DATE: December 4, 2018

TO: Planning Commission

FROM: Rebecca Lowell, Development Services

SUBJECT: PUBLIC HEARING 2018 SITE SPECIFIC COMPREHENSIVE PLAN AMENDMENTS

INTRODUCTION/BACKGROUND:

The Growth Management Act (GMA) prescribes the timing and process by which Comprehensive Plan amendments can be considered by jurisdictions subject to the act by requiring *"Each county and city…establish…procedures and schedules whereby updates, proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county or city* ***no more frequently than once every year****…"* [36.70A.130(2)(a)].

The requirement to amend City plans/documents no more frequently than once every year is unique to this type of GMA process. One of the main reasons this provision of State law was put in place to ensure that jurisdictions were taking cumulative effects into account when amending their Comprehensive Plans. The Act states, *"…all proposals shall be considered by the governing body* ***concurrently*** *so the* ***cumulative effect*** *of the various proposals can be ascertained"* [36.70A.130(2)(b)].

Following is a brief description of the three (3) Comprehensive Plan amendments processed in 2018 by the Department:

1. **MV28 LLC; City File No: PL18-032**, the existing Comprehensive Plan designation of the subject site is General Commercial (GC). The applicant, MV28 LLC, has requested this designations be changed to a Comprehensive Plan designation of Public (P). The proposed property is located at 1717 Freeway Drive. It is identified by the Skagit County Assessor as parcel numbers P26279 and P26054 and is located within a portion of the Southwest ¼ of the Northeast ¼ of Section 18, Township 34 north, Range 4 East, W.M.
2. **Barnet; City File No: PL18-034**, this proposal is to amend the Comprehensive Plan designation from Single Family High Density (SF-HI) to General Commercial (GC). The proposal is located within Mount Vernon's unincorporated Urban Growth Area. The redesignation is required before the property can be annexed into the City. The proposal is addressed as 18370 Cascade Street, is identified by the Skagit County Assessor as parcel P102004 and is located within a portion of Section 19, Township 34 North, Range 04 East, W.M.
3. **Corner 9 Properties LLC, PL18-035**, this proposal is to amend the Comprehensive Plan designation from Single-Family Medium Density (SF-MED) to Multi-Family Low Density (MF-LO). The proposal is located on Fraser Avenue near the intersection of Blackburn Road and South La Venture Road. It is identified by the Skagit County Assessor as parcel P131991 and is located within a portion of Section 28, Township 34 North, Range 04 East, W.M

Please see the accompanying staff report for additional details and information with regard to each of the above-listed applications.

RECOMMENDATION:

City Council hold the required public hearings and make decisions on each of the 2017 Comprehensive Plan amendment applications.

EXHIBITS:

- Draft Ordinance
- Ordinance 3736 (provided because it contains the Commission's recommendation in 2017 for the MV28, LLC application
- Staff Report with its associated Exhibits

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON AMENDING THE CITY'S COMPREHENSIVE PLAN MAPPING IN ACCORDANCE WITH AND PURSUANT TO THE GROWTH MANAGEMENT ACT (GMA) 36.70A RCW

WHEREAS, the GMA requires that the City's Comprehensive Plan and development regulations be subject to continuing review and evaluation; and

WHEREAS, the City has adopted procedures pursuant to the GMA providing for amendments to the Comprehensive Plan no more than once each year and providing for comprehensive review of the cumulative impacts of all proposed amendments; and

WHEREAS, rezones will be processed following the subject Comprehensive Plan amendments outlined within this Ordinance to provide consistency in compliance with Chapter 17.111 of the Mount Vernon Municipal Code; and

WHEREAS, all procedural requirements provided in Chapters 14.05, 15.06, and 17.111 of the Mount Vernon Municipal Code for reclassification of property within the City Limits have been met; and

WHEREAS, the Planning Commission, after fully, fairly and carefully considering the public input and staff materials relevant to the amendments, forwarded to the Council its recommendations; and

WHEREAS, the Mount Vernon City Council has reviewed the proposed mapping revisions to the Comprehensive Plan contained in **SECTION 4** and the recommendations, findings of fact and conclusion of law forwarded to the Council by the Planning Commission; and

NOW, THEREFORE, THE CITY COUNCIL OF MOUNT VERNON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby adopts the above listed recitals as set forth fully herein.

