



Received by Email

4/11/2023



11930 Cyrus Way, Mukilteo, WA 98275  
Phone: (425) 263-8000  
<http://mukilteowa.gov/>

### Application For Alternate Material, Design, or Method of Construction Deviation Request Per 2019 Development Standards Section 1.5

In accordance with Section 1.5 of the City of Mukilteo Development Standards, the following information is being presented in support of a request for deviation. No deviation request will be considered until a complete permit application has been submitted. **Applicant must describe how the request meets the required criteria, by providing the requested information below.**

	Property Owner	Petitioner/Applicant
Name		
Address		
City, State Zip		
Daytime Phone		
E-Mail Address		

**Project Name:** \_\_\_\_\_

**Project Address:** \_\_\_\_\_

**Applicable Development Standards Section:** \_\_\_\_\_

**Description of Requested Deviation:**

The request is to provide a 16' alley, conforming with the alley's current configuration. One note from engineering states that a 20' alley shall be provided, unless otherwise approved by the Fire Marshal. We have received the required approval from the Fire Marshal, and believe the project can proceed as requested, with a 16' alley.

**Attachments:** (Plans, reports and additional sheets may be necessary to illustrate how the request meets the requirements.) List all attachments applicable to the request:


**Justification (If there is not enough room to answer the question, please use additional sheets)**

1. Describe how the deviation conforms to the intent and purpose of the Mukilteo Municipal Code:

Pre-application notes indicate that the alley shall be 20' in width unless otherwise approved by the Fire Marshal. Communications with the fire marshal indicate that the existing 16' alley width will be acceptable, if the building is provided with an NFPA-13 automatic fire sprinkler system throughout. Our intention is to provide an NFPA 13 system, therefore the alley widening does not appear to still be required.

2. Describe how the deviation will not adversely affect the implementation of the Comprehensive Plan adopted in accordance with State Law:

The deviation does not affect implementation of the Comprehensive plan.

3. Describe how the deviation produces a comparable result which is in the public interest:

The deviation has no affect upon the public interest, in terms of parks, open space, public access, or other important public functions.

4. Describe how the deviation will not impact future expansion, development, or redevelopment:

The limited scale of development allowed by MMC would indicate that wider alleys shouldn't be required.

5. Describe how the deviation considers maintenance costs in the design, and show how costs are not excessive or are borne and reliably performed by the applicant or property owner:

No added costs to the public would be incurred. The owner will bear all costs associated with this development.

6. Describe how the deviation provides the least possible deviation from the requirements:

The requirement for 20' alley width specifically states "unless otherwise approved by the fire marshal. The fire marshal has provided an exception, if NFPA 13 sprinklers are provided in the building. The building is being planned with NFPA 13 sprinklers throughout, in accordance with this directive.

7. Describe how the deviation provides equivalent environmental protection.

No additional environmental impact is anticipated. All storm runoff will be detained on site.

8. Show how the deviation meets sound Engineering practices to meet the objectives of safety, function, environmental protection and facility maintenance.

No changes to safety, engineering practices, function, environmental protection or facility maintenance are anticipated.

9. Deviations from road standards require evidence of concurrence from the Mukilteo Fire Marshal. Check the box that applies to this request:

This is not a deviation from a road standard.

This is a deviation from a road standard; and evidence of concurrence from the Mukilteo Fire Marshal is attached.

10. If this is a deviation from a stormwater standard, describe how deviation is not detrimental to the public health and welfare, is not injurious to other properties in the vicinity and/or downstream of the property, and are not injurious to the quality of waters of the state.

No changes to stormwater standards are anticipated..

11. Check the appropriate box related to Stormwater Minimum Requirements:

- The project does not meet the threshold for any Stormwater Minimum Requirements
- The project will meet all applicable Stormwater Minimum Requirements
- The project will not meet all applicable Stormwater Minimum Requirements

Any deviation request concerning a provision of the International Fire Code requires concurrence by the City of Mukilteo Fire Marshal. Documentation of concurrence by the Fire Marshal must be submitted with the request.

