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

STAFF REPORT

Mukilteo Elementary Conditional Use

PROJECT SUMMARY

Proposal:	Seeking Conditional Use Permit approval for a two-story classroom addition to the existing Mukilteo Elementary site.
Location:	2600 and 2601 Mukilteo Speedway
Project Applicant:	Shelly Henderson, Mukilteo School District No. 6 hendersonsa@mukilteo.wednet.edu
City Contact:	Shawn Edghill 425-263-8078 sedghill@mukilteowa.gov
File Number:	CUP-2023-001
Recommendation:	**Approve with conditions**

EXHIBITS

1. Staff report
2. Site plan
3. Building plans and elevations
4. SWPPP
5. Civil plans
6. Landscape plan
7. Wetland report
8. Determination of completeness
9. Notice of Application
10. Public comment
11. Parking letter
12. SEPA determination
13. Staff presentation (PowerPoint)

PROPERTY OVERVIEW

Tax Parcel Numbers	28040900104200, 28040900102200, and 00591100000102
Address	2600 and 2601 Mukilteo Speedway

Acreage	18.19 ac
Zoning	RD 7.5
Comprehensive Plan Designation	Single Family Residential - High Density
School District	Mukilteo School District
Water Service	Mukilteo Water and Wastewater
Sewer Service	Mukilteo Water and Wastewater
Electrical Service	Snohomish County PUD

FINDINGS OF FACT

Applicant's Proposal

The applicant is seeking approval for a Conditional Use Permit for a two-story classroom addition, 19,973 square feet in area, to the existing Mukilteo Elementary site.

Together with this CUP, the applicant proposed a Lot Line Adjustment (LLA-2023-002) to ensure that the properties will comply with the City of Mukilteo's maximum hard surface coverage regulations. The Lot Line Adjustment was approved on December 5, 2023; recording will be required prior to building permit issuance for the classroom addition.

The applicant has long-term plans to fully replace the existing elementary school. This first phase will convert ten existing portable classrooms into storage spaces with no student instruction and build a new space to accommodate those ten classrooms. This proposal will not add any additional staff or student capacity to the site.

Project Chronology

The applicant submitted their application materials on October 30, 2023. The application was determined complete on November 14, 2023 (Exhibit 8). A Notice of Application was issued on November 22, 2023 (Exhibit 9), and the project was circulated for review in accordance with the City's normal review and permitting procedures. Additional information was requested from the applicant and a resubmittal provided to the city on January 26, 2024.

The information provided was sufficient to complete review.

Environmental Review (SEPA)

The City's analysis determined that this proposal was exempt under MMC 17.84.070.D. and WAC 197-11-800(1)(d), which includes school buildings under 30,000 square feet.

Mukilteo School District acted as Lead Agency for this project. They issued a Determination of Nonsignificance on December 15, 2023 (Exhibit 12). No appeals were filed.

Site Description

Surround Uses/Zoning		
Location	**Existing Use**	**Zoning**
Subject property	Elementary School	RD 7.5
North of subject property	Single-Family Residences	RD 7.5
South of subject property	Single-Family Residences	RD 7.5
East of subject property	Single-Family Residences	RD 9.6
West of subject property	Single-Family Residences	RD 7.5

Issues of Concern

Barry Baker, a resident of Mukilteo, submitted project comments on November 29, 2023, during the Notice of Application comment period (Exhibit 10). He questioned why the full school site was used in noticing documents rather than the smaller building area related to this conditional use request. He also has SEPA and phasing questions. City Staff responded to Mr. Baker, informing him that questions regarding SEPA were best answered by Mukilteo School District, as they were acting as the lead agency.

The City of Mukilteo Fire Department noted that the existing student drop off zone conflicts with reliable and clear access for emergency responders. While there is no proposed increase in the number of students or faculty at the site, a policy or innovative solution to this existing conflict is needed and has been recommended as a condition to resolve prior to occupancy of the new structure.