SECTION 2. The City Council adopts the following Planning Commission's recommendations, findings of fact and conclusions of law as follows:

A. RECOMMENDATIONS FOR APPROVAL:

The Planning Commission recommended to the City Council approval of the following applications: (to be amended, as necessary, following public hearings)

1. MV28 LLC; City File No: PL18-032

2. Barnet; City File No: PL18-034

3. Corner 9 Properties LLC, PL18-035

B. FINDINGS OF FACT:

1. On December 4, 2018 the City of Mount Vernon Planning Commission held an open-record public hearing to consider amendments to the Comprehensive Plan. All persons present at the hearings wishing to speak were heard and all written comments were considered, along with the written staff report with its associated exhibits.

2. The Planning Commission's hearing was originally scheduled to be held on November 20, 2018; however, due to lack of a quorum this hearing was rescheduled to December 4, 2018. The November 20, 2018 hearing was preceded with appropriate notice, issued on November 5, 2018, distributed via mail/email on November 5, 2018, and published on November 5, 2018.

3. The Planning Commission's public hearing re-scheduled on December 4, 2018 was preceded with appropriate notice, issued on November 20, 2018, distributed via mail/email on November 20, 2018, prominently placed on the front door of the Police and Court Campus on November 20, 2018 providing notice of the new date; and published on November 23, 2018.

4. Notice of adoption of the proposed amendments has been duly transmitted in compliance with RCW 36.70A.106 (1).

5. A Final SEPA threshold Determination of Non-Significance for the Comprehensive Plan Amendments PL18-034 and Pl18-035 was issued on November 5, 2018, published on November 5, 2018, and was also mailed to property owners within 300 feet of the site on November 5, 2018. The comment period (for the Notice of Application/ Proposed DNS) expired on November 2, 2018. A 10-day appeal period ends on November 15, 2018.

6. A SEPA threshold Determination of Non-Significance for the MV28, LLC application was issued on November 16, 2017, published on November 20, 2017, and was also mailed to property owners within 300 feet of the site on November 20, 2017. The comment period expired on November 30, 2017. A 10-day appeal period ended on December 11, 2017.

C. CONCLUSIONS OF LAW:

1. The requirements for public participation in the development of this amendment as required by the State Growth Management Act (GMA) and by the provisions of City of Mount Vernon Resolution No. 491 have all been met.

2. The proposed amendments are found to be in compliance with the State Growth Management Act.

3. The Mount Vernon Comprehensive Plan has consistently been maintained in compliance with the Growth Management Act as amended since the initial adoption in 1995.

4. The City utilized the State Attorney General Advisory Memorandum: "Avoiding Unconstitutional Takings of Private Property" for evaluating constitutional issues, in conjunction with and to inform its review of the proposed amendments. The City has utilized the process, a process protected under Attorney-Client privilege pursuant to law including RCW 36.70A.370(4), with the City Attorney's Office, which has reviewed the Advisory Memorandum, has discussed this Memorandum, including the "warning signals' identified in the Memorandum, with decisions makers, and conducted an evaluation of all constitutional provisions potentially at issue and advised of the genuine legal risks, if any, with the adoption of the amendments to assure that the proposed regulatory or administrative actions did not result in an unconstitutional taking of private property, consistent with RCW 36.70A.370(2).

5. Chapter 36.70A RCW, the Growth Management Act (GMA) mandates that the City of Mount Vernon develop a Comprehensive Plan, which is a generalized, coordinated land use policy statement of the City.

6. The GMA requires plans and development regulations to be consistent; and also requires comprehensive plans to be both internally and externally consistent.

SECTION 3. The City Council also adopts further Findings of Fact as follows.

1. On December 12, 2018 the City Council held a public hearing to consider amendments to the Comprehensive Plan. At this hearing Council took testimony from those in attendance, reviewed the written materials provided by City staff, and listened to staff analysis respective to the applications before Council.

2. The City Council's hearing on December 12, 2018 was preceded with appropriate notice, issued on November 5, 2018, distributed via mail/email on November 5, 2018, and published on November 5, 2018 and November 23, 2018.

