



STAFF REPORT
HEARING EXAMINER MASTER PLAN APPROVAL
for the MADISON ELEMENTARY SCHOOL

A. SUMMARY AND PURPOSE OF REQUEST

DATE OF PUBLIC HEARING: April 10, 2018

PROJECT/FILE NUMBER: Mount Vernon School District #320, PL16, 120

PROJECT PLANNER: Marianne Manville-Ailles; Planning Consultant to Mount Vernon Development Services; mma@sseconsultants.com

APPLICANT/OWNER: Mount Vernon School District #320, Contact: Suzanne Gilbert, 124 East Lawrence Street, Mount Vernon, WA 98273; (360) 428-6110; sgilbert@mvsd320.org

APPLICANT/OWNER: Shockey Planning Group, Inc. ATTN Camie Anderson & Reid H. Shockey; 2716 Colby Ave Everett, WA 98201; (425) 258-9308; rshockey@shockeyplanning.com

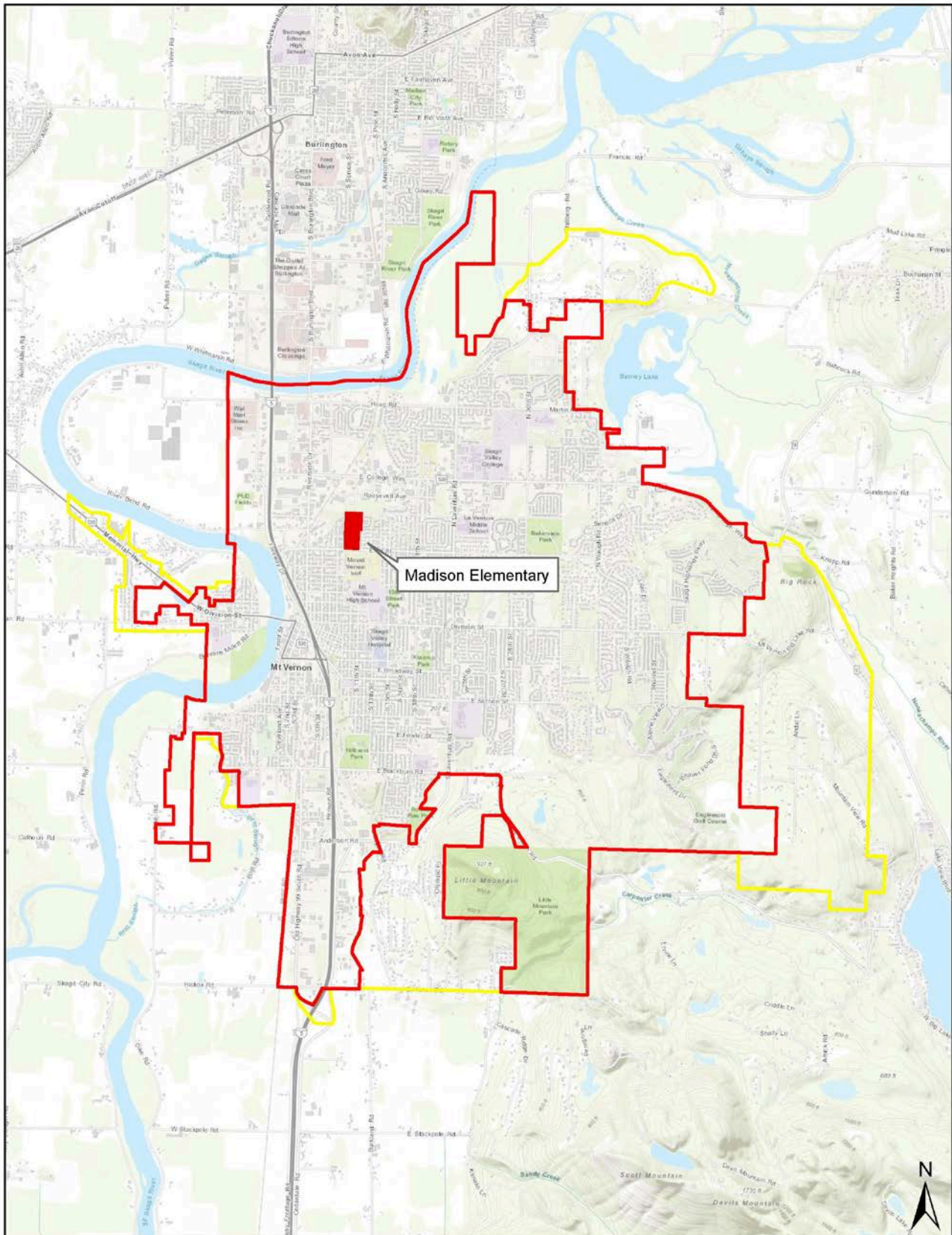
PROJECT DESCRIPTION: The proposal is the construction of a new Madison Elementary School which will replace the existing facility. The new school will contain 69,000 square feet in a building with 30 classrooms serving 550 students from grades K-5; and ancillary support uses (library, kitchen, administrative offices, etc.). It will replace the current school (currently 58,000 square feet) and 5 portable class rooms. The new Madison School will be served by 120 parking spaces for faculty and visitors plus student bus pick up/drop off areas.

