

Mukilteo Water and Wastewater District Lift Station 10 Replacement Project

CUP 2016-001

1113 Mukilteo Speedway



Mukilteo Hearing Examiner

August 2, 2017

1:30 p.m.

Mukilteo City Council Chambers

11930 Cyrus Way, Mukilteo WA 98275

City of Mukilteo, Washington
PLANNING STAFF REPORT

To: Mukilteo Hearing Examiner

Hearing Date: August 2, 2017

From: Linda Ritter, Senior Planner

Re: Mukilteo Water and Wastewater District Lift Station 10 Conditional Use Permit
1113 Mukilteo Speedway (CUP-2016-001)

Applicant:	Jim Voetberg, General Manager
Owner:	Mukilteo Water and Wastewater District
Summary of Request:	Conditional Use Permit to replace the existing Lift Station 10 with a new 1,500 square foot lift station. The new lift station will serve approximately 838 acres in north Mukilteo, including downtown. Parking is provided on-site within the fenced area for maintenance vehicles to park while performing maintenance functions at the new lift station. The building will be approximately 17 feet tall and be constructed of CMU walls, with a concrete foundation and prefabricated truss roof with associated grading and landscaping. The District also submitted for a lot line adjustment (LLA) to modify the existing property lines on the five parcels they own to combine into two lots. The LLA is contingent upon approval of the 11th Street vacation adjacent to parcels 00611600000203, 00527506200000 and 00527506200001.
Recommended Action	Staff recommends that the Mukilteo Hearing Examiner approve the Conditional Use Permit (CUP-2016-001) with the conditions found under the recommendation section of the staff report.

PROJECT DESCRIPTION / SITE CHARACTERISTICS

Location:	1113 Mukilteo Speedway, legally described as WEST & WHEELERS SEAVIEW FIVE AC TRS BLK 000 D-03 - E 171FT OF TR 3 & TH PTN OF N1/2 TR 2 LYW OF OLD BEVERLY PARK - MUKILTEO RD & ALSO VAC EVERETT-SEATTLE SPDWY ADJ N1/2 TR 2 & 3 LESS NEW ST HWY.
Area Description:	The project site is approximately 1.33 acres in size and located on the north west side of SR525.

PROJECT DESCRIPTION / SITE CHARACTERISTICS

Aerial



Utilities:

The following utilities are available to this property:

Water: Mukilteo Water and Wastewater District

Sewer: Mukilteo Water and Wastewater District

Electricity: Snohomish PUD

Access / Street Imp.:

Access is from Mukilteo Speedway which is a Principal Arterial.

Comp Plan Designation:

SFR –H Single Family Residential – High Density

Zoning Designation:

RD 7.5 Single-Family Residential with a minimum lot size of 7,500 square feet.

Adjacent Uses / Zones

North: Single Family Residential/ RD 7.5

South: Single Family Residential/ RD 7.5

East: Single Family Residential/ RD 7.5

West: Single Family Residential/ RD 7.5

BACKGROUND

The Mukilteo Water District was formed in 1920 servicing a portion of the City of Mukilteo, City of Everett and areas within unincorporated Snohomish County. Mukilteo Water District is the oldest active water district in the State of Washington. Olympus Terrace Sewer District started in 1969 with the construction of a sewer collection system and a wastewater treatment facility located just above Puget Sound and 96th Street SW. The area in Mukilteo from 76th Street SW to 116th Street SW was serviced by Olympus Terrace Sewer District and the area south of 116th Street SW was serviced by the Alderwood Water and Wastewater District. The City of Mukilteo's original wastewater collection system was constructed and placed in service

in 1961. The City of Mukilteo operated its own wastewater treatment facility located at Second Street and Loveland Avenue which served the area north of 76th Street SW. These sewers were located in the area referred to as "Old Mukilteo".

In the early 1990's the City of Mukilteo built Lift Station 9 and Lift Station 10 to pump sewer from Old Town to the wastewater treatment facility operated by Olympus Terrace Sewer District. A short time later these Lift stations and the collection system were transferred to Olympus Terrace and the City of Mukilteo got out of the sanitary sewer business.

In November of 2007, the Mukilteo Water District and Olympus Terrace Sewer District merged to become Mukilteo Water and Waste Water District which is currently governed by a three-member Board of Commissioners. The District's service area currently covers part of the City of Mukilteo which discharges to their re-named Big Gulch Wastewater Treatment Facility and part of Snohomish County where it discharges to the City of Everett's Water Pollution Control Facility.

The District serves approximately 73 percent (approximately 4.8 square miles) of the City of Mukilteo. The wastewater collection system consists of 13 lift stations, approximately 7 miles of force main, and 81 miles of gravity sewer line. Ten of the lift stations are located in the area served by the Big Gulch Wastewater Treatment Facility. Lift Station 10 is the largest capacity station of the ten as it is needed to pump all the wastewater in the City of Mukilteo north of 76th St SW. It has reached the end of its serviceable life. Property has been purchased by the Mukilteo Water and Wastewater District, adjacent to the existing site, for its replacement.

Proposed Upgrade to Lift Station 10

Historically all sewage in Mukilteo, North of a line that runs East/West along 76th St SW, flowed down to the City owned Treatment Plant at 2nd Street and Loveland Avenue. The City built what is now called Lift Station 9 and Lift Station 10 to pump the sewer up State Route 525, commonly known as Mukilteo Speedway, to the Treatment Facility at the bottom of Olympus Terrace.

Both Lift Station 9 and 10 are "High Head" stations with vertically stacked pumps, in pairs. These stacked pumps are required to achieve the high level of lift required to pump up and over the hill. At this time there is no other practical pumping system capable of making it up and over the hill. This is the primary reason for the placement and limiting factor in the replacement/upgrade of Lift Station 10.

The secondary reason is the need to keep the existing Lift Station in operation until the new station is completed and placed in service. Due to topography, two additional lift stations are utilized to temporarily lift the sewage in Old Town on the West side of the Speedway and in Horizon Heights that then gravity flows down to be pumped back up and over the hill again.

Lift Station 10 currently resides within the right-of-way of Mukilteo Speedway. The proposed project will remove all the above ground structures and place them within an enclosed structure on property owned by the District located in the residential area west of Mukilteo Speedway. The proposed lift station facility will be approximately 17 feet in height and 1,500 square feet in size. Lift Station 10 is currently listed in the District's Comprehensive Plan as a major facility that is undersized for buildout conditions and need to increase its capacity from 880 gallons per minute (gpm) to 1,200 gpm. It has reached the end of its serviceable life.



Lift Station 10 services the shaded area shown in the map below.