The Public Works Director or designee reserves the right to direct or deny a deviation from the Mukilteo Development Standards at any time in the interest of public health, safety, and welfare.

I certify that I am the owner or owner's agent and have the authority to request the above stated alternate materials, methods of construction, or modification in the Development Standards. I certify that the information presented as part of this request is true and accurate. I understand that this request is subject to review and may be approved or denied in part or in whole. The City of Mukilteo's decision will be in writing and will be specific to this request, unless otherwise noted, and is based solely on the facts included with this request.

Signature <i>W Douglas Hofius</i>	Title <i>ARCHITECT</i>	Date <i>9/28/2022</i>
Print Name <i>W. DOUGLAS HOFIUS</i>		

**FOR STAFF USE ONLY**

- Proposed design complies with the intent of the provisions of the current Mukilteo Municipal Code
- The material or method proposed is equivalent to criteria listed in Development Standards Section 1.5

**DETERMINATION**

This request is:  Granted  Granted with Conditions of Approval  Denied

CONDITIONS OF APPROVAL:

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Public Works Director or Designee

Date

## Doug Hofius

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**From:** Jared Underbrink <JaredU@cgengineering.com>  
**Sent:** Wednesday, September 21, 2022 9:21 AM  
**To:** Doug Hofius; Alison Musch; Stefano Zucca  
**Cc:** Joe Galusha; Chevy Chase  
**Subject:** RE: 3rd and Park Alley Question  
**Attachments:** Application for Alternate Material, Design, or Method of Construction08-19-2019Rev (5).pdf

Here is the application.

I think our proposal would be to add the curb cut per their requirements and leave the alley as is otherwise.



Thanks,

**Jared Underbrink, PE, Senior Project Manager**

CG Engineering  
p. 425.778.8500

[www.cgengineering.com](http://www.cgengineering.com)

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**From:** Brian Wirt <bwirt@mukilteowa.gov>  
**Sent:** Tuesday, September 20, 2022 6:43 AM  
**To:** Jared Underbrink <JaredU@cgengineering.com>; Leroy McNulty <lmcnulty@mukilteowa.gov>  
**Cc:** Michael Stevens <michaels@Dykeman.net>; Doug Hofius <dough@dykeman.net>; Alison Musch <alisonm@dykeman.net>; Joe Galusha <JGalusha@cgengineering.com>  
**Subject:** RE: 3rd and Park Alley Question

Jared,

The Public Works Director can approve an Alternate Material, Design, or Method of Construction.

[file:///C:/Users/b.wirt/Downloads/Application%20for%20Alternate%20Material,%20Design,%20or%20Method%20of%20Construction08-19-2019Rev%20\(3\).pdf](file:///C:/Users/b.wirt/Downloads/Application%20for%20Alternate%20Material,%20Design,%20or%20Method%20of%20Construction08-19-2019Rev%20(3).pdf)

Add the fact that the Fire Marshall will approve w/sprinklers.

Best,  
Brian

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**From:** Jared Underbrink <[JaredU@cgengineering.com](mailto:JaredU@cgengineering.com)>  
**Sent:** Monday, September 19, 2022 4:35 PM  
**To:** Leroy McNulty <[lmcnulty@mukilteowa.gov](mailto:lmcnulty@mukilteowa.gov)>  
**Cc:** Brian Wirt <[bwirt@mukilteowa.gov](mailto:bwirt@mukilteowa.gov)>; Michael Stevens <[michaels@Dykeman.net](mailto:michaels@Dykeman.net)>; Doug Hofius <[dough@dykeman.net](mailto:dough@dykeman.net)>; Alison Musch <[alisonm@dykeman.net](mailto:alisonm@dykeman.net)>; Joe Galusha <[JGalusha@cgengineering.com](mailto:JGalusha@cgengineering.com)>  
**Subject:** RE: 3rd and Park Alley Question

[WARNING: THIS MESSAGE HAS COME FROM A SENDER OUTSIDE THE CITY OF MUKILTEO NETWORK,]

Thank you Leroy.

