

STAFF REPORT *for* TRANSPORTATION CONCURRENCY

STAFF REPORT SUMMARY & CONTENTS

STAFF RECOMMENDATION: APPROVAL of the Visconsi Commercial Development Traffic Concurrency, City File ENGR19-0092

PROJECT SUMMARY: Proposed is the development of approximately five acres of vacant property for freeway oriented commercial uses. New commercial buildings, parking lots, an access road, utilities and landscaping are expected to be developed across five lots. Future commercial tenants are expected to included uses such as restaurants, retail sales, offices, a gas station, and other similar uses.

ADDRESS: None **PARCEL #:** P26886* **¼ SEC:** SW **SEC:** 20 **TWP:** 34N **RGE:** 04E

PROPERTY OWNER:

Sakata Seed America, Inc.
18095 Serene Drive
Morgan Hill, CA 95037

APPLICANT:

VWA – Mount Vernon, LLC
30050 Chargrin Blvd., Suite 360
Pepper Pike, OH 44124

* Project also includes: P121047, P53373, P53374, P53375, P53376, P53377, P53378, P54122, P121047, a portion of P54114, a portion of P26788, and pending other approvals P53372 and P53379

VICINITY MAP:



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A. PROJECT DESCRIPTION & LOCATION

PROJECT DESCRIPTION:

Proposed is the development of approximately five acres of vacant property for freeway oriented commercial uses. Approximately 24,300 square feet (sf) of commercial buildings with up to 170 parking spaces are expected to be developed across five lots. Future commercial tenants are expected to included uses such as restaurants, retail sales, offices, a gas station, and other similar uses.

A 340± linear foot (lf) public road will be constructed to access the future lots extending off of Kincaid Street. Utilities will be installed/constructed to serve the future commercial uses and will include: potable water (510± lf of 12-inch diameter pipe); sanitary sewer (475± lf of 8-inch diameter pipe); storm sewer (430± lf of 12-inch and 1,800 lf of 8-to-12-inch diameter pipes); and dry utilities (power, cable, fiber, etc). If a gas station is constructed two, 20,000 gallon underground fuel storage tanks are anticipated to be installed. An estimated 12,000 cubic yards (cy) of material will be imported and an estimated 4,000 cy of material will be imported as part of the overall site development.

The site is currently located in a floodplain (Zone AO, Depth 1); however, once the City's existing Conditional Letter of Map Revision (CLOMAR) case #: 09-10-1122R, becomes a Letter of Map Revision (LOMAR) this site is expected to be removed from the FEMA designated floodplain.

PROJECT LOCATION:

The Skagit County Assessor identifies the site as including the following parcel numbers: P26886, P121047, P53373, P53374, P53375, P53376, P53377, P53378, P54122, P121047, a portion of P54114, a portion of P26788, and pending other approvals P53372 and P53379. East Kincaid Street is located to the north, Interstate-5 is located to the east, and the Burlington-Northern Santa Fe Railroad is located along the west boundary of the project site.

The maps and photos that follow identify the location of the project site.



Aerial photos dated May 2017. The approximate site boundaries are outlined in red.





Aerial photo dated May 2017. The approximate site boundaries are outlined in red.

B. EXHIBIT LIST:

1. Master Land Use Application
2. Project Description from the Applicant
3. Site Plans and Survey from the Applicant
4. City's Notices and Correspondence:
 - 4a. Technically Compete Letter dated May 17, 2019
 - 4b. Notice of Application (NOA) and Proposed Mitigated Determination of Non-Significance (MDNS) issued, mailed and published on May 21, 2019
 - 4c. Final MDNS issued and mailed on June 6, 2019 and published on June 9, 2019
 - 4d. Notice of Public Hearing issued on June 12, 2019 and published and mailed on June 14, 2019
5. Public Comments
 - 5a. Letter from Amy Lausten-Force dated June 5, 2019
 - 5b. Letter from the WA State Department of Ecology dated June 5, 2019
6. Traffic Concurrency Review completed by Transportation Solutions, Inc. dated May 14, 2019
7. Portions of the City's Adopted Capital Improvement Plan (CIP) - 2019 - 2024
8. Proposed public access road cross-section
9. Proposed public trail cross-section