Lift Station 10 Service Area



On November 22, 2016 Jim Voetberg, General Manager of Mukilteo Water and Wastewater District, on behalf of the Mukilteo Water and Wastewater District applied for a Conditional Use Permit to replace the existing Lift Station. The application became complete on March 2, 2017. The project was circulated for review and comment on March 17, 2017.

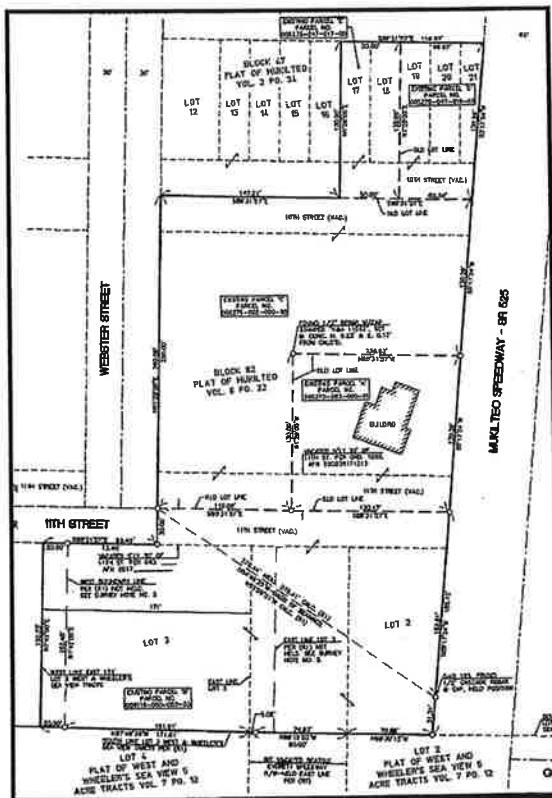
The Mukilteo Water and Wastewater District being the lead agency issued a SEPA Determination of Non-significance (DNS) on November 28, 2016. The public hearing was noticed July 21, 2017.

Additional Request under Separate Approval Process:

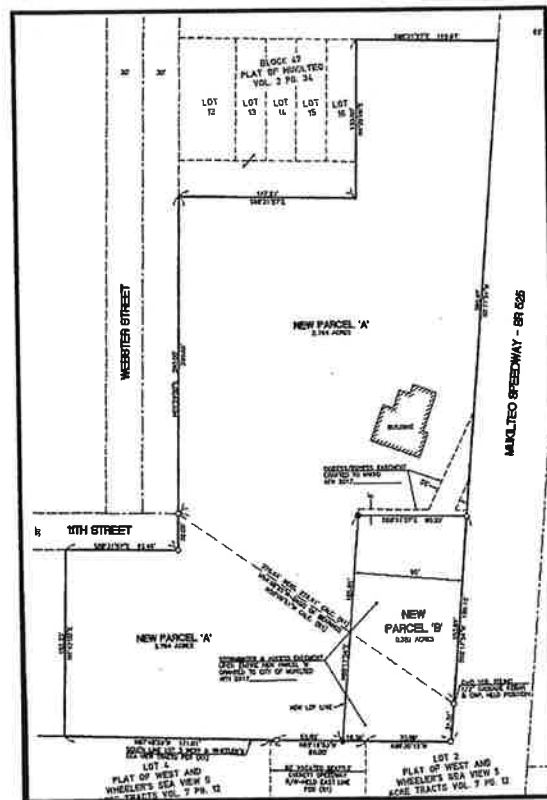
The applicant is requesting the City to approve a request to vacate a portion of 11th Street on the west side of SR 525. In order to combine the properties to make the necessary upgrades for Lift Station 10, the applicant must successfully receive approval to vacate a portion of 11th Street. The street vacation is scheduled for public hearing at the City Council meeting on August 7, 2017. Upon approval of the street vacation, a pending Lot Line Adjustment combining the five (5) lots into two can be approved and recorded. The documents below show the proposed street vacation area and Lot Line Adjustment proposal.

