



# Notice of Decision

## Spring of Life Church Addition 4711 116th Street SW

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

File Nos. PPR-2022-002 / ENG-2022-012 /  
COMM-ADD-2022-003

### SUMMARY OF DECISION:

The City of Mukilteo issues this Notice of Decision as required by Revised Code of Washington (RCW) 36.70B.130 and Mukilteo Municipal Code (MMC) 17.13.080, and has made the following decision:

**DECISION:** Approved, subject to conditions  
**NOTICE DATE:** Wednesday, August 9, 2023  
**APPEAL PERIOD:** Wednesday, August 23, 2023 (4:30 p.m.)  
**EXPIRATION:** August 9, 2027

**PROJECT NAME:** Spring of Life Church Addition  
**PROPONENT:** Andrey Gidenko of Green City Development on behalf of the Spring of Life Church

### DESCRIPTION OF PROPOSAL:

Addition of an attached building at the west end of the existing building. This includes removal of the hill on the east side of the building and updating the landscape planting strip at the front of the property. The project also includes associated grading, drainage, and street frontage improvements. All supporting documents are available on the City of Mukilteo website at <https://mukilteowa.gov/land-use-action-notices/> or by request from the City of Mukilteo Community Development Department via email ([permitcenter@mukilteowa.gov](mailto:permitcenter@mukilteowa.gov)) or phone (425) 263-8000.

### LOCATION:

4711 116<sup>th</sup> Street SW, Mukilteo, Washington 98275; otherwise known as Snohomish County Assessor Parcel Nos. 00788400000500 and legally described as:

- HARBOUR POINTE BUSINESS CENTER, NORTH CAMPUS BLK 000 D-00 LOT 5 & LOT 6 (EXEMPT PER ST OF WA REG #11338-001)

### 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 and/or other agencies, the project permit is hereby **approved with conditions** based on the following:

## FINDINGS OF FACT

### *Consistency with Mukilteo Development Regulations and Permitting Procedures:*

1. The applicant submitted an application on June 1, 2022, for the addition of an attached building at the west end of the existing building with associated grading, drainage improvements, landscaping, and street frontage improvements. The application became complete on September 16, 2022.
2. The property is zoned Industrial Park (IP).
3. The supporting documents listed below have been submitted for review by the City:
  - Geotechnical Report prepared by PanGEO Incorporated dated August 2021.
  - Civil Plans stamped by Richard A. Deccio, P.E., Deccio Engineering Inc., dated January 8, 2023.
  - Drainage Design Report, SWPP Plans and Drainage Plans prepared by Richard A. Deccio, P.E., Deccio Engineering Inc., dated January 8, 2023.
  - Stormwater Pollution Prevention Plan prepared by Richard A. Deccio, P.E., Deccio Engineering Inc., dated October 26, 2022.
  - Parking Analysis prepared by Jeffrey Hee, P.E., Transportation Solutions, dated September 22, 2021.
4. A Notice of Application was issued on September 29, 2022, with a 14-day comment period that closed on October 13, 2022.
5. Staff administratively reviewed Engineering Permit (ENG-2022-012) for consistency with all applicable requirements of the Mukilteo Municipal code and Mukilteo's Development Standards, including but not limited to drainage, clearing, grading, erosion control, access, and street standards.
6. The Drainage Report (Stormwater Site Plan) meets the criteria of Appendix D of 2019 Amendment of Mukilteo Development Standards and satisfies Minimum Requirement #1 of the Department of Ecology's 2019 Stormwater Management Manual for Western Washington (SWMMWW).
7. The City of Mukilteo received two (2) comments in response to the Notice of Application.
  - The first comment was from Mukilteo Water and Wastewater District (MWWD) stating there are water and sanitary sewer facilities, in the vicinity, capable of providing domestic water, fire protection water and sanitary sewer service to the property.