SECTION 4. The below described properties shall have their Comprehensive Plan designations changed as indicated. Attached to this ordinance labeled as **Exhibit B** that is hereby incorporated into this Ordinance with this reference are the legal descriptions and illustrative exhibit maps for each of the four site specific Comprehensive Plan amendments. (will be amended, as necessary following public hearings)

1. **MV28 LLC; City File No: PL18-032,** the existing Comprehensive Plan designation of the subject site is General Commercial (GC). The applicant, MV28 LLC, has requested this designations be changed to a Comprehensive Plan designation of Public (P). The proposed property is located at 1717 Freeway Drive. It is identified by the Skagit County Assessor as parcel numbers P26279 and P26054 and is located within a portion of the Southwest ¼ of the Northeast ¼ of Section 18, Township 34 north, Range 4 East, W.M.

2. **Barnet; City File No: PL18-034,** this proposal is to amend the Comprehensive Plan designation from Single Family High Density (SF-HI) to General Commercial (GC). The proposal is located within Mount Vernon's unincorporated Urban Growth Area. The redesignation is required before the property can be annexed into the City. The proposal is addressed as 18370 Cascade Street, is identified by the Skagit County Assessor as parcel P102004 and is located within a portion of Section 19, Township 34 North, Range 04 East, W.M.

3. **Corner 9 Properties LLC, PL18-035,** this proposal is to amend the Comprehensive Plan designation from Single-Family Medium Density (SF-MED) to Multi-Family Low Density (MF-LO). The proposal is located on Fraser Avenue near the intersection of Blackburn Road and South La Venture Road. It is identified by the Skagit County Assessor as parcel P131991 and is located within a portion of Section 28, Township 34 North, Range 04 East, W.M

SECTION 5. City staff is hereby directed to complete preparation of the final ordinance, including correction of any typographical or editorial edits.

SECTION 6. In the event any term or condition of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions, or applications of this ordinance which can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this ordinance are declared severable.

SECTION 7. The Comprehensive Plan designation changes approved within this Ordinance shall be effective only after the City approves site specific rezone applications associated with each of the subject properties described herein. As such, consistent with law, this Ordinance shall be in full force five days after passage and publication following the effective date of the site-specific rezone applications associated with each of the properties described in this Ordinance that are anticipated to be approved by the City in 2019.

PASSED AND ADOPTED this 12th day of December, 2018

SIGNED AND APPROVED THIS _____ day of _____, 2018

_____
DOUG VOLESKY, Finance Director

_____
JILL BOUDREAU, Mayor

Approved as to form:

_____
KEVIN ROGERSON, City Attorney

Published_____

EXHIBIT A

(will be inserted following public hearings)

EXHIBIT B
(LEGAL DESCRIPTIONS AND ILLUSTRATIVE MAPS)

(will be inserted following public hearings)

ORDINANCE NO. 3736

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON AMENDING THE CITY'S COMPREHENSIVE PLAN MAPPING IN ACCORDANCE WITH AND PURSUANT TO THE GROWTH MANAGEMENT ACT (GMA) 36.70A RCW AND REZONING CERTAIN AREAS IN ACCORDANCE WITH AND PURSUANT TO CHAPTER 17.111 OF THE MOUNT VERNON MUNICIPAL CODE

WHEREAS, the GMA requires that the City's Comprehensive Plan and development regulations be subject to continuing review and evaluation; and

WHEREAS, the City has adopted procedures pursuant to the GMA providing for amendments to the Comprehensive Plan no more than once each year and providing for comprehensive review of the cumulative impacts of all proposed amendments; and

WHEREAS, concurrent rezones were processed with the Comprehensive Plan amendments outlined within this Ordinance to provide consistency in compliance with Chapter 17.111 of the Mount Vernon Municipal Code; and

WHEREAS, all procedural requirements provided in Chapters 14.05, 15.06, and 17.111 of the Mount Vernon Municipal Code for reclassification of property within the City Limits have been met; and

WHEREAS, the Planning Commission, after fully, fairly and carefully considering the public input and staff materials relevant to the amendments, forwarded to the Council its recommendations; and

WHEREAS, the Mount Vernon City Council has reviewed the proposed mapping revisions to the Comprehensive Plan and associated rezones contained in **SECTION 4** and the recommendations, findings of fact and conclusion of law forwarded to the Council by the Planning Commission; and

NOW, THEREFORE, THE CITY COUNCIL OF MOUNT VERNON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby adopts the above listed recitals as set forth fully herein.