Consistencies with Code and Policies

MMC 17.64.020 establishes the following requirements for conditional uses:

Requirement	**Analysis**
A. All conditional uses must be in accordance with the goals and objectives of the comprehensive plan, and they must not violate the purpose of the district in which they will locate.	The Capital Facilities Plan of Mukilteo School District No. 6 is expressly incorporated into the Capital Facilities Element of the Comprehensive Plan as the basis for imposing school impact mitigation fees, which support projects like this proposal.
B. It must be demonstrated that all conditional uses if located as proposed would not be injurious or detrimental to the character of	This proposal continues a use that has existed in this location since the 1980s. Use of the property as a school is a known and expected use

Requirement	Analysis
the zone or to its abutting or adjoining neighbors.	for all surrounding neighbors. While the shape and size of the building is changing, there will be no increase in faculty or students. As designed and conditioned, the project would be compatible with the surrounding single-family residential uses.
C. The conditional use must employ reasonable measures of fencing, buffering, traffic restraints, sign and light controls, and any other appropriate measures to protect the surrounding properties and adjoining districts.	The Landscaping Plan submitted by Fora Landscape Architects on January 17, 2024 (Exhibit 6) complies with this requirement. See below under Landscaping and Tree Retention for detailed assessment.
D. All conditional uses must have adequate site area to accommodate the use. The minimum site area for a conditional use is no less than that permitted in the underlying district.	The application complies with this requirement. RD 7.5 Minimum lot area: 7,500 square feet Proposal lot area following Lot Line Adjustment: 493,620 square feet
E. All conditional uses must conform to the dimensional regulations in the individual districts, except that additional restrictions may be imposed to ensure the uses are compatible within the district.	The application complies with this requirement. See below under Bulk Standards for detailed assessment.
F. All conditional uses having a site area more than one acre must provide a buffer of trees and shrubs around the perimeter of lots abutting a residential zone.	The application complies with this requirement. See Landscaping and Tree Retention section below for detailed assessment.
G. All applications for conditional uses must be accompanied by layout and development plans drawn to an appropriate scale which show at least the following: 1. Site plans showing landscaping, paving, parking, access, relationship of building to site, outdoor lighting, proposed fencing, and topography; 2. Sections and elevations of proposed structure;	Application materials showing the necessary information were submitted (see Exhibits 2 -6).

Requirement	Analysis
3. Vicinity map showing property, zoning and access; 4. Provision for sewage disposal, storm drainage and surface runoff.	
H. All conditional uses must comply with the parking regulations in Chapter 17.56.	The application complies with this requirement. See Parking and Circulation section below for detailed assessment.
I. While reviewing the conditional use permit application, the city staff may request a recommendation by the planning commission on matters under its permit authority related to the conditional use permit. The matters may include but are not limited to the comprehensive plan or the nature and intent of the zone in which the conditional use permit is requested.	Planning Commission review is not necessary. This request is consistent with the established use.

Permitted Uses

MMC 17.16.040.A allows "School: K-12 and preschool" as a conditional use in the RD 7.5 zone. The proposal is for a two-story classroom addition to an existing school. Changes to the existing school require additional review through the conditional use process.

Bulk Standards: Height/Setbacks/Lot coverage

The proposal complies with building height and coverage requirements under MMC 17.20.020 for the RD 7.5 zone and MMC 17.20.028 for maximum hard surface coverage. It also complies with the additional setback requirements in MMC 17.20.070.N.1 – which requires setbacks of 35 feet from all external property lines for schools.

	Requirement	Proposal
Building Height	Maximum 30'	27.5'
Front Setback	Minimum 35'	No change to existing 598.5' front setback – all portions of proposed addition are behind the building.
Rear Setback	Minimum 35'	262.5'

	Requirement	Proposal
Side Setback	Minimum 35'	76.25' (N side lot line) / 170' (proposed S side lot line after proposed LLA)
Lot Coverage	Maximum 35%	14.3% (lot coverage is based off the new square footage after the proposed LLA)
Hard Surface Coverage	Maximum 55%	38.15% (hard surface calculation is based off the new square footage after proposed LLA)

Parking and Circulation

The proposal complies with the off-street parking requirements for the proposed use specified in MMC Chapter 17.56.

Requirement	Analysis
MMC 17.56.040 requires schools to have 1 space for each 12 seats in the auditorium or assembly room, plus 1 space for each employee, plus sufficient off-street space for safe loading and unloading of students from school buses.	Parking is not changing. The parking requirement for schools focuses on assembly room and employee count, and since neither are proposed to increase, parking has been determined to be sufficient as originally laid out.