The District has a 12-inch water main in the north side of 116<sup>th</sup> Street SE capable of providing potable and fire flow water to the site. The property has one 2" water meter and service and one 6" fire line that serves the existing commercial structure. In addition, there is a 2" irrigation meter and service located in the southwest corner of the property. You will need to determine if the existing service will be capable of meeting your future water flow requirements.

There is an 8-inch sewer main located in the south side of 116<sup>th</sup> Street. There is one 6-inch sanitary sewer stub to the property line off this main that is utilized by the existing structure. In addition, there's one 6-inch sewer stub located near the southwest corner of the property.

There are existing fire hydrants located on the south and west sides of the property.

## **Development Requirements:**

The existing water and sewer service that serves the existing structure can be utilized for the proposed addition. The District can provide information on any additional development requirements once the plumbing and fire suppression systems have been designed.

The City of Mukilteo Fire Marshal may require additional fire hydrants and/or a fire suppression system for the addition. A new fire hydrant would require the Owner/Developer to enter into a Developer Extension Agreement with the District to complete the improvements.

All construction of sewer and water facilities will be in accordance with the Standards, Specifications and Regulations of the Mukilteo Water and Wastewater District.

Details on the District's Development Extension requirements and process can be found on the District's website at:

<https://mukilteowwd.org/DocumentCenter/View/97/Developer-Standards-PDF>.

- **Staff Response:** The applicant shall adhere to MWWD's requirements. This will be a condition of the permit.
- The second comment is from Snohomish County Public Utility District No. 1 (PUD) stating the District presently has enough electric system capacity to serve the proposed development. However, the existing District facilities in the local area may require upgrading. The developer is required to supply the District with suitable locations/easements on all parcels where electrical facilities must be installed to serve the proposed development. It is unlikely that easements will be granted on District-owned property, or consents granted within District transmission line corridors.

Please be advised that per WAC 296-24-960 the minimum worker safety clearance from any District distribution conductor is 10 feet. Therefore, the District requires a minimum 14-foot clearance from any structure to accommodate workers, scaffolding and ladders. Minimum worker safety clearance from 115kV transmission wires is 20 feet.

Any relocation, removal or undergrounding of District facilities to accommodate this project and the worker safety clearances shall be at the expense of the project developer and must be coordinated with the PUD in advance of final design. Please include any project related utility work in all applicable permits.

Please be aware that if your project is being reviewed by Snohomish County and there are critical areas or buffers within your project as defined by Snohomish County in SCC 30.62A.300, you may be required to do a critical area study. Any utility work that will increase the utility footprint, such as installation, extension or construction is subject to these standards and requirements. New utility construction and installation is only allowed within critical areas or buffers when no alternative location exists and when you mitigate any impacts to the area. Snohomish County can provide the critical area study and has listed its fee structure under SCC 30.86.525. Snohomish PUD requires that, prior to applying for electrical service from the PUD, you address any critical area considerations and obtain the appropriate approvals to proceed with your project.

- **Staff Response:** The applicant shall adhere to PUD's requirements. This will be a condition of the permit.

8. 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, staff has determined that development of the project 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.

The proposal complies with use, area, lot dimension, landscaping, and parking requirements of the IP zoning district:

<b>Regulation (Chapter)</b>	<b>Requirement</b>	<b>Proposed</b>
<i>Height (MMC 17.20)</i>	65 ft.	30.5 ft.
<i>Front Setback (MMC 17.20)</i>	30 ft.	69.8 1/2 ft.
<i>Rear Setback (MMC 17.20)</i>	IBC, except 25 ft. next to residential zones	75.1'
<i>Side Setbacks (MMC 17.20)</i>	IBC, except 25 ft. next to residential zones	New addition 69.8 1/2 ft. (west) 205' (east)
<i>Lot Coverage (MMC 17.20)</i>	50%	25%
<i>Maximum Hard Surface Coverage (MMC 17.20)</i>	95%	No more than 95%
<i>Parking (MMC 17.56)</i>	127 stalls  <i>(Per parking study provided by Transportation Solutions dated September 9, 2021)</i>	183 stalls
<i>Landscaping (MMC 17.56.130 and MMC 17.58)</i>	<p><i>Frontage:</i></p> <ul style="list-style-type: none"> <li>• 30 feet of Type III or 30 feet of Type V</li> </ul> <p><i>Outside storage or waste areas:</i></p> <ul style="list-style-type: none"> <li>• Sight obscuring fence</li> </ul> <p><i>Parking:</i></p> <ul style="list-style-type: none"> <li>• Ten percent of the parking area shall be in landscaping</li> </ul>	<p><i>Frontage:</i></p> <ul style="list-style-type: none"> <li>• 30 feet of Type III or 30 feet of Type V</li> </ul> <p><i>Outside storage or waste areas:</i></p> <ul style="list-style-type: none"> <li>• None proposed</li> </ul> <p><i>Parking:</i></p> <ul style="list-style-type: none"> <li>• There is existing landscaping within the parking area. The new parking area ensures that the stalls are not more than 45 feet away from a landscaped area. Additional landscaped areas were added to the parking lot to meet this requirement of the code.</li> </ul>

9. Staff administratively reviewed this project for consistency with all applicable requirements of Mukilteo's 2019 Development Standards, including but not limited to drainage, clearing, grading, erosion control, access, and street standards.
10. The applicant obtained a Certificate of Concurrence from the City prior to permit issuance in accordance with Ordinance 1131, effective July 27, 2005.

11. Existing utilities serve the subject property. Water and sewer are currently provided by the MWWD. Electricity is provided by Snohomish County PUD. Natural gas is provided by Puget Sound Energy.
12. This property lies inside the 55 Day-Night Average Sound Level (DNL) noise contour of Paine Field Airport. Federal Aviation Administration (FAA) approval is not required for this project as no structures are being proposed.

*Consistency with Mukilteo Comprehensive Plan:*

13. The property is designated Industrial in the City's 2018 Comprehensive Plan.
14. Staff administratively reviewed this project for consistency with the goals, objectives, and policies of the Comprehensive Plan. Based on this review, staff has determined that development of the project will conform to the following applicable Comprehensive Plan policies:
  - 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.
  - UT7: Surface water management planning and operations shall comply with City, State, and Federal surface water regulations and be consistent with the City of Mukilteo Comprehensive Plan.
  - UT7d: Drainage, flooding, and stormwater run-off impacts shall be minimized to the maximum extent practical in land use development proposals and City operations.

**CONDITIONS OF PROJECT APPROVAL**

The City may attach conditions to the approval of permits as necessary to ensure consistency of the project with the City regulations and the comprehensive plan (MMC 17.13.080).

When permit approval is based on conditions, such conditions shall be satisfied prior final approval of the construction, use or activity (MMC 17.13.030(F)). Any violation of the conditions below are considered a violation of the permit and may be subject to the City's code enforcement procedures.

**General**

1. All improvements shall be constructed in accordance with the Site Plan submitted on January 5, 2023, and approved on August 2, 2023. Minor modifications of the plans submitted may be approved by the Community Development Director if the modifications do not change the Findings of Fact or the Conditions of Approval.
2. All improvements shall be constructed in accordance with the Engineering Plans submitted on January 5, 2023, and approved on July 18, 2023. Minor modifications of the plans submitted may be approved by the Public Works Director if the modifications do not change the Findings of Fact or the Conditions of Approval.
3. An onsite preconstruction meeting is required prior to start of any work to review sediment transport potential.

4. Landscaping shall be installed in accordance with the approved landscaping plan received by the City on June 1, 2022, and shall be subject the following:
  - a. 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 site.
  - b. 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.
  - c. Minor modifications of the landscaping plans submitted may be approved by the Community Development Director if the modifications do not change the findings of fact or the conditions of approval.