SECTION 2. The City Council adopts the following Planning Commission's recommendations, findings of fact and conclusions of law as follows:

A. RECOMMENDATIONS FOR APPROVAL:

The Planning Commission recommended to the City Council approval of the following applications: PL15-124 for Summersun, PL16-009 for St. Luke's Lutheran Church, PL16-011 for Thurman, and PL17-011 for Madison Elementary School.

B. FINDINGS OF FACT:

1. On December 5, 2017 the City of Mount Vernon Planning Commission held an open-record public hearing to consider amendments to the Comprehensive Plan. All persons present at the hearings wishing to speak were heard and all written comments were considered, along with the written staff report with its associated exhibits.

2. The hearing on December 5, 2017, was preceded with appropriate notice, issued on November 16, 2017, distributed via mail/email on November 17, 2017, and published on November 20, 2017.

3. Notice of adoption of the proposed amendments has been duly transmitted in compliance with RCW 36.70A.106 (1).

4. A SEPA threshold Determination of Non-Significance for the Comprehensive Plan Amendments was issued on November 16, 2017, published on November 20, 2017, and was also mailed to property owners within 300 feet of the site on November 20, 2017. The comment period expired on November 30, 2017. A 10-day appeal period ended on December 11, 2017.

C. CONCLUSIONS OF LAW:

1. The requirements for public participation in the development of this amendment as required by the State Growth Management Act (GMA) and by the provisions of City of Mount Vernon Resolution No. 491 have all been met.

2. The proposed amendments are found to be in compliance with the State Growth Management Act.

3. The Mount Vernon Comprehensive Plan has consistently been maintained in compliance with the Growth Management Act as amended since the initial adoption in 1995.

4. The City utilized the State Attorney General Advisory Memorandum: "Avoiding Unconstitutional Takings of Private Property" for evaluating constitutional issues, in conjunction with and to inform its review of the proposed amendments. The City has utilized the process, a process protected under Attorney-Client privilege pursuant to law including RCW 36.70A.370(4), with the City Attorney's Office, which has reviewed the Advisory Memorandum, has discussed this Memorandum, including the "warning signals' identified in the Memorandum, with decisions makers, and conducted an evaluation of all constitutional provisions potentially at issue and advised of the genuine legal risks, if any, with the adoption of the amendments to assure that the proposed regulatory or administrative actions did not result in an unconstitutional taking of private property, consistent with RCW 36.70A.370(2).

5. Chapter 36.70A RCW, the Growth Management Act (GMA) mandates that the City of Mount Vernon develop a Comprehensive Plan, which is a generalized, coordinated land use policy statement of the City.

6. The GMA requires that the Comprehensive Plan and development regulations be subject to continuing review and evaluation.

7. The GMA requires plans and development regulations to be consistent; and also requires comprehensive plans to be both internally and externally consistent.

SECTION 3. The City Council also adopts further Findings of Fact as follows.

1. On December 13, 2017 the City Council held a public hearing to consider amendments to the Comprehensive Plan. At this hearing Council took testimony from those in attendance, reviewed the written materials provided by City staff, and listened to staff analysis respective to the applications before Council.

2. The City Council's hearing on December 13, 2017, was preceded with appropriate notice, issued on November 16, 2017, distributed via mail/email on November 17, 2017, and published on November 20, 2017.

3. At their public hearing on December 5, 2017 the Planning Commission made a motion that passed with one dissenting vote to deny application PL17-012 for MV28-LLC. Following the Planning Commission's public hearing on December 5, 2017 the authorized agent for file PL17-012, MV28, LLC contacted City staff and requested this application be withdrawn. Accompanying this Ordinance labeled as **Exhibit A** that is hereby incorporated into this Ordinance with this reference is a copy of the meeting minutes for this Planning Commission hearing, the email that was sent to City staff requesting this application be withdrawn, and the documents showing that the applicant's representative was given authority by the property owner to make requests such as withdrawing the application.

SECTION 4. The below described properties shall have their Comprehensive Plan and zoning designations changed as indicated. Attached to this ordinance labeled as **Exhibit B** that is hereby incorporated into this Ordinance with this reference are the legal descriptions and illustrative exhibit maps for each of the four site specific Comprehensive Plan amendments with associated rezones listed below.

1. **Summersun, City File No: PL15-124,** the existing Comprehensive Plan designation of the subject site is Agricultural (AG) with associated zoning of Residential Agricultural (R-A). These designations shall be changed to a Comprehensive Plan designation of Medium High Density Multi Family (MF-MH) with associated zoning of Multi Family Residential (R-4).