Brian, if we went the full NFPA 13 route, and Leroy did not need the alley widened, are there any other alley improvements we should be anticipating from engineering? The building as currently draws goes up to the property line as you can see in the pictures below, so even a smaller widening would be difficult to accommodate.



Thanks,

**Jared Underbrink, PE, Senior Project Manager**

CG Engineering

p. 425.778.8500

[www.cgeengineering.com](http://www.cgeengineering.com)

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**From:** Leroy McNulty <[lmcnulty@mukilteowa.gov](mailto:lmcnulty@mukilteowa.gov)>  
**Sent:** Wednesday, September 14, 2022 11:27 AM  
**To:** Jared Underbrink <[JaredU@cgeengineering.com](mailto:JaredU@cgeengineering.com)>  
**Cc:** Brian Wirt <[bwirt@mukilteowa.gov](mailto:bwirt@mukilteowa.gov)>; Michael Stevens <[michaels@Dykeman.net](mailto:michaels@Dykeman.net)>; Doug Hofius <[dough@dykeman.net](mailto:dough@dykeman.net)>; Alison Musch <[alisonm@dykeman.net](mailto:alisonm@dykeman.net)>; Joe Galusha <[JGalusha@cgeengineering.com](mailto:JGalusha@cgeengineering.com)>  
**Subject:** RE: 3rd and Park Alley Question

Please see my answers in the red text below.

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**From:** Jared Underbrink <[JaredU@cgeengineering.com](mailto:JaredU@cgeengineering.com)>  
**Sent:** Wednesday, September 14, 2022 9:55 AM  
**To:** Leroy McNulty <[lmcnulty@mukilteowa.gov](mailto:lmcnulty@mukilteowa.gov)>  
**Cc:** Brian Wirt <[bwirt@mukilteowa.gov](mailto:bwirt@mukilteowa.gov)>; Michael Stevens <[michaels@Dykeman.net](mailto:michaels@Dykeman.net)>; Doug Hofius <[dough@dykeman.net](mailto:dough@dykeman.net)>; Alison Musch <[alisonm@dykeman.net](mailto:alisonm@dykeman.net)>; Joe Galusha <[JGalusha@cgeengineering.com](mailto:JGalusha@cgeengineering.com)>  
**Subject:** 3rd and Park Alley Question

[WARNING: THIS MESSAGE HAS COME FROM A SENDER OUTSIDE THE CITY OF MUKILTEO NETWORK,]

Hello Leroy,

I had a question about the 3<sup>rd</sup> and Park project

In the Engineering review, Brian Wirt noted:

1. Alley shall have a minimum width of twenty (20) feet of asphalt pavement unless otherwise approved by the Fire Marshal.

You had indicated that:

1. Provide a 20-foot-wide Fire Department access from the main street to the end of the driveway. This width can be modified if a full NFPA 13 fire sprinkler system is provided.