### **Stormwater**

5. Erosion control measures shall be employed per the approved Stormwater Pollution Prevention Plan, 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 (BMPs), as defined in the 2019 Stormwater Management Manual for Western Washington and the current Pollutant Discharge Elimination System Permit (NPDES).
6. The stormwater design accounts for 21,382 square feet of new hard surface that include roof area, parking, sidewalk, and all other hard surfaces as defined in Title 13. If the total hard surface area exceeds 21,382 square feet, a new stormwater design will be required for City review and approval.
7. Special inspections shall be conducted by the Design Structural Engineer, or their designee, for the stormwater vault construction and the reports completed and turned into the City. These reports shall verify that the vault was built per the approved design, or if deviations were made, they were approved by the Structural Engineer of record and City Engineer.
8. Prior to Final Inspection, the Declaration of Covenant for private stormwater facility maintenance and City Access Easement to inspect facilities shall be recorded with the Snohomish County's auditor's office and a conformed copy submitted to the City. No certificate of occupancy shall be granted prior to City acceptance of the covenant and easement.

### **Public Improvements**

9. A registered professional engineer or professional land surveyor shall verify that installation of roads and utilities was in accordance with the approved construction plans. Record drawings must be provided for private infrastructure that connects to the City's infrastructure, for public facilities, and for right-of-way work.

10. All street frontages shall be brought up to current American with Disabilities (ADA) standards prior to permit final. If work is to be done by a private contractor, a Right-of-Way permit shall be obtained.
11. Per the Development Standards, the City may require the developer to post a performance surety for all public improvements guaranteeing their installation. The applicant shall submit an invoice or cost estimate for the public improvements along with a performance surety of 150% of the cost on all public improvements for approval by the City prior to permit issuance.

### **Utilities**

12. 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.
13. Plans shall be submitted to MWWD to determine what, if any, improvements would be required if additional water or sanitary sewer service is required.

### **Miscellaneous**

14. 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.
15. All outside storage, including dumpsters, shall be enclosed by a sight-obscuring fence.
16. All mailbox locations must be approved and signed off by the US Postal Service prior to permit issuance. Please contact the Growth Management Coordinator at 425.514.9843 to arrange an appointment.
17. 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.
18. 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.
19. All contractors and subcontractors working on the project described herein shall obtain a business license from the City before initiation of any site work.
20. If at any time 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.
21. Noise from construction activity that is audible beyond the property lines shall not be allowed between the hours of nine (9) p.m. to seven (7) a.m. on weekdays, and seven (7) p.m. to nine (9) a.m. on weekends and holidays.
22. 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.

**EXPIRATION**

1. A grading or building permit must be obtained within four (4) years from the date of this Notice of Decision (MMC 17.030.030(G)).
2. 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 is required.
3. 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.

**Appeals**

Any Party of Record may appeal this project decision by filling out the appeal form and submitting it with the appeal fee to the City of Mukilteo Community Development Department, 11930 Cyrus Way, Mukilteo, WA 98275 by mail, personal delivery to the drop box outside City Hall, or other method, during normal business hours by **4:30 p.m., August 23, 2023**.

Parties of record include the applicant, any person who testified at the open record hearing on the application (if a public hearing was held), and/or any person who submitted written comments concerning the application (excluding persons who have only signed petitions or mechanically produced form letters).

City Hall is currently open Monday through Thursday from 8AM-5PM. The building is closed for lunch from 12-1 PM and closed to the public on Fridays. Comments must be delivered by in person, mail, personal delivery to the drop box outside City Hall or by email to [skress@mukilteowa.gov](mailto:skress@mukilteowa.gov). City Hall is located at 11930 Cyrus Way, Mukilteo, WA 98275. Please call City Hall (425) 263-8000 during regular business hours and arrangements can be made to submit an appeal.