C. EXISTING CONDITIONS/FINDINGS OF FACT

OWNER OF RECORD	ALFCO LLC Governed by David R. Armstrong 100 East Kincaid Street Mount Vernon, WA 98273	PROJECT APPLICANT	VVA – Mount Vernon, LLC Governed by Dominic Visconsi, Jr. 30050 Chargrin Blvd., Suite 360 Pepper Pike, OH 44124														
SITE ZONING	General Commercial (C-2)	SITE COMPREHENSIVE PLAN DESIGNATION	South Kincaid Subarea														
SITE ACREAGE	4.6± acres																
MVMC CHAPTERS APPLICABLE TO THE SUBJECT APPROVAL:	<ul style="list-style-type: none"> Chapter 14.05 Administration of Development Regulations Chapter 14.10 Concurrency Management 																
PERMIT CHRONOLOGY:	<table border="1"> <thead> <tr> <th>DATE</th> <th>SUMMARY</th> </tr> </thead> <tbody> <tr> <td>5/7/2019</td> <td>Permit Application Submitted</td> </tr> <tr> <td>5/7/2019</td> <td>Permit Deemed Counter Complete</td> </tr> <tr> <td>5/15/2019</td> <td>Permit Deemed Technically Complete</td> </tr> <tr> <td>5/21/2019</td> <td>Notice of Application (NOA) and Proposed SEPA Mitigated Determination of Non-Significance Issued</td> </tr> <tr> <td>6/6/2019</td> <td>Final MDNS Issued</td> </tr> <tr> <td>6/12/2019</td> <td>Notice of Public Hearing (NPH) Issued</td> </tr> </tbody> </table>			DATE	SUMMARY	5/7/2019	Permit Application Submitted	5/7/2019	Permit Deemed Counter Complete	5/15/2019	Permit Deemed Technically Complete	5/21/2019	Notice of Application (NOA) and Proposed SEPA Mitigated Determination of Non-Significance Issued	6/6/2019	Final MDNS Issued	6/12/2019	Notice of Public Hearing (NPH) Issued
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D. APPROVAL CRITERIA & STAFF ANALYSIS

- The standards for determining compliance with concurrency requirements for projects generating more than 75 PM peak hour traffic trips is found in MVMC 14.10.090(D), "If a project or any phase of a project generates more than 75 peak hour trips, concurrency impacts and mitigation will be determined by the city council based on recommendation by the planning commission and/or hearing examiner following a recommendation by the city engineer."

This Staff Report contains the required recommendation for mitigation for the Hearing Examiner and City Council. Additionally, accompanying this Staff Report labeled as **Exhibit 6** is the Transportation Concurrency Review for this project that contains the analysis and findings this Staff Report is based on.

- MVMC 14.10.150 states, "A determination of concurrency shall be granted if any one of the following criteria is fulfilled:
 - Improvements and infrastructure required to provide the necessary LOS in conformance with the requirements of this chapter are in place or are identified in the city's six-year capital facilities plan as being fully funded;
 - The preliminary development approval is conditioned on the necessary facilities being in place prior to the final approval of the development;
 - The necessary facilities and services are guaranteed to be in place when the development impacts occur by a bonded and enforceable development order; provided, that bonding is recommended by the city engineer and approved by the city council in accordance with applicable ordinances."

Exhibit 7 to this staff report is a copy of portions of the City's currently adopted Capital Improvement Plan (CIP) that identifies improvements to the Kincaid Street Corridor, identified as CIP project T-19-04, described as, "Improvements may include traffic signal, roundabout, and or turn lanes within the Kincaid St corridor. Rechannelization and three different intersection improvements along Kincaid at 3rd Street and the on/off ramps on both sides of I-5." The justification for this project within the CIP is to, "Improve Kincaid Street to accommodate increased traffic volumes within the corridor, reduce accidents, provide economic stimulus to downtown, improve access to property south of Kincaid, and pedestrian access to downtown."

E. STAFF RECOMMENDATION

With compliance of the below listed conditions, staff can recommend **APPROVAL** of the Transportation Concurrency for, **File No. PLAN19-0092**:

STAFF'S RECOMMENDED CONDITIONS OF APPROVAL:

1. Prior to the first occupancy certificate being issued for any new structures on the project site the Applicant shall construct a public road to serve the project site consisting of the following: 35-foot paved width, 0.5-foot concrete curbs, a six-foot planter strip on one side of the road, and a five-foot wide concrete sidewalk on one side of the road as shown on the road cross-section found in **Exhibit 8**. Following City inspections and approval of this roadway the Applicant shall deed the right-of-way to the City and shall provide a one-year financial security to guarantee the road, and all associated civil improvements within the improved right-of-way.
2. The Applicant construct an 8-foot wide public trail within a 10-foot wide tract along the west boundary of the site as shown on the applicant's site plans contained in **Exhibit 3** and on the trail cross-section found in **Exhibit 9**. Following City inspections and approval of this trail the Applicant shall deed the 10-foot wide trail tract to the City and shall provide a one-year financial security to guarantee the trail improvements.

STAFF SIGNATURE:



Alan Danforth, Engineering Manager

June 15, 2019

Date

F. NOTES TO THE APPLICANT AND PARTIES OF RECORD

1. This transportation concurrency permit requires 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.
2. The written recommendation for this project will be issued by the Hearing Examiner within 10 days after the date the record closes unless this timeframe is extended per MVMC 14.05.110(H)(2).
3. 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>.