This site is located at 4100 College Way, is identified by the Skagit County Assessor as parcel numbers P24832 and P113507 and is located within a portion of the Southwest ¼ of the Northeast ¼ of Section 15, Township 34 north, Range 4 East, W.M.

2. **St. Luke's Lutheran Church, City File No: PL16-009,** the existing Comprehensive Plan designation of the subject site is Medium Density Single Family (SF-MED) with associated zoning of Residential Agricultural (R-1,7.0). These designations shall be changed to a Comprehensive Plan designation of Churches (CH) with associated zoning of Public (P).

   These properties have not yet been addressed but is identified by the Skagit County Assessor as parcel numbers P113150 and P113153 and is located within a portion of the Northwest ¼ of the Southeast ¼ of Section 29, Township 34 north, Range 4 East, W.M.

3. **Thurman, City File No: PL16-011**, the existing Comprehensive Plan designation of the subject site is Low Density Multi Family (MF-LO) with associated zoning of Two Family Residential (R-2). These designations shall be changed to a Comprehensive Plan designation of Medium High Density Multi Family (MF-MH)) with associated zoning of Multi Family Residential District (R-3).

   This property is located at 2210 N LaVenture Road. It is identified by the Skagit County Assessor as parcel numbers P25029 and P25030 and is located within a portion of the Northwest ¼ of the Northwest ¼ of Section 16, Township 34 north, Range 4 East, W.M.

4. **Madison Elementary School, MVSD #320, City File No: PL17-011,** the existing Comprehensive Plan designation of the subject site is Single Family High Density (SF-HI) with associated zoning of Single Family Residential (R-1 7.0). These designations shall be changed to a Comprehensive Plan designation of School (SCH) with associated zoning of Public (P).

   This property is located at 1200 9th Street. It is identified by the Skagit County Assessor as parcel number P113446 and is located within a portion of the Northwest ¼ of the Northwest ¼ of Section 16, Township 34 north, Range 4 East, W.M.

SECTION 5. City staff is hereby directed to complete preparation of the final ordinance, including correction of any typographical or editorial edits.

SECTION 6. In the event any term or condition of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions, or applications of this ordinance which can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this ordinance are declared severable.

SECTION 7. This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five days after passage and publication as provided by law.

PASSED AND ADOPTED this 13th day of December, 2017

SIGNED AND APPROVED THIS 21ST day of December, 2017

Doug Volesky

DOUG VOLESKY, Finance Director

JILL BOUDREAU, Mayor

Approved as to form:

KEVIN ROGERSON, City Attorney

Published_____

EXHIBIT A

DRAFT MEETING MINUTES

City of Mount Vernon
Planning Commission Meeting
Minutes from December 5, 2017

Chairperson Shelley Acero called the meeting to order. Present were Planning Commission members Christian Carlson, Adair Orr, Richard Brocksmith, Chris Bollinger, Development Services Director Chris Phillips and Planning Manager Rebecca Lowell. Planning Commission member Al Lyon was absent.

The consulting firm Collins Woerman assisting the City with the re-development of downtown provided a briefing on the work they have performed during the last year. The firm identified downtown properties suitable for re-development, held listening sessions, and developed an implementation strategy. A final report is due this month.

Mr. Carlson stated he is under-whelmed with the briefing provided to the Planning Commission at this meeting. Mr. Carlson elaborated by stating he expected the consultant group to present work products beyond what they presented during their initial interview that he was part of. Mr. Brocksmith feels it is a missed opportunity for the community, and looks forward to reviewing their final report.
Mr. Bollinger concurrent with Mr. Carlson and Mr. Brocksmith.

Minutes:
Mr. Bollinger moved, second by Mr. Carlson, to approve the minutes from November 21, 2017 as presented. Motion carried.

Public Hearing on Site Specific Comprehensive Plan Amendments/Rezones:
Mrs. Acero administered instructions and an oath to the audience regarding public hearings. Mrs. Lowell then presented the first of five site specific Comprehensive Plan requests with associated rezones.

PL15-124 Summersun Greenhouse Company, 4100 E. College Way. The applicant is requesting a Comprehensive Plan designation from Agricultural (AG) and associated zoning of Residential Agriculture (R-A) to Medium High Density Multi Family with an associated re-zone of Multi Family Residential (R-4). Staff recommends approval of this application.