The proposal would include approximately 24,000 cubic yards of cut and 16,000 cubic yards of fill. Construction is to occur on the southern portion of the site. The project will avoid changes to the northern portion of the site to ensure preservation of the on-site critical areas.

The proposal will include two access points from East Fir Street and one service/secondary access on 9th Avenue.

PROJECT LOCATION: This site address is 907 East Fir Street. The Skagit County Assessor describes the subject site as parcels P26001, P113447, and P113446. The site is located within a portion of the SE ¼ of Section 17, Township 34 North, Range 04 East, W.M.

The site boundaries are generally depicted on the following map with the site identified in red:



B. EXHIBIT LIST

Exhibits included as attachments to this staff report:

Exhibit 1: Master Land Use Application Form and Legal Description

Exhibit 2: Project Narrative and Justification for Proposal submitted by the applicant

Exhibit 3: Master Plan Set:

- T 1.00 Cover Sheet
- C 1.00 Master Pan Site Plan
- C 4.00 Master Plan Existing Conditions
- L 2.00, 2.03, 2.00A, 2.00B, 2.00C Landscape Plans
- L 4.00, 4.01 Site Details

Exhibit 4: Technical Reports Submitted by the Applicant:

- 4a.1.** Parking Count; August 17, 2017; TCF Architecture.
- 4a.2.** Parking Count at Madison Elementary UPDATED; 2/2/2018; TCF Architecture.
- 4b.1.** East Division Noise Site Approval Mount Vernon School District; Sept 12, 2016; A3 Acoustics.
- 4b.2.** Madison Elementary School Environmental Noise Impact; Feb 7, 2018; A3 Acoustics.
- 4c.1** Preliminary Stormwater Site Plan; Reid Middleton; October 2017.
- 4c.2.** Master Plan Stormwater Site Plan; Reid Middleton; February 2018.
- 4d.** Wetland Assessment for Madison Elementary School; Shockey Planning Group; August 31, 2017.
- 4e.** Transportation Concurrency Review; TSI; February 16, 2018.
- 4f.** SEPA Checklist; Shockey Planning Group; Sept. 1, 2017 REVISED October 5, 2017.

Exhibit 5: City's Procedural Documentation:

- 5a.** Notice of Application
- 5b.** Notice of Public Hearing with its proof of public notice

C. GENERAL INFORMATION

ZONING:	Public (P)	COMPREHENSIVE PLAN:	Public (P)
EXISTING SITE USE:	The site currently has the existing Madison Elementary School that is being demolished and replaced by the new school.	SITE AREA:	±17.78- acres
NEIGHBORHOOD CHARACTERISTICS:	North: Open Space associated with Kulshan Creek and Kulshan Trail East: Single Family Residential development South: East Fir Street and the Mount Vernon Cemetery West: Single Family and Multi Family Residential development		

Please see the following aerial photos that show the site and surrounding areas:



D. APPLICABLE SECTIONS OF THE MOUNT VERNON MUNICIPAL CODE (MVMC)

The Master Plan and subsequent site development activities are subject to:

Title 13: Sewers

Title 14: Land Use and Development

- Chapter 14.05 Administration of Development Regulations
- Chapter 14.10 Concurrency

Title 15: Buildings and Construction

- Chapter 15.04 Building Code
- Chapter 15.06 Environmental Policies
- Chapter 15.08 International Fire Code and Fire Prevention Bureau
- Chapter 15.16 Grading, Excavation and Fill
- Chapter 15.18 Land Clearing
- Chapter 15.40 Critical Areas