Proposed LLA

Before



After



Proposed 11th Street Vacation

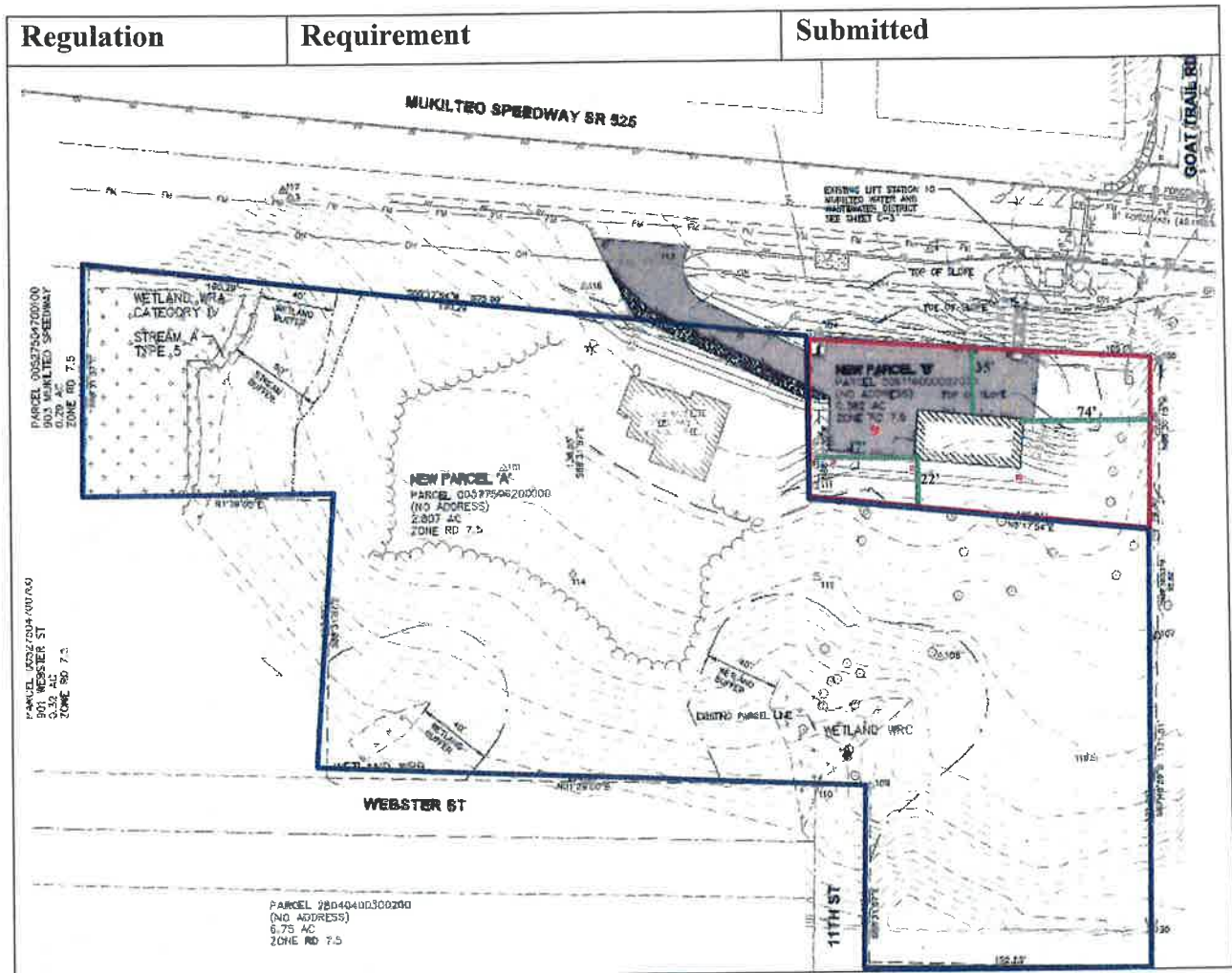


ANALYSIS AND FINDINGS

In accordance with the consistency test outlined in the Growth Management Act (RCW 36.70B.040), prior to making a decision or recommendation on an application, the City must consider whether a project meets the adopted development regulations and/or Comprehensive Plan policies. The subject property is located in the RD 7.5 Single Family Residential Zoning District and the following standards apply:

RD 7.5 Zoning District

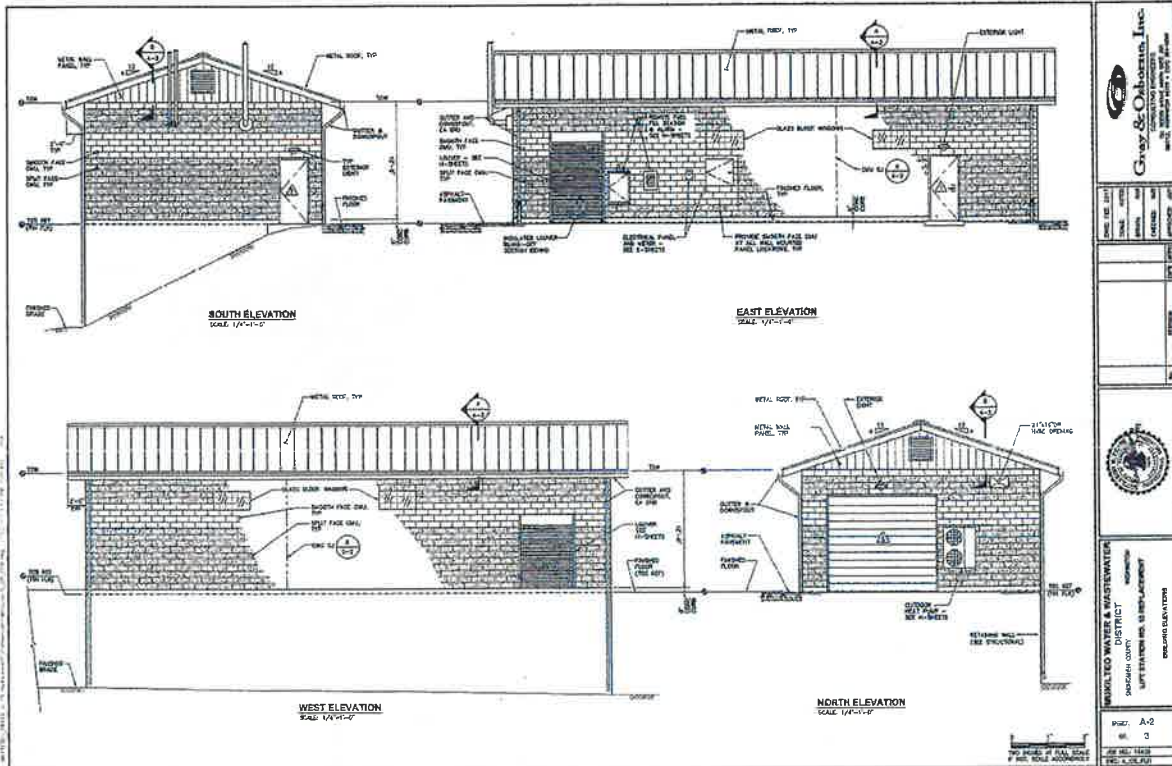
Regulation	Requirement	Submitted
Setbacks:	<p>Front: 20' Rear: 20' Sides: 5' minimum with a total of 15' on both sides.</p> <p>Per MMC 17.020.070 all utility structures must be at least twenty feet from any other lot in a residential zone.</p>	<p>Front: 35' Rear: 20' South Side: 74' North Side: 47'</p> <p>The closest the proposed lift station structure will be to any residential property line is approximately 22 feet.</p>