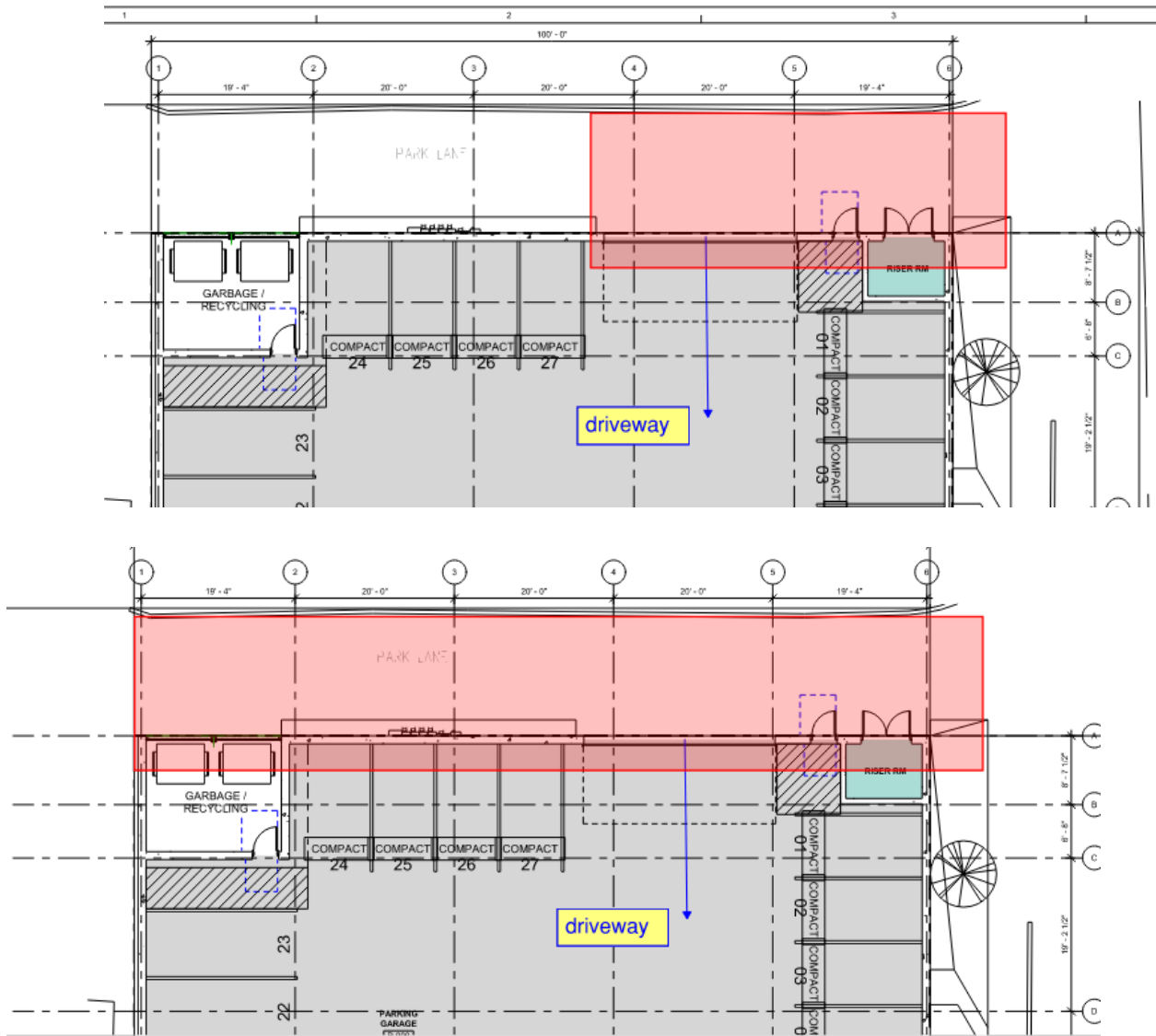
The existing alley has approximately 15' of pavement in a 16' wide right of way. The widened alley of 20' would encroach into the property quite a bit and make the parking garage difficult.

I had three questions on this:

- 1) If the sprinkler system is provided as noted, is the existing width acceptable? **Yes, however the sprinkler system shall be a full NFPA 13 system, not 13R.**
- 2) If the width is increased, would you expect this additional width to be fully on our side, or split among both sides of the alley? (this one might be more for Brian). **Not sure how to answer this as the Fire Lane will belong to you and**

the maintenance of the fire lane will be the responsibility of the future homeowners or HOA. Separate owners for each side of the fire lane will require to be noted in the title agreement and this can be problematic.

3) By driveway in your comment, do you mean going to the end of the driveable alley adjacent to the building, or to the end of the driveway into our garage? **Driveable alley.**



Thank you,

Jared Underbrink, PE, Senior Project Manager

CG Engineering

p. 425.778.8500

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