Title 16: Subdivisions

- Chapter 16.16 Design Standards for Non-arterial Streets
- Chapter 16.20 Improvements

Title 17: Zoning

- Chapter 17.06 Definitions
- Chapter 17.30 Public (P) Zoning District
- Chapter 17.84 Parking
- Chapter 17.93 Landscaping

E. APPLICABLE SECTIONS OF THE MOUNT VERNON COMPREHENSIVE PLAN

- Land Use Element (Chapter 2)
- Transportation Element (Chapter 6)
- Capital Facilities, Public Services & Utilities Element (Chapter 7)

F. BACKGROUND/PROCEDURAL INFORMATION

Mount Vernon Municipal Code (MVMC) Chapter 14.05 contains permit specific procedural requirements for the City's Zoning code, Title 17.

With regard to the subject proposal, the zoning code and Chapter 14.05 require that the proposed Master Plan be processed as a Type IV, Master Plan Permit (see 14.05.060 MVMC). Type IV permits require an open record pre-decision hearing before the Hearing Examiner who will make a recommendation on the application to the City Council. The City Council will then make the final decision on the application after a closed record hearing (see 14.05.050.B.4 MVMC).

Consistent with 14.05.110 MVMC the following project review procedures have been completed for this project:

- **September 1, 2017** the MVSD acting as Lead Agency issued a Mitigated Determination of Non-Significance (MDNS).
- **October 9, 2017** the MVSD acting as Lead Agency issued Addendum No. 1 to the Mitigated Determination of Non-Significance.
- **November 9, 2017** the subject Master Plan were submitted to the City.
- **November 15, 2017** a copy of the applicant's site plans and technical reports was distributed by DS staff to other City Departments who were asked to provide comments on/before December 1, 2017. No comments were received.
- **December 7, 2017** staff deemed the materials submitted on November 9, 2017 technically complete for processing.
- **January 8, 2018** a Notice of Application was issued. This Notice was mailed to those property owners within 300 feet of the subject site on **January 11, 2018**. This notice was published in the Skagit Valley Herald on **January 11, 2018**; and the applicant posted a land use sign on the subject site on January 11, 2018. No Comments were received.
- **March 15, 2018** a Notice of Public Hearing was issued. This Notice was mailed to those property owners within 300 feet of the subject site and to all parties of record on **March 19, 2018** and was also published in the classified section of the Skagit Valley Herald on **March 19, 2018**. A revised notice to correct location was issued **March 20, 2018**. This Notice was mailed to those property owners within 300 feet of the subject site and to all parties of record on **March 23, 2018** and was also published in the classified section of the Skagit Valley Herald on **March 23, 2018**.

G. DEPARTMENT ANALYSIS

MVMC Chapters 17.06 and 17.30.090 provides criteria that the Hearing Examiner is to consider, along with all other relevant information, in making a decision on Master Plan applications. Following are the items to be analyzed:

1. A "Master plan" is defined within MVMC Chapter 17.06 as being, "...intended to show how proposed development will comply with the development standards in the applicable zoning. It also is intended to show compatibility of development within the master plan area, and compatibility of anticipated uses in areas adjacent to and abutting the master plan area. It provides long-term guidance for a smaller area than a conceptual redevelopment plan, but a larger area than a detailed site plan".

1a. The development standards found within the Public District include:

ITEM	MVMC	STAFF COMMENTS
LOT AREA AND WIDTH	<p>17.30.050 There are no limitations on lot area and width.</p>	NA, no comment needed
SETBACKS	<p>17.30.060 A. Front yard: 10 feet. Buildings on corner lots and through lots shall observe the minimum setback on both streets. For properties that front on an arterial, the minimum setback from the right-of-way shall be 25 feet. The community and economic development and public works directors can through a Type I decision process administratively reduce, for good cause shown, this setback. B. Side and rear yards: none, except along any property line adjoining a residentially zoned district, with no intervening street or alley, there shall be a setback of 20 feet.</p>	The proposed structures exceed the minimum setbacks required per code
BUILDING HEIGHT	<p>17.30.080 Maximum building height in the P district shall be four stories, but not more than 50 feet. Building height in excess of four stories or 50 feet may be approved through the conditional use process. Uninhabitable portions of structures such as a church spire, fleche, campanile or high nave, a dome and lantern or a clock tower may be permitted to exceed the height limit; provided, such appurtenances are not intended as advertising devices.</p>	The proposed structure is two stories and has a maximum height of 46' 8" in height; thus complying with this regulation