Regulation

Requirement


Submitted



Proposed Facility



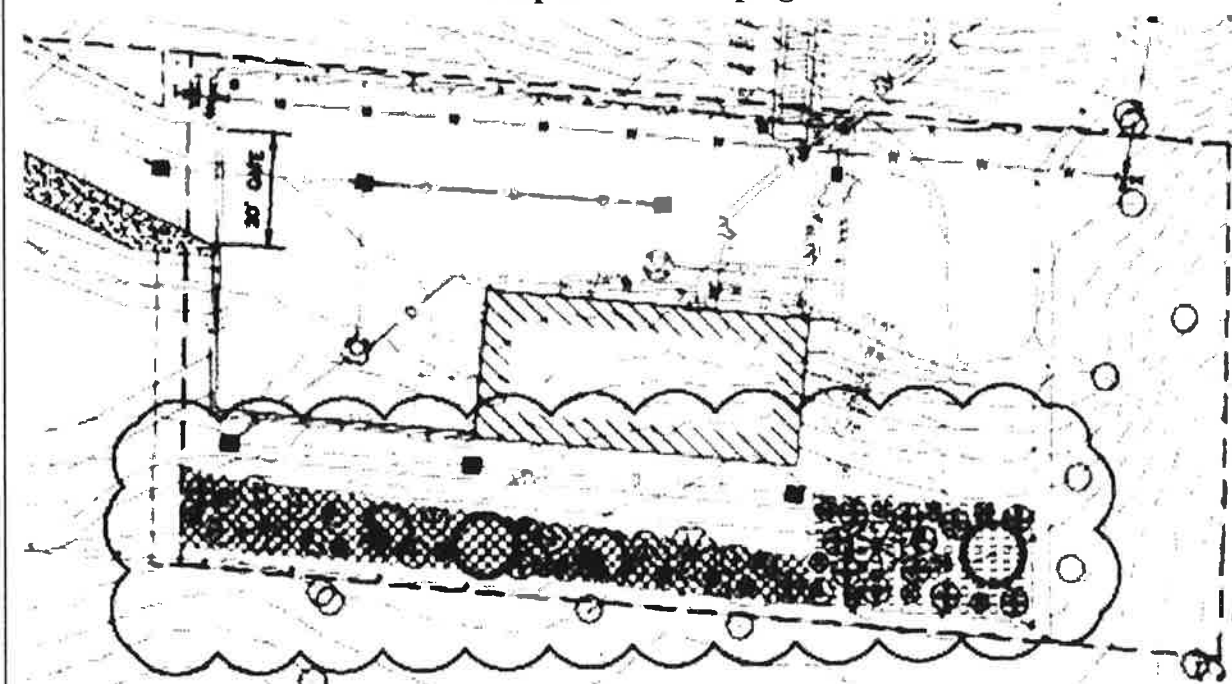
Project Simulation Looking Southwest





Regulation	Requirement	Submitted
 <p style="text-align: center;">Project Simulation Looking Southwest</p>		
Building Height:	30' maximum	17'
Lot Size:	7,500 square feet minimum	Existing: 58,095 s.f. After: 16,639 s.f. (Upon approval of the LLA and ROW Vacation)
Lot Coverage:	35%	The maximum lot coverage for the RD 7.5 residential zone is thirty-five (35%) percent. The proposed structure will be 1,500 square feet and will cover approximately nine (9%) percent of the lot.
Parking off-street:	Utility and communication establishments without regular employment are required to provide one (1) parking space.	The proposed lift station is not a staffed facility. Maintenance and operation service will be conducted twice a week on the facility. The area within the fence provides sufficient parking for the lift station.

Regulation	Requirement	Submitted
Street Improvements:	Per the 2017 Development Standards 4.3.6 standard frontage improvements consist of right-of-way dedication, curb, gutter, sidewalk, curb ramps, landscaping, drainage improvements, and pavement overlay up to one-half of each right-of-way abutting a property.	<p>No street improvements are being proposed. The project meets the frontage improvements as determined by the Washington State Department of Transportation (WSDOT) for SR 525. The City, MWWD and WSDOT met onsite on February 2, 2017 to verify WSDOT requirements for this project as WSDOT controls SR 525 and they have future plans for widening SR525 for left turns to and from Goat Trail Rd. WSDOT determined no physical frontage improvements were required.</p> <p>However the project meets the requirements set out by WSDOT to allow for the future widening of the SR 525. These include the wet well being designed and constructed to be compatible with the proposed SR 525 widening, and all equipment is being located underground and will be flush with the pavement.</p> <p>There is currently a bus pad, bus shelter, and bus pullout located along the frontage, therefore no additional improvements are required for Transit.</p>
Lighting:	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.	The applicant is proposing to add four (4) exterior lights. Three are attached to poles as shown on the drawing below and one light is attached to the building above the doorway. All lights are arranged in such a fashion to reflect away from the street and surrounding properties. All lights have motion sensors to minimize the impact of nighttime lighting on the site.

Regulation	Requirement	Submitted
Landscaping / vegetation:	<p>Per MMC 17.64.020(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.</p> <p>Per MMC 17.020.80 fences around schools and utility substations may not exceed eight feet in height, except as allowed under the administrative modification section or with an approved conditional use permit, and may not obstruct the sight distance of an intersecting street.</p>	<p>The District is requesting a deviation from the required landscaping requirement based on the need for visibility of the lift station to deter trespassing and vandalism.</p> <p>The proposed lift station will sit approximately twelve (12) feet lower than Mukilteo Speedway and the entrance gate to the lift station is located on the north side of the property.</p> <p>The District is proposing a six (6) foot high privacy fence without landscaping on the east and north side of the property.</p>


Proposed Landscaping



Regulation	Requirement	Submitted
		
		