Mrs. Acero opened the hearing for public comment.

Bruce Lisser, Mount Vernon, agent for the applicant, spoke in favor of the request to amend the comprehensive plan to multi-family.

Melanie Corey, Housing Authority, Burlington, spoke in favor of the designation request to multi-family.

Sister Susan Wells, Mount Vernon, spoke in favor for the designation to multi-family.

There being no further comment the hearing closed. Mr. Bollinger moved, second by Mr. Carlson to recommend to City Council approval of the Summersun Greenhouse, PL15-124, request to a Comprehensive Plan designation of Medium High Density Multi Family, and rezone to Multi Family Residential (R-4). Motion carried.

St. Luke's Lutheran Church, PL16-009, 15th Street, south of 15th Street and Blackburn Road. The applicant is requesting a Comprehensive Plan designation from Medium Density Single Family (SF MED) and associated zoning of Residential Agriculture (R-1, 7.0) to Churches (CH) with an associated re-zone of Public (P). Staff recommends approval of this application.

Mrs. Acero opened the hearing for public comment.

Jerold Dalke, Pastor, St. Luke's Lutheran Church, stated re-zoning of this parcel would allow the church to expand. A nursery/child center is planned in the future.

The hearing was opened for comments but none were received and the hearing was closed.

Mr. Bollinger moved, second by Mr. Orr, to recommend to City Council approval of St. Luke's Lutheran Church Comprehensive Plan amendment/re-zone request to Churches (CH) with an associated re-zone of Public (P). Motion carried.

Richard and Deborah Thurman, PL16-011, 2210 N. LaVenture Road. The applicant is requesting a Comprehensive Plan amendment designation from Low Density Multi Family (MF-LO) with associated zoning of Two Family Residential (R-2) to Comprehensive Plan designation of High Density Multi Family (MF-MH)) with associated zoning of Multi Family Residential District (R-3). Staff recommends approval of this request.

Mrs. Acero opened the hearing for public comment.

Dan Mitzel, Mount Vernon, spoke in favor of the request for the Comprehensive Plan amendment to multi-family and re-zone to R-3, multi-family.

There were no other comments and the hearing was closed. Mr. Brocksmith moved, second by Mr. Bollinger, to recommend to City Council approval of the Thurman's Comprehensive Plan amendment/re-zone request to High Density Multi Family Residential, (MF-MH), with associated zoning of Multi Family Residential, (R-3). Motion carried.

Mount Vernon School District, Madison School, 1200 N. 9th Street. The existing Comprehensive Plan designation of the subject site is Single Family High Density (SF-HI) with associated zoning of Single Family Residential (R-1 7.0). The applicant, Mount Vernon School District, has requested these designations be changed to a Comprehensive Plan designation of School (SCH) with associated zoning of Public (P). Staff recommends approval of this application.

Mrs. Acero opened the hearing for public comment.

Reid Shockey, consultant for Mount Vernon School District, spoke in support of the School District's request citing the need for a new school.

There being no other comments the hearing was closed.

Mr. Orr moved, second by Mr. Carlson, to recommend to City Council approval of the Mount Vernon School District's request to change the Comprehensive Plan designation from Single Family High Density

(SF-HI) and associated zoning of Single Family Residential (R-1, 7.0), to Comprehensive Plan designation of School (SCH) with associated zoning of Public (P). Motion carried.

MV28, LLC, PL17-012, 1717 Freeway Drive, the existing Comprehensive Plan designation of the site is General Commercial (GC) with associated zoning of General Commercial (C-2). The applicant, MV28 LLC, has requested these designations be changed to a Comprehensive Plan designation of Public (P) with associated zoning of Public (P). Staff did not make a recommendation on this application to the Planning Commission.

Mrs. Acero opened the hearing for public comment.

David Christianson, Mount Vernon, Representative for Applicant spoke in favor of the request citing advantages for the City and provided some detail on the development of a RV park.

Walt Meagher, Anacortes, spoke in favor of the request.

Mark Hollander, Bellingham, property owner adjacent to applicant, spoke in favor of the request.

Bruce Lisser, Mount Vernon, spoke in favor of the request.

Liz McNett Crowl, Mount Vernon, spoke in favor of expanding the trail next to the site.

Jim Taylor, Burlington, spoke in favor of expanding the trail next to the site.

There being no other comments the hearing closed