ITEM	MVMC	STAFF COMMENTS
LANDSCAPING	<p>17.30.100 and 17.93</p> <p>Landscaping shall be required pursuant to the terms of Chapter 17.93 MVMC.</p> <p>17.93.020 requires: 10-foot wide planting strip along streets and 15% of the gross site area to be landscaped. This section of the code also outlines the minimum trees, shrub and ground cover size required.</p> <p>17.93.030 requires: 10% of the defined parking areas be landscaped and specifies the minimum number of trees along with the length and width of the required landscape islands.</p> <p>17.93.040 requires: Type I screening along the north and east property lines and screening around detention ponds.</p>	<p>The applicant submitted landscape plans that comply with this requirement.</p>
PARKING	<p>17.30.110 and 17.84</p> <p>Parking shall be provided pursuant to the terms of Chapter 17.84 MVMC.</p> <p>17.84.030 requires that elementary and middle schools provide three parking spaces for each two teaching stations, plus adequate visitor parking.</p>	<p>The applicant has submitted a parking analysis to show how they comply with this requirement. The traffic concurrency review included review of the parking analysis and concluded that the parking was in compliance with the MVMC.</p> <p>The applicant has indicated that overflow or event parking will be part of and “operations” plan to be developed prior to the opening of the new school.</p> <p>The School District and the City will need to formalize a Memorandum of Understanding to address mutual issues or concerns regarding parking as the school capacity increases.</p>
SIGNS	<p>17.30.120</p> <p>Signs shall meet the requirements as provided in Chapter 17.87 MVMC for a comprehensive sign plan.</p>	<p>The applicant will need to submit a comprehensive sign plan identifying the signage proposed so that staff can ascertain code compliance.</p>

1b. The Master Plan is intended to show compatibility of development within the master plan area, and compatibility of anticipated uses in areas adjacent to and abutting the master plan area.

Internal site compatibility has been achieved by the school district with the planning process they complete to ensure their facilities serve their present and future needs. The City relies on the School District to determine internal site compatibility.

Compatibility of the school site and anticipated uses adjacent to and abutting the master plan area is achieved by compliance with the following development regulations. Please note that uses adjacent to and abutting the master plan area are primarily residential uses.

Landscaping Regulations: enhance the appearance of the development, provides buffers and screening between different land use, increases privacy and protection from visual and physical intrusion and breaks up expanses of parking areas and other impervious surfaces.

Parking Regulations: ensure there are enough parking spaces for the proposed school and that the parking stalls and associated drive lanes are created to be safe and attractively designed.

Dimensional Standards: these standards include setbacks, lot coverage and building height to ensure adequate open space, light and air and to mitigate incidents such as fires.

- 2. Master Plan Submittal Requirements. The master plan shall include proposed land use information (land use, densities, site design, adjacent uses, circulation, utility corridors and alignments, wetlands) for review and approval by the city pursuant to the procedures of this chapter. The master plan shall also be accompanied by a phasing plan describing the general boundaries of each phase and the expected date at which a detailed site plan for that phase will be submitted. No project to be developed in phases may exceed 10 years from the time the master plan is approved until the final plan is submitted.**

Please see the accompanying **Exhibit 3 (Site Plans)** submitted by School District that provides information on the proposed land use, site design, adjacent uses, circulation, utility corridors/alignments, and critical areas.

H. STAFF'S SUGGESTED FINDINGS OF FACT & CONCLUSIONS OF LAW:

FINDINGS OF FACT:

1. The applicant requested approval of a Master Plan for a proposed elementary school consistent with the requirements of Chapter 17.30 MVMC.
2. The City determined that the Master Plan filed by the Applicant was technically complete for further processing on December 7, 2017. City staff sought input from other City departments, public agencies and public regarding the submitted materials. No comments were received.
3. The zoning designation of the subject site is Public (P) and its Comprehensive Plan designation is Public (P).
4. The properties surrounding the subject site have the following uses:

North: Open Space associated with Kulshan Creek and Kulshan Trail

East: Single Family Residential development

South: East Fir Street and the Mount Vernon Cemetery

West: Single Family and Multi Family Residential development

5. The applicant has submitted the following conceptual and/or preliminary materials:
 - a. Parking Count; August 17, 2017; TCF Architecture.
Parking Count at Madison Elementary UPDATED; 2/2/2018; TCF Architecture.
 - b. East Division Noise Site Approval Mount Vernon School District; Sept 12, 2016; A3 Acoustics.
Madison Elementary School Environmental Noise Impact; Feb 7, 2018; A3 Acoustics.
 - c. Preliminary Stormwater Site Plan; Reid Middleton; October 2017.
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 - e. Wetland Assessment for Madison Elementary School; Shockey Planning Group; August 31, 2017.
 - f. Transportation Concurrency Review; TSI; February 16, 2018.
 - g. SEPA Checklist; Shockey Planning Group; Sept. 1, 2017 REVISED October 5, 2017.
 - h. Geotechnical Report; GeoTest Services Inc.; September 2006 (SEPA Checklist Appendix E)
 - i. UST Site Check Report & Test Pit Investigation, Madison Elementary School Additional Investigation (SEPA Appendices G & H)

While some of the materials submitted are conceptual in nature, they do provide the City with enough information to be able to ascertain that the proposal could satisfy the City's development regulations.

6. The procedural and public notice requirements found within MVMC Chapter 14.05 and 15.06 have been completed and are summarized as follows:
 - January 8, 2018 a Notice of Application was issued. This Notice was mailed to those property owners within 300 feet of the subject site on January 11, 2018. This notice was published in the Skagit Valley Herald on January 11, 2018; and the applicant posted a land use sign on the subject site on January 11, 2018. No Comments were received.
 - March 15, 2018 a Notice of Public Hearing was issued. This Notice was mailed to those property owners within 300 feet of the subject site and to all parties of record on March 19, 2018 and was also published in the classified section of the Skagit Valley Herald on March 19, 2018. A revised notice to correct location was issued March 20, 2018. This Notice was mailed to those property owners within 300 feet of the subject site and to all parties of record on March 23, 2018 and was also published in the classified section of the Skagit Valley Herald on March 23, 2018.
7. All persons present at the hearings wishing to speak were heard and all written comments were considered, along with the written report submitted by City staff.

CONCLUSIONS OF LAW

1. The requirements in Chapter 14.05 MVMC have been satisfied for the subject Master Plan approval required in 17.30 MVMC.
2. The SEPA process has been completed consistent with Chapter 15.06 MVMC.
3. The City has addressed the review criteria for Master Plans found in Chapter 17.30 MVMC. The City indicates that in concept the proposed facility can comply with these criteria; and that when Building and Fill & Grade Permit(s) are submitted following the subject Master Plan approval staff will ensure that changes are made to these plans to ensure compliance with all of the City's development regulations.

I. RECOMMENDATION TO THE HEARING EXAMINER:

That the Master Plan approval for the **Mount Vernon School District's Madison Elementary School, Project File No. PL17-109** be **APPROVED** based on this Staff Report that contains the above listed Findings of Fact & Conclusions of Law and Staff's Recommended Conditions of Approval as follows:

1. In the event that there are changes to the preliminary stormwater designs or other designs that would result in impacts to the designated critical areas and/or their buffers, additional critical areas review/permits and additional environmental review would be required.
2. Overflow or event parking will be addressed as part of and "operations" plan to be developed prior to the opening of the new school.
3. Prior to the opening of the new school, the School District and the City will formalize a Memorandum of Understanding to address mutual issues or concerns regarding parking as the school capacity increases.

J. NOTES TO THE APPLICANT:

1. Permits/approvals required from the City of Mount Vernon following Master Plan approval include:
 - a. Site Plan Approval
 - b. Landscape Plan Approval
 - c. Fill & Grade Permit
 - d. Right-of-Way Permit
 - e. Building Permit
2. The approvals sought by the applicant require that the City's Hearing Examiner make a recommendation, at an open record public hearing that will be forwarded to the City Council, who will make a final decision at a closed record public hearing. The written recommendation for this project will be issued by the Hearing Examiner within 14 days after the date the record closes. The Hearing Examiner shall reconsider his/her recommendation if a written request is properly filed by the applicant or a party of record within 10 days of the date of the initial recommendation. A party wishing to file a request for reconsideration of the Hearing Examiner's recommendation shall follow the process outlined within MVMC 14.05.110(H)(4). A copy of this portion of the MVMC can be obtained by contacting the Development Services Department; or it can be downloaded on the City's web site at: <http://www.mountvernonwa.gov>

TRANSMITTED to the applicant, Hearing Examiner, and parties of record on **March 29, 2018**