Existing Landscaping: West Elevation

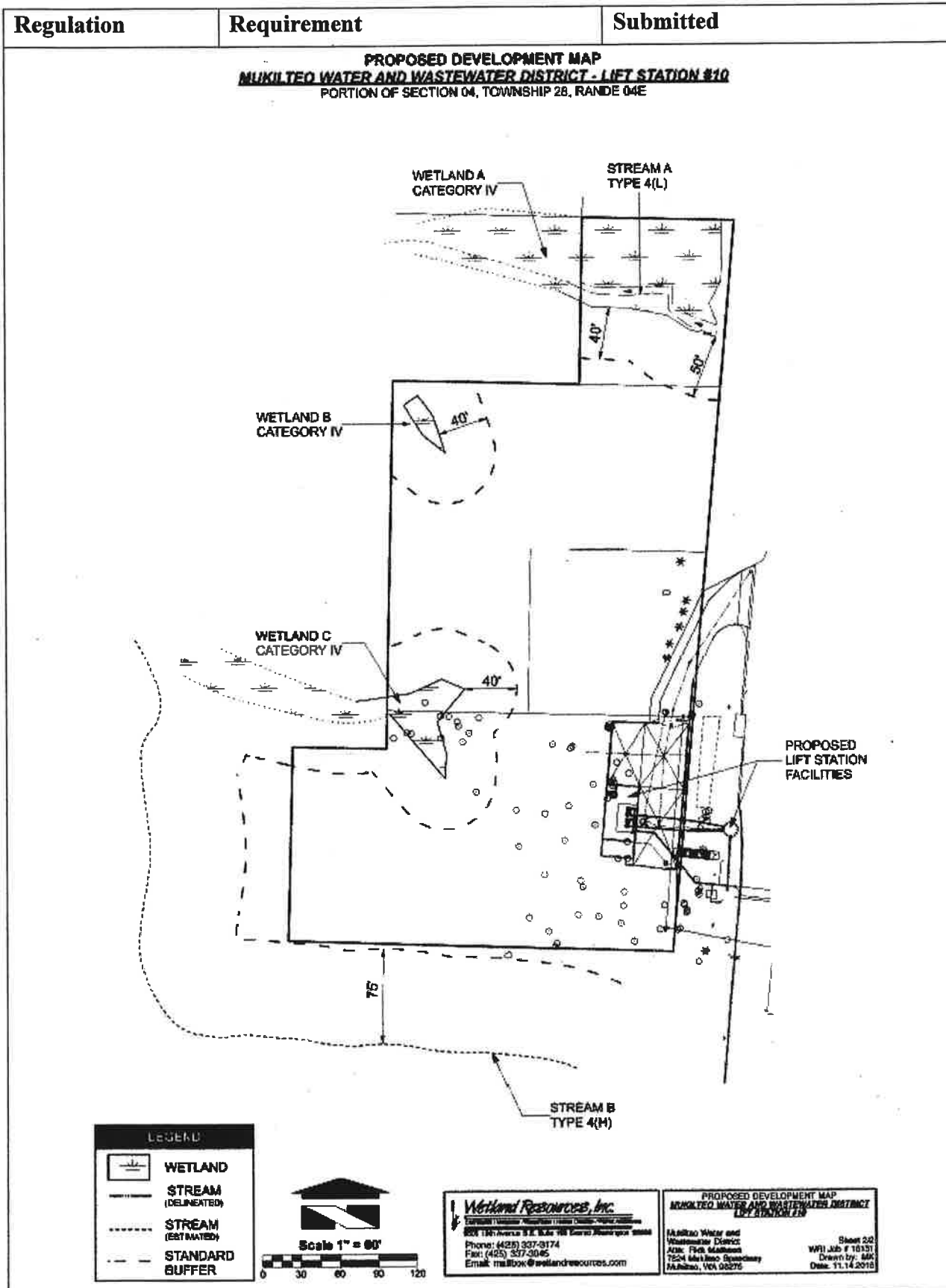
Existing Landscaping: South Elevation

Regulation	Requirement	Submitted
		
Existing Landscaping: North Elevation		
Regulation	Requirement	Submitted
Utilities:	Per the requirements of each utility provider	The proposed Lift Station 10 building will have sanitary sewer for a bathroom, telemetry/telephone service for SCADA (no voice line), power, and water.
Hard Surface Limits	In a single-family residential area, lots $\geq 12,500$ square feet have a maximum hard surface limit of 55%	The applicant is proposing a hard surface limit of 40% for the lift station project.
Stormwater Improvements	This project is subject to the requirements within the 2012 Washington State Department of Ecology Stormwater Management Manual for Western Washington (2012 SMMWW) and qualifies as a new development project since less than thirty-five (35%) percent of the project site is currently	Stormwater runoff within the project site will be directed to a Contech Stormfilter Catch Basin on the west end of the site. The Stormfilter will provide on-site stormwater treatment. Once treated, this flow will be disbursed via 98 linear feet of level spreader to avoid erosion

Regulation	Requirement	Submitted
	<p>impervious. New hard surfaces for the project area include a total of approximately 5,743 sf. With a total new plus replaced hard surface area of approximately 8,570 sf. All Minimum Technical Requirements, as outlined in the Stormwater Management Manual for Western Washington (SMMWW) Volume I, apply to the new and replaced hard surfaces and converted vegetation areas.</p>	<p>associated with point discharge. This level spreader will collect runoff from the site, including any roof runoff, and will disperse it westerly over a vegetated flow path of approximately 20 feet.</p> <p>Less than 10,000 sf of effective impervious area is being collected and less than a 0.1 cfs increase between today's landscape and the post-project conditions was calculated using WWHM. Therefore, per Section 2.57 (Volume 1) of the 2012 SMMWW, flow control is not necessary for this project. Onsite water quality will be addressed through the use of a Stormfilter catch basin. The filter is anticipated to collect and treat 100 percent of the pollution generating portion of runoff produced by the project site.</p> <p>The site will discharge toward the west as it currently does today. The Supplemental Guidelines within the 2012 SMMWW require that if no conveyance system exists downstream and the natural runoff is not currently concentrated, then for flows of less than 0.2 cfs, the newly directed, concentrated runoff should be to a rock pad or to any other system that serves to disperse flow." To meet this guideline, a 98-foot level spreader will be used to disperse runoff from the site in a westerly manner over an approximate 20-foot vegetated flow path.</p>

Regulation	Requirement	Submitted
Critical Areas	<p>Critical areas provide a variety of valuable and beneficial biological and physical functions that benefit Mukilteo and its residents, and/or may pose a threat to human safety or to public and private property. The beneficial functions and values provided by critical areas include, but are not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation of flood waters, ground water recharge and discharge, erosion control, protection from hazards, historical, archaeological, and aesthetic value protection, and recreation. These beneficial functions are not listed in order of priority.</p> <p>The City requires applicants to avoid and minimize critical area impacts where avoidance and minimization is feasible and reasonable. In appropriate circumstances, impacts to critical areas resulting from regulated activities may be compensated for. The city's overall goal is to achieve no net loss of critical area functions and value, and net acreage may be considered in achieving the overall goal.</p>	<p>Three wetlands and one stream are located on the project site. An additional stream is located off-site to the south and east. All three wetlands are slope wetlands and received Category IV ratings. Category IV wetlands typically receive standard buffers of 40 feet. The stream on-site is a Type 4L stream, which receives a 50-foot buffer. The off-site stream is a Type 4H stream and receives a 75-foot buffer.</p> <p>Wetland A is on the north end of the site, adjacent to Stream A. This wetland extends off-site to the west along the stream channel.</p> <p>Wetland B is a small wetland contained entirely on site.</p> <p>Wetland C is in the southwest area of the site, and extends off-site to the west.</p> <p>Stream A enters the site on the east side, flowing out of a culvert near Mukilteo Speedway. The stream flows west through Wetland A and continues flowing west off-site. This stream is located within the Goat Trail Ravine basin.</p> <p>Stream B is located to the south and to the west of the subject site. This stream flows west through a culvert under Mukilteo Speedway and continues flowing west south of the subject site. It then turns and begins flowing north to the west of the subject site. While the City of Mukilteo Streams, Wetlands, and Watershed map depicts this stream flowing through the southwest corner of</p>

Regulation	Requirement	Submitted
		<p>the subject site, no stream was observed in that area during the site investigation. The location of the stream was estimated using visual observations from the subject site and public right-of-ways, as well as observed topography and elevation data provided by Snohomish County. This stream is located within the Goat Trail Ravine basin and per MMC 17.52C.080, it is a Type 4(H) stream. In the City of Mukilteo, Type 4(H) streams require a 75-foot buffer.</p> <p>The proposed project resides outside the buffers of both the on-site and off-site streams and wetlands.</p> <p>The property has steep slopes on the west, north/west and south/east portions of the property. The proposed lift station and improvements do not encroach into the steep slope areas.</p> <p>Therefore there are no impacts to the critical areas with the development of the proposed lift station.</p>



Conditional Use Permit

Criteria	Analysis	Meets Criteria
<p>1. Per MMC 17.64.020(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.</p> <p>The following 2015 Comprehensive Plan General Development Goals (GD) and General Utilities Policies applies to this project:</p>	<p>The proposal meets the goals and objectives of the 2015 Comprehensive Plan and is a conditional use in the RD 7.5 zoning district.</p> <p>The following Comprehension Plan General Development Goals (GD) and Land Use Policies (LU) apply to this project:</p> <p>LU9b: Maintaining the natural hydrological functions of each watershed, and where appropriate and possible, restoring them along with freshwater and marine habitats to a more natural state and ecological functionality should be a consideration of all City of Mukilteo actions.</p> <p>UT1: The location, construction, operation, and maintenance of utilities shall minimize impacts to the natural and human environment by using current best management practices to ensure safety and protection of public health, safety, and welfare.</p> <p>UT1b: Where possible, above-ground utilities shall be located within a fully-enclosed building, or surrounded with sight-obscuring fencing or landscaping, or located out of the public and/or private view.</p> <p>UT4: Development applications shall be reviewed by the Mukilteo Water & Wastewater District or the Alderwood Water & Wastewater District for adherence to the developer extension standards of the relevant district as determined by the</p>	<p>YES</p>