*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:** Sarah Kress

**(425) 263-8044**

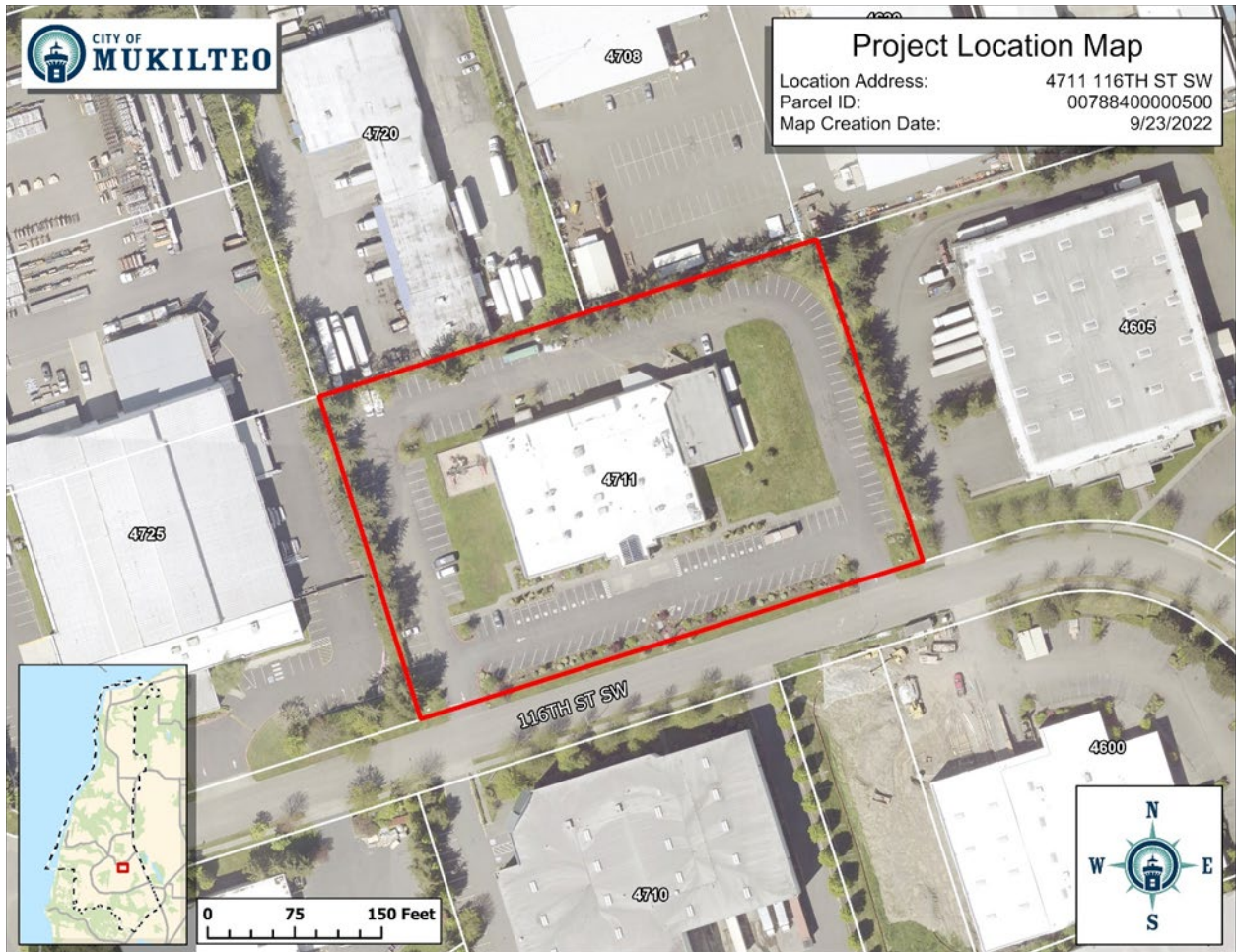
*Sarah Kress*

08/08/23

Sarah Kress, Associate Planner, Planning & Community Development

Date





**Location Map**

pc: Applicant/Representative  
 Reviewing Agencies  
 Interested Parties

CDD Director  
 Permit Services Coordinator  
 Permit Services Assistants (2)

Property File  
 Property Owners (300')

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