project for consistency with the policies, standards, and regulations of the City of Mukilteo. After considering comments by the public or other agencies, the project permit is hereby approved with conditions based on the following Findings of Fact, and subject to the following Conditions of Project Approval.

FINDINGS OF FACT

1. The applicant submitted an application for construction of a building addition with associated grading, storm drainage improvements, parking, and landscaping. The application was determined to be complete on May 6, 2016.
2. In accordance with Mukilteo Municipal Code (MMC) 17.13, a Notice of Application was issued on May 20, 2016, and the project was circulated for review in accordance with the City's normal review and permitting procedures.
3. The property is designated industrial per the 2015 City of Mukilteo Comprehensive Plan. The proposal complies with the intended goals, objectives and policies of the Comprehensive Plan. The following Comprehensive Plan Land Use (LU) and Urban Design Policies apply to this project:
 - LU1: Develop as a community which provides housing, job opportunities, and shopping places which are compatible with and complementary to the residential character of the neighborhoods and the quality of life in the City.
 - LU3: Encourage the creation of employment opportunities that result from market demands for new and expanding businesses within the community and that are consistent with its character.
 - LU6: Design guidelines for improving standards for building aesthetics, increased landscaping, and sign standards should be considered by the City.
 - LU14: All development shall occur only in areas with adequate public utilities and services including but not limited to water, sewer, storm drainage collection and disposal, solid waste disposal, police and fire protection, or areas into which such utilities and services can be readily extended at no cost to the City of existing users.
4. The subject property is located at 4600 116th SW, Mukilteo and is zoned Industrial Park (IP).
5. The proposed development of a warehouse is a permitted use in the Industrial Park zoning district.
6. Pursuant to the State Environmental Policy Act, City of Mukilteo was designated as the lead agency for review of the proposed development. A SEPA Addendum was issued on July 1, 2016 for the proposal.
7. Staff administratively reviewed this project for consistency with all applicable requirements of the Mukilteo Municipal Code that apply to the subject property. Based on this review, it has been determined that development of the site will conform to all applicable zoning and development standards, and that as conditioned, the project will have no adverse impacts to the public health, safety and general welfare.
8. The proposal complies with use, area, lot dimension, landscaping and parking requirements of the **Industrial Park (IP)** zoning district:

Regulation	Requirement	Submitted
Height (MMC 17.20)	65'	40'
Front setback (MMC 17.20)	30'	125'
Rear setback (MMC 17.20)	IBC	10'
Side setbacks (MMC 17.20)	IBC'	100' West N/A East
Lot Coverage (MMC 17.20)	50%	28%
Parking (MMC 17.56)	58 stalls	58 stalls
Landscaping (MMC 17.56.130 and MMC 17.58)	Frontage: Between R/W and parking areas: 30' Type III Parking: 10% of parking area	Fronting: 25'(1) Parking: 33% of Parking Area
(1) Landscaping requirements for parking areas fronting ROW requires a minimum of 30' of Type III landscaping, however MMC 17.56.130.A requires a minimum of 5' of Type III landscaping for landscaping on street frontage. While the more restrictive regulation should be applied, the proposed 25' of Type III provides the highest degree of conformity between the adjacent developed sites and is greater than the minimum of 5' of required Type III landscaping.		

9. Preliminary storm water detention proposal meets the City's design standards per the Washington State Department of Ecology's Stormwater Management Manual for Western Washington (2012) as amended in 2014 unless otherwise vested under previous regulations.
10. Utilities are available to serve the subject property. Water and sewer is available from the Mukilteo Water & Wastewater District. Electricity is available from Snohomish County PUD. Natural Gas is available from Puget Sound Energy.
11. Development of the site will be subject to the requirements of the 2012 International Building Code.
12. The property lies outside the 55 DNL noise contour of Paine Field Airport.

13. Staff administratively reviewed this project for consistency with applicable requirements of Mukilteo Municipal Code 15.04.040.3, adopted 2012 International Fire Code and Mukilteo Fire Development Standards (2012 IFC) that apply to the subject property.
14. Staff administratively reviewed this project for consistency with all applicable requirements of Mukilteo's Development Standards (Resolution 99-02 and Amending Resolutions 01-21, 07-14, 08-22 and 09-15), including but not limited to drainage, clearing, grading, erosion control, access and street standards.