Criteria	Analysis	Meets Criteria
	<p>location of the development.</p> <p>UT5: The City Shall encourage and work with the Mukilteo Water & Wastewater District and the Alderwood Water & Wastewater District to help improve their systems and efficiencies.</p>	
<p>2. Per MMC 17.64.020(B), it must be demonstrated that all conditional uses if located as proposed would not be injurious or detrimental to the character of the zone or to its abutting or adjoining neighbors.</p>	<p>The current lift station was constructed in the right-of-way adjacent to the single-family residential area by the City of Mukilteo in 1992. The Mukilteo Water and Wastewater District acquired the adjacent property for the purpose of moving the equipment out of the right-of-way in May of 2012. There is an existing single family residence on a parcel owned by the District that is vacant. There are no other homes within 425 feet to the proposed lift station.</p> <p>Per MMC 8.18, Noise Control, noise is limited to fifty-five (55) dBA during daytime hours and to forty-five (45) dBA during nighttime hours in a residential zone.</p> <p>Utilizing an Extech Model 407730 Sound Level Meter, test were conducted at existing sites of similar sized Generators (enclosed in similar CMU buildings) with the existing conditions at Lift Station 10.</p> <ul style="list-style-type: none"> Holly Drive Lift Station and 112th Lift Station averaged 102 to 108dB in the generator rooms. Both averaged 60 to 72dB walking the perimeter of the CMU buildings (approx. 5' away). Walking the inside fence perimeter (20' to 30' away) readings were below 50 dB. 	<p>YES</p>

Criteria	Analysis	Meets Criteria
	<ul style="list-style-type: none"> Existing Lift Station 10 generator readings were around 110dB (approx. 5' away). With Lift Station 10 Generator off, readings from ambient noise were 50 – 60dB for downhill traffic, 60 – 85dB for uphill traffic (car/LT truck), 80 – 110dB for uphill traffic (motorcycles and diesel trucks). There are two residences on the East side of SR 525 approx. 200' – 250' away from the proposed site. The Existing generator could not be heard above the above described ambient noise. All other residences are > 400' from the proposed site. <p>Therefore no additional noise mitigation is being required.</p>	
<p>3. Per MMC 17.64.020(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.</p>	<p>The existing lift station resides within the right-of-way of residential zone and is being proposed to be relocated onto the adjacent property to the west owned by the District.</p> <p>Per MMC 17.20.080(2)(c) Fences around schools and utility substations may not exceed eight feet in height, except as allowed under the administrative modification section or with an approved conditional use permit, and may not obstruct the visions of an intersecting street. MWWD is proposing to install a six (6) foot high fence with privacy slats and landscaping on the west portion of the property.</p> <p>A deviation request for the landscaping has been requested to eliminate the landscaping based on</p>	<p>YES</p>

Criteria	Analysis	Meets Criteria
	<p>the need for visibility of the lift station from SR 525 to deter trespassing and vandalism.</p> <p>Lift Station 10 is an unmanned lift station and typical access to the property will be a bi-weekly maintenance visits.</p> <p>The applicant is proposing to maintain the majority of the existing vegetation and add a six (6) foot high privacy fence to buffer the lift station from the adjacent residential property. Currently MWWD owns the property to the north of the proposed lift station.</p>	
4. Per MMC 17.64.020(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 lot for the lift station is zoned RD7.5 which means that the minimum lot size is 7,500 square feet. The lot is approximately 16,639 square feet therefore exceeding the minimum lot size requirement.	YES
5. Per MMC 17.64.020(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 proposed lift station meets all the dimensional and use requirements of the Single-Family Residence RD 7.5 zoning district.	YES
6. Per MMC 17.64.020(F), all conditional uses having a site area in excess of one (1) acre must provide a buffer of trees and shrubs around the perimeter of lots abutting a residential zone.	The lot size for the proposed lift station is approximately 16,639 square feet; therefore this condition does not apply. The site is surrounded by an acre plus of natural vegetation consisting of trees, shrubs, and ground cover which provides a buffer to the existing homes on Webster Street.	N/A

Criteria	Analysis	Meets Criteria
7. Per MMC 17.64.070(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; 3. Vicinity map showing property, zoning and access; 4. Provision for sewage disposal, storm drainage and surface runoff.	The applicant submitted scaled site plans, elevation plans, landscape plans, and civil plans on November 22, 2016. The site is a non-staffed sewer lift station facility. Water, electrical and telephone services are being requested.	YES
8. Per MMC 17.64.070(H), all conditional uses must comply with the parking regulations in Chapter 17.56.	The proposed lift station is not a staffed facility. There will be bi-weekly trips to the lift station for operation and maintenance service. There is sufficient parking inside the lift station fenced area.	YES
9. Per MMC 17.64.070(I), in the course of 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.	The proposal meets Comprehensive Plan and Zoning Code requirements, so a review by the Planning Commission is not necessary.	YES

Environmental Review:	The Mukilteo Water and Wastewater District was the lead agency for the purposes of implementing the State Environmental Policy Act (SEPA). A Determination of Non-Significance under Washington Administrative Code 197-11-340(2) was issued on November 28, 2016. No appeals were filed and the SEPA determination stands as issued.
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<p>Notice:</p>	<p>Notice of this application has been provided in accordance with the provisions of MMC 17.13. This project was circulated for review and comment on March 17, 2017, by advertising the Notice of Application in the local newspaper of record; mailing a copy of the Notice to property owners within 300 feet of the project and interested agencies; and posting the Notice at the site and at the official locations for City Notices.</p> <p>A Notice of Public Hearing was advertised in the same manner on July 21, 2017.</p>
<p>Agency Comments:</p>	<p>Agencies with no comments:</p> <ul style="list-style-type: none"> • Mukilteo School District <p>Agencies with comments:</p> <ul style="list-style-type: none"> • Community Transit - Community Transit has an existing bus pull out (provided by WSDOT) and shelter adjacent to the subject property. The existing pull-out, shelter pad and shelter all need to be retained. If frontage improvements are required for this project, we encourage the City to require construction of a sidewalk along Mukilteo Speedway. Also, if the existing bus stop needs to be closed or relocated during construction, coordination is required with both our Capital Facilities division and Transportation Department. If the bus shelter or entire bus stop needs to be temporarily removed, please contact Community Transit. <p>Response:</p> <ul style="list-style-type: none"> • Any closure of the bus shelter shall be coordinated with Community Transit during construction the of the lift station. • Snohomish County PUD – The District presently has some facilities in the area. However, we are unable to determine if sufficient electric system capacity is available until additional load information for the proposed development is identified to the District. The existing District facilities in the local area may require upgrading when the development is well-defined. We will need to know the anticipated size in kilowatts of electrical connected loads. <p>Cost of any work, new or upgrade, to existing facilities that is required to connect this proposed development to the District's electric system shall be in accordance with the applicable District policies. The developer will be required to supply the District with suitable locations/easements upon its property for any electrical facilities that must be installed to serve the proposed development.</p>