Landscaping and Tree Retention

The proposal complies with landscaping requirements as specified in MMC 17.58:

Requirement	Analysis
MMC 17.58.070 requires where nonresidential or multifamily residential uses are adjacent to single-family residential zones, a sight-obscuring fence or vegetative screen shall be installed in accordance with the landscaping matrix contained in Section 17.58.047. Existing native vegetation may satisfy screening requirements; provided, that the width and density of the vegetation provides a sight-obscuring screen as intended in this section. Vegetative screens are to be kept free of weeds and debris, and the vegetation is to be maintained in a	There is not a sight-obscuring fence around the perimeter of this property, so all screening will be done with landscaping. The proposed building is more than 250 feet from the east property line and over 75 feet from the north property line. The applicant is proposing 10-feet of sight-obscuring landscaping along

Requirement	Analysis
healthy condition. Vegetative screens shall not be allowed to grow to a height or width which would obstruct vision of an intersecting street as defined in Section 17.20.060. All such fences or vegetative screens shall be maintained in perpetuity. Modifications to these screening requirements can only be made if a zoning change eliminates the nonresidential or multifamily use next to a single-family residential zone.	the northern property line, except where an existing pathway connects to the surrounding neighborhood and limits space available for plantings to 3-feet. Landscaping potential along the eastern property line is limited by existing utility easements and infrastructure (see page 8 of Landscaping Plan, Exhibit 6). The applicant is proposing 6 feet of landscaping to maximize screening in this area without creating utility conflicts. Several properties on the eastern property line are positioned above the site with rockeries, retaining walls, and/or sight-obscuring fencing or hedges which helps with screening between the uses. In addition to perimeter landscaping, 6-30 feet of landscaping is proposed surrounding the new building. Together, these landscape enhancements are reasonable and meet the buffering requirements for non-residential uses adjacent to single-family residential zones.

Critical Areas

The applicant supplied the city with a wetland evaluation dated September 26, 2022, by Sage Presster with The Watershed Company for the proposal site and adjacent properties. The evaluation determined that no jurisdictional wetlands or streams were found within or directly adjacent to the site. See Exhibit 7.

While the detention pond located in the forested northwest corner of the study area has some wetland features, it was intentionally created from non-wetland sites to detain stormwater from the adjacent school properties, and it does not meet the City's definition of a regulatory wetland.

Mukilteo Development Standards

Right-of-way was dedicated along the northwest corner of the property and the applicant is proposing sidewalk replacement to bring all frontage up to current ADA standards.

An engineering permit is required for this project. The final engineering permit will be issued concurrent with the building permit, after Conditional Use approval. Neat and approximate engineering and stormwater design have been reviewed to confirm design feasibility. Obtaining final engineering approvals is required prior to issuance of a building permit.

The engineering permit (ENG-2023-016) is anticipated to include the following conditions:

- A recorded maintenance/access easement for all stormwater facilities will be required prior to final inspection.

Mitigation Fees

Traffic mitigation fees were not collected due to a letter from the applicant stating that the proposed structure would neither result in an increase of employment nor in student enrollment (Exhibit 11). Portable structures located on the site that were previously used for classroom space were indicated by the applicant to be used solely for the purpose of storage, with the classroom space being relocated into the proposed structure. If the portable structures revert to classroom use, fees will be required.

CONCLUSIONS

A. The applicant's proposal, with proposed conditions, meets the conditional use permit criteria in MMC 17.64.020.

B. This project is consistent with the Comprehensive Plan and applicable design and development standards.

C. Adequate public services will be available to the property and concurrency provisions will be met by the installation of required improvements.

D. If approved with the recommended conditions, the proposal will comply with City codes and regulations, which will assure adequate provisions for public health, safety, and general welfare.

RECOMMENDATION

The City of Mukilteo Community Development Department recommends **APPROVAL** of CUP-2023-001 with the following conditions:

General conditions

1. Prior to building permit issuance, LLA-2023-002 must be recorded.

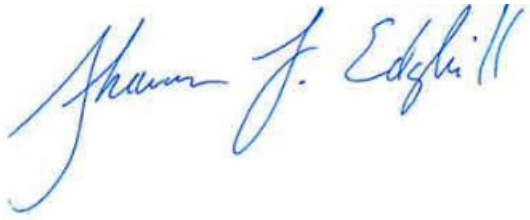
2. Prior to building permit issuance, the applicant must have an approved engineering permit.

3. Prior to final inspection, a recorded maintenance/access easement for all stormwater facilities is required.

4. Prior to certificate of occupancy, landscaping must be installed consistent with the January 17, 2024 Landscaping Plan submitted by Fora Landscape Architects.

5. Prior to certificate of occupancy, the school must get sign-off from the fire department for either a reconfigured drop off zone or other policy implementation to ensure fire access always remains accessible.

6. Traffic mitigation fees will be required if portable structures are converted back to classrooms.



Shawn Edghill, Associate Planner — March 11, 2024 (Date)