CONDITIONS OF PROJECT APPROVAL

1. All improvements shall be constructed in accordance with the approved preliminary Site Plan dated June 27, 2016. Minor modifications of the plans submitted may be approved by the Planning Director or Public Works Director if the modifications do not change the Findings of Fact or the Conditions of Approval.
2. Landscaping shall be installed in accordance with the approved landscaping plan dated April 21, 2016, and shall be subject the following:
 - a.) 25' of Type III Landscaping along the street frontage of Lot 10 shall be required.
 - b.) All landscaping associated with a project permit shall require the submittal of an acceptable warranty surety to warrant all required landscaping improvements against defects in labor and materials for a period of twenty-four (24) months after acceptance of those improvements by the City. The warranty amount shall be fifteen (15) percent of the costs of the improvements, as determined by the City. The surety shall be submitted to and approved by the City of Mukilteo and executed before occupancy of the building.
 - c.) All landscaping shall be maintained in healthy growing condition. A final landscape inspection will be performed at the end of the two (2)-year period and any dead, dying or diseased plant material shall be replaced.
 - d.) Minor modifications of the landscaping plans submitted may be approved by the Planning Director if the modifications do not change the findings of fact or the conditions of approval.
3. The clearing limits of the approved Site Plan shall be clearly delineated in the field. Where such limits are in proximity to property boundaries or associated with site-sensitive areas, barrier fencing or siltation fencing shall be installed before site disturbance in accordance with the approved Temporary Erosion and Soil Control Plan.
4. Siltation and erosion control measures shall be employed per the approved Temporary Erosion and Sediment Control Plan and as necessary to ensure appropriate on-site and off-site water quality control. Site runoff during construction shall be handled and treated as to quantity and quality impacts by utilizing Best Management Practices, as defined in the current DOE Stormwater Management Manual for Western Washington and the current Department of Ecology National Pollutant Discharge Elimination System (NPDES).

5. All development shall proceed in accordance with the recommendations listed in the Geotechnical Report, prepared by Nelson Geotechnical Associates, Incorporated dated June 17, 2015. The cost of special inspections, if any, as recommended by the report shall be the responsibility of the applicant.
6. Prior to building permit issuance, a lot line adjustment must be recorded with Snohomish County to remove the lot line between Lot 10 and Lot 11.
7. The stormwater detention design and stormwater discharge shall utilize the Best Management Practices of the current DOE Stormwater Management Manual for Western Washington and the current Department of Ecology National Pollutant Discharge Elimination System (NPDES).
8. All public improvements associated with a project permit shall require the submittal of an acceptable warranty surety to warrant all required improvements against defects in labor and materials for a period of twenty-four (24) months after acceptance of those improvements by the City. The warranty amount shall be equal to fifteen (15) percent of the costs of the improvements and installation, as determined by the City. The surety shall be submitted to and approved by the City of Mukilteo and executed before occupancy of the building.
9. The location of signs on approved plans is for illustrative purposes only. Pursuant to Mukilteo Municipal Code 17.80, a sign permit must be obtained for the placement of any non-exempt signage. Application for that sign permit shall include an approved site plan specifying the location of all signs.
10. All outside storage containers, including dumpsters, shall be enclosed by a sight obscuring fence or wall of at least 6 feet in height.
11. All exterior lighting, including the parking area and property surrounding the building, shall be arranged so as to reflect away from surrounding properties and streets.
12. The applicant shall enter into a "Developer Extension Agreement" with the Mukilteo Water & Wastewater District. All construction of water and sewer facilities shall be in accordance with the standards, specifications and regulations of the District.
13. The cost of any work, new or upgrade, to the existing electric system and facilities that is required to connect the project to the Snohomish County PUD electric system shall be in accordance with applicable Snohomish County PUD policies.
14. The following requirements shall be adhered to during construction and completed before occupancy of any structure in accordance with Fire Code Development Standards and 2012 International Fire Code:
 - A water supply capable of supplying the required fire flow for fire protection must be provided;
 - Fire hydrants shall be installed as per fire flow and spacing requirements specified for the type of development with regards to distances to structures;
 - Fire hydrants shall be equipped four- (4) inch quarter-turn Storz adapters;