	<p>Response:</p> <ul style="list-style-type: none"> As a condition of approval MWWD will be required to work with PUD per their development regulations.
Public Comment:	<p>The City received two public comments from property owners adjacent to the proposed lift station site concerned about the stormwater runoff.</p> <ul style="list-style-type: none"> Patricia Dennis: Concerns about storm water runoff for all of the property, noise, and impact on neighborhood. Response: The project has been determined to meet the nine stormwater minimum requirements, as set forth in the 2014 Stormwater Management Manual for Western Washington (SWMMWW). These minimum requirements include an evaluation of the potential downstream impacts. Specifically, Minimum Requirement #4 states that “discharges from the project site must occur at the natural location, to the maximum extent practicable.” It is further required that “the manner by which runoff is discharged from the project site must not cause a significant adverse impact to downstream receiving waters and downgradient properties.” Because there is no conveyance system at the abutting downstream property line and the existing discharge is unconcentrated, the City required the applicant to evaluate the supplemental guidance under minimum requirement #4. The applicant evaluated the 100-year peak discharge from the site, and showed that it is less than or equal to 0.2 cubic feet per second (cfs). Following the supplemental guidance, the applicant was required to disperse the concentrated runoff. The applicant proposes to disperse the runoff through a 98-foot level spreader. They show that the dispersed flows run through a 20 foot flow path. The City has not received any complaints regarding noise from the existing lift station facility. The noise level from the equipment for the proposed lift station will be less than the current equipment. The new generator will be enclosed in a CMU block wall building with noise attenuation material. The proposed lift station will not have any more of an impact on the neighborhood than the existing facility.

	<ul style="list-style-type: none"> • Don and Renee Ripley: Our concern with the lift station project is water runoff. We would like to be assured that the water will be contained in a manner that will stop the damage to properties. There are currently issues with water going through properties on Webster and others. Will the lift station make this water issue better or worse? • Response: The City requires stormwater management on the project, which includes evidence from the District that there will be no negative impacts on downstream neighbors due to the project. The project is still under review, however, the District has acknowledged the flooding issues on Webster and their project currently shows the flows not being directed towards Webster.
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CONCLUSION:

The project was found to be consistent with the Comprehensive Plan, applicable zoning regulations, environmental regulations, and development standards adopted by the City of Mukilteo. The project will have no adverse impacts to the surrounding properties, and, more generally, it will not adversely affect the public health, safety and general welfare as conditioned. According to the laws governing these types of applications, if the criteria contained within the code are met, thus demonstrating compatibility, then the application must be approved.

STAFF RECOMMENDATION:

The proposed project was found to be consistent with and meets the intent of the Mukilteo Comprehensive Plan and applicable development regulations; therefore, staff recommends **APPROVAL** of the Conditional Use Permit for MWWD Lift Station 10 (CUP-2016-001) subject to the following conditions:

1. All improvements shall be constructed in accordance with the approved civil construction drawings dated July 21, 2017 and approved Site Plan dated July 5, 2017. 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. Prior to permit issuance the District shall receive approval of the 11th Street vacation.
3. Prior to permit issuance the LLA shall be recorded with Snohomish County Auditor's Office.

4. Landscaping shall be installed in accordance with the approved landscaping plan dated July 5, 2017 and shall be subject the following:
 - a.) 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.
 - b.) 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.

Engineering

5. A Traffic Control Plan shall be submitted and approved by the City prior to the start of construction.
6. Special Inspections shall be conducted for the retaining wall(s) construction by the Design Structural Engineer, or their designee, and the reports completed and turned into the City for the file. These reports shall verify that the wall(s) were built per the approved engineered design, or if deviations were done they were approved by the Structural Engineer of record.
7. Per the IBC the City may require that the property owner obtain a special inspection (such as topography, foundation types, unstable conditions, or soil types) prior to City approval. The cost of these inspections will be the responsibility of the property owner.
8. The clearing limits of the approved Site Plan shall be clearly delineated in the field.
9. The City of Mukilteo does not allow equipment with steel tracks on pavement, the Permittee and their contractors shall use rubber tire equipment only.
10. All development shall proceed in accordance with the recommendations listed in the Geotechnical Report prepared by PanGeo Incorporated dated August 8, 2016.

Right-of-Way

11. No open cut crossing of City roads or streets shall be made without the approval of the City Engineer (notice of two working days required). Immediately call 911 in the event of any disruption of utilities AND then the affected utility and the City of Mukilteo. Immediately contact the City of Mukilteo and the affected utility of any damage to the utility not causing a disruption in service.
12. Signing, flagging and traffic control shall be in accordance with the current Manual of Uniform Traffic Control Devices (MUTCD). One lane of traffic shall remain open at all times. The road shall be restored with asphalt surface to two-way traffic at the end of each working day. Should a total road closure appear necessary, application for a road closure permit must be filed with the Mukilteo City Engineer's office at least two (2) working days prior to the anticipated closure. Application must include a detailed Traffic Control Plan consisting of proposed hours of closure, detour routes, sign locations, and flagger locations. Access shall be maintained to all residences and businesses at all times; if this is not possible make arrangements with the City and the property owner.

13. Pavement shall be cut in a solid straight line. After excavating and installing utility, the utility shall be properly bedded and open cut trenches shall be backfilled with 1 1/4 inch minus material. Road cuts of one full lane or greater shall be backfilled using controlled density backfill (CDF) meeting the requirements of Section 2-09.3(1) of the Standard Specifications for Road, Bridge, and Municipal Construction 2006 Edition. All backfill material must be free draining granular material free of debris and clay. This material to be compacted by a mechanical compactor (approved by the City Engineer) to 95% of maximum density (modified proctor) in six inch lifts. Back fill is to be followed by placement of either six (6) inches of 5/8" minus crushed top course OR three (3) inches of asphalt treated base. After placing a tack coat on the edges of the existing pavement, a minimum of two (2) inches of Class B shall be placed and compacted to match the existing surface. Pavement sections are subject to a 1-year workmanship warranty; to be replaced if excessive settling or mechanical breakdown develops. A minimum of four (4) inch depth of cement concrete pavement shall be placed if the excavation is within cement concrete pavement. Sidewalk excavations shall be replaced in full panel sidewalk increments.
14. When multiple open cut utility crossings are proposed at intervals of 200 feet or less, between adjacent crossings, a full width chip coat of the roadway pavement section will be required for the entire length of roadway between crossings extending to ten (10) feet either side of crossings. Existing crossing will be considered when establishing overlay requirements in addition to work contemplated under current utility permit application.
15. Existing drainage ditches, culverts, etc. shall be kept clean at all times. Temporary diversion of any drainage system will not be permitted without the consent of the City Engineer. Any drainage culvert tile, catch basins, manholes, etc., disturbed by excavation shall be replaced with new material or repaired as directed by the City Engineer. Temporary erosion/sedimentation control measures shall be employed to protect adjacent property and storm drain facilities.
16. If in the opinion of the City Engineer, weather conditions are so bad as to make traveled roadways unsafe for the traveling public or detrimental to the restoration of the roads, excavation shall cease immediately and clean up shall be promptly accomplished.
17. Maximum amount of open trench on streets shall be 400 lineal feet. At the end of each day, all ditches must be backfilled or covered with steel plates and barricaded with flashing warning lights to prevent people or animals from falling into the trench. Section 1-07.23(1) Standard Specification for Road, Bridge, and Municipal Construction shall be followed as appropriate.
18. All pipe or other material strung along City right-of-way must be placed a safe distance from the traveled roadway in such a manner as to avoid rolling onto the roadway, or creating a traffic hazard.

19. Final cleanup shall include complete repair to damage and restoration to original condition of shoulders, surrounding pavement, curb and gutter, striping and traffic control devices; cleaning of ditches, culverts and catch basins, and removal of loose material from back slopes of ditches. This cleanup shall not exceed 500 lineal feet behind excavating operations. Street surfaces shall be kept cleaned at all times with the use of a power broom or other approved means.
20. No excess material or unsuitable material shall be wasted on City right-of-way without the express written consent of the City Engineer. All wasted material removed from the site shall be disposed of in an acceptable location.
21. Yard improvements within the right-of-way shall be restored to as close to original condition as feasible. This includes but is not limited to features such as landscaping, rockeries, lampposts, mailboxes, fences and irrigation components.
22. Any private property damages or liability incurred are the sole responsibility of the Contractor.

Grading

23. No free standing slope shall be steeper than two (2) horizontal units to one (1) vertical unit or be structurally unstable.
24. Work authorized and regulated by this permit is limited to property owned by the permittee or by the party contracting work from the permittee. No cut and/or fill slopes shall intrude onto other properties, except when right-of-way or construction easement has been secured by private arrangement. City permits may also be required for off-site activities and the appropriate representatives of the City staff should be contacted.
25. No debris, earth material, cleared vegetation, or waste materials shall be deposited on any other property in the City of Mukilteo without first obtaining the required permits and/or approvals. This includes the intrusion of such materials into the City's street and drainage systems.
26. The clearing/grading of this area shall be accomplished in such a manner as to prevent the transport runoff of silt and sediment into the storm drainage system and onto adjacent or downstream properties. Erosion control measures shall be implemented as necessary to accomplish this erosion control. No clearing/grading or any activity that exposes bare soil to the precipitation or wind shall be accomplished without implementing a Temporary Erosion Control Plan that employs Best Management Practices (BMP's) to prevent erosion and sedimentation.
27. City of Mukilteo without first obtaining the required permits and/or approvals. This includes the intrusion of such materials into the City's street and drainage systems.
28. Temporary Erosion Control Plan that employs Best Management Practices (BMP's) to prevent erosion and sedimentation.
29. Dust control shall be provided by the Contractor as field conditions warrant or when directed by the City Engineer or his agent.

30. This permit is subject to all the conditions of the City of Mukilteo Municipal Code, Chapter 15.16.
31. Applicant is solely responsible for any damage, public or private, of any kind resulting from work accomplished under this permit.
32. The permit to which this agreement applies pertains only to the provisions of the Mukilteo Municipal Code. Additional authorization from other public agencies may be necessary for work to be accomplished under this permit.

Stormwater

33. Stormwater pollution prevention measures shall be employed per the approved Stormwater Pollution Prevention 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).
34. A wet weather Stormwater Pollution Prevention Plan is required to be submitted to the City for review and approval prior to September 15th if the project is clearing or grading after October 1st.
35. 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).
36. Evidence of coverage under the Department of Ecology National Pollutant Discharge Elimination System (NPDES) Construction Permit shall be submitted to the city prior to permit issuance.
37. The stormwater requirements are only applicable to the project until January 1, 2022. If construction has not begun prior to January 1, 2022, then new stormwater regulations may apply to the stormwater design.
38. Provide verification to the City that the monitoring well was decommissioned according to WAC 173-60 prior to issuance of final occupancy.
39. A Soil Management Plan shall be submitted and approved by the City prior to the start of construction.

Easements

40. A private maintenance agreement for the shared use driveway shall be reviewed and approved by the City. The agreement shall be recorded prior to issuance of final occupancy.
41. All plans shall include a covenant for maintenance of permanent stormwater improvements. The covenant shall identify the party responsible for maintenance, a site plan showing the stormwater infrastructure, authority to access property, and the maintenance requirements. A signed covenant and maintenance plan shall be submitted prior to permit issuance.

42. Per MMC 13.12.160 a recorded version of the covenant for maintenance reflecting any as-built changes shall be submitted prior to final inspection.
43. A private easement and agreement between property owners shall be executed for maintenance of the stormwater systems. Easements shall meet the requirements of MMC 13.12.160, including prior review and acceptance by the City attorney. The easement shall be recorded and a copy provided to the City prior to final inspection.

Fees/Sureties

44. All landscaping associated with a project permit shall require the submittal of an acceptable maintenance agreement between the District and the City of Mukilteo 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 agreement shall be submitted to and approved by the City of Mukilteo and executed before occupancy of the building.
45. 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.

Utilities

46. 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.

Fire

47. The following requirements shall be adhered to during construction and completed before occupancy of any structure in accordance with Fire Code Development Standards and 2015 International Fire Code:
- A water supply capable of supplying the required fire flow for fire protection must be provided;
 - Fire hydrants shall be equipped with four- (4) inch quarter-turn Storz adapters;
 - An access route, for firefighting 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.

Miscellaneous

48. 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.
49. Application for that sign permit shall include an approved site plan specifying the location of all signs.
50. All outside storage containers, including dumpsters, shall be enclosed by a sight obscuring fence.
51. 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.
52. 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.
53. All contractors and subcontractors working on the project described herein shall obtain a business license from the City before initiation of any site work.
54. 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.
55. 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.
56. 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.
57. 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.