- An access route, for fire fighting apparatus, must be provided at the start of construction. Minimum access route requirements include a 20' width, 13'6" vertical height clearance, and the ability to support a load up to 75,000 pounds;
 - All buildings must be addressed visibly and legibly from the road. When buildings are not visible from the street, appropriate provisions must be made to identify clearly which road or drive serves the appropriate address including private roads.
 - Fire protection systems including, but not limited to the following: sprinkler systems, standpipe systems, fire extinguisher systems, fire hydrants, and fire detection or alarm systems shall be installed in accordance with Fire Code Development Standards and 2006 International Fire Code.
 - Provide a Washington State certification number for any work done on fire protection systems, i.e. sprinkler systems, standpipe systems, fire detection/alarm systems or any underground for the fire protection system.
 - One (1) blue, square (Type II) raised grade or permanent marker shall be installed in the roadway to indicate each fire hydrant location. It shall be placed directly across from the hydrant location, off set one (1) foot from the roadway center toward the hydrant.
15. All construction equipment, building materials, and debris shall be stored on the applicant's property, out of the public right-of-way. In no case shall the access to any private or public property be blocked or impinged upon without prior consent from the affected property owners and the City of Mukilteo.
 16. All contractors and subcontractors working on the project described herein shall obtain a business license from the City before initiation of any site work.
 17. If at anytime during clearing, grading and construction the streets are not kept clean and clear, all work will stop until the streets are cleaned and maintained in a manner acceptable to the Public Works Director.
 18. Noise from construction activity that is audible beyond the property lines of the project site shall not be allowed between the hours of nine (9) p.m. to seven (7) a.m. on weekdays, seven (7) p.m. to nine (9) a.m. on Saturdays, Sundays and holidays.
 19. The applicant and contractor shall attend a pre-construction meeting with City staff to discuss expectations and limitations of the project permit before starting the project.
 20. The applicant shall have a licensed Civil Engineer prepare and/or supervise the preparation of As-Built drawings to be reviewed, approved and signed by the City Engineer upon satisfactory installation of the constructed infrastructure improvements and site work. One (1) reproducible, one (1) signed Mylar drawing and one (1) 11"x17" reduced copy of the drawings shall be submitted prior to final approval of the proposed project.
 21. The applicant shall pay transportation impact mitigation fees for each new PM Peak Hour Trip generated by the proposed development, or other forms of negotiated impact mitigation directly to the City of Mukilteo in accordance with Ordinance 1131

and 1132 effective July 27, 2005. The amount of the fee due shall be based on the fee schedule in effect at the time of fee payment. The transportation impact mitigation fee is due prior to building permit issuance. When deferred to building permit issuance, a note to this effect shall be affixed to the face of the final plat map.

The project permit shall be valid for three (3) from the date of this Notice of Decision. If a building permit, grading permit, or occupancy permit is not obtained within this period, the project permit shall become null and void, and a new project permit application would need to be submitted. The Community Development Director may grant an extension to the approval date for a period of one (1) year if such is requested prior to the expiration of the project permit.

Any violation of the Conditions of Approval shall be considered a violation of the project permit and shall be subject to the City's code enforcement procedures.

Appeals

A Party of Record must file an appeal of this project decision within fourteen (14) calendar days from issuance of this Notice of Decision. Appeals must be delivered to the City Clerk by mail, personal delivery, or other method, during normal business hours by **4:30 p.m., Thursday, August 4, 2016**, at City Hall, 11930 Cyrus Way, Mukilteo, WA 98275. Appeals shall be in writing on the approved form with the required information provided, accompanied by an appeal fee as outlined in the city's most current fee resolution, and shall include the appellant's signature.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. For information regarding property valuations and/or assessments, contact the Snohomish County Assessor's Office at (425) 388-3433.

Contact Person: Karl Almgren, AICP

(425) 263-8045



Karl Almgren, AICP
Planning Department

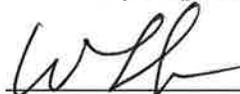
7/15/2016

Date:



Rob McGaughey, P.E.
Public Works Director

Date:



Willie Berns
Building Official

7/18/16

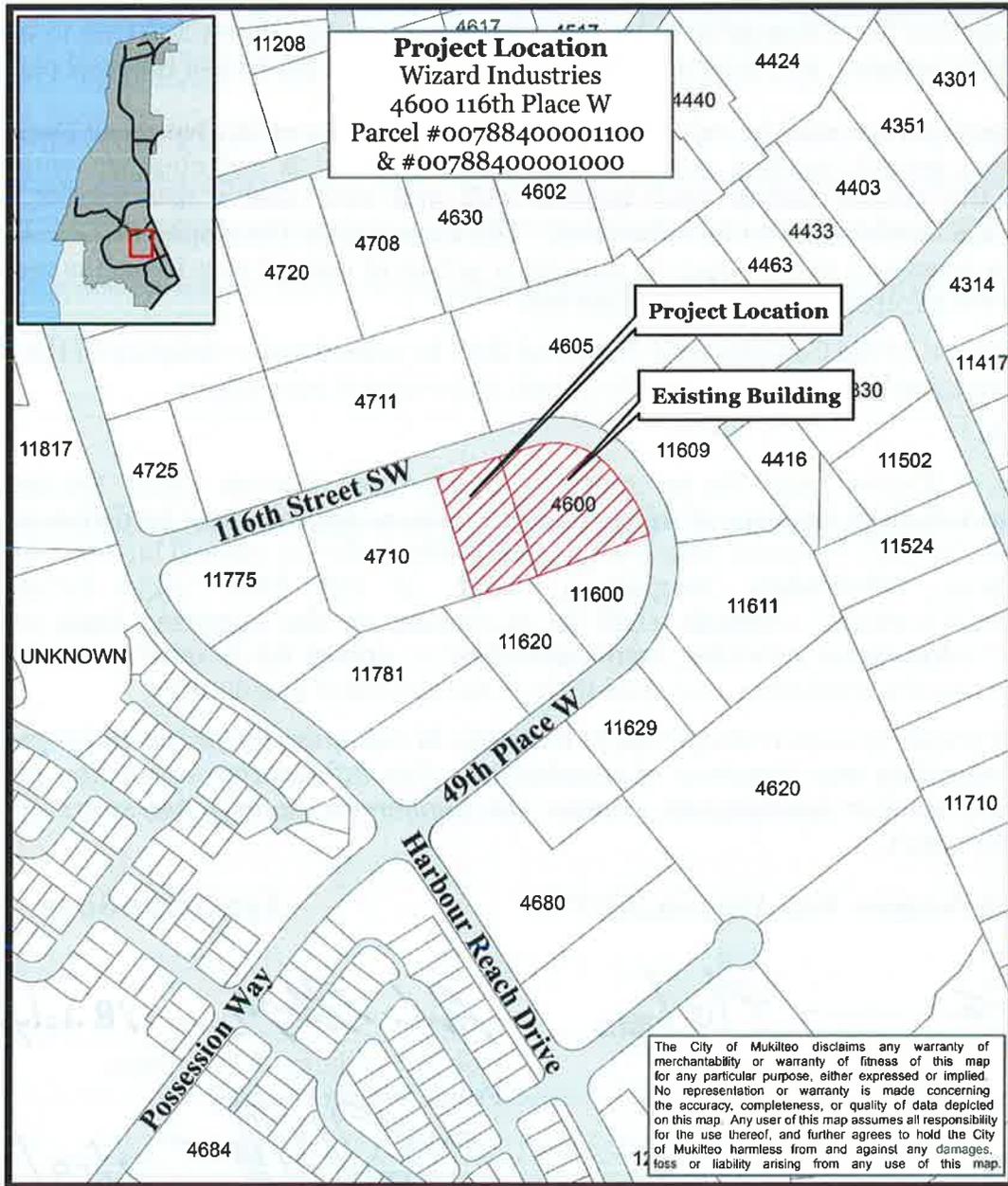
Date:



LeRoy McNulty
Fire Marshal

Date:

Location Map



pc:	Applicant Property own. w/i 300 ft. Parties of Record (if any) Review Agencies	Planning Director CDD Administrator City Administrator Permit Services Supervisor	Permit Services Technicians (2) SEPA File File Copy (2)
-----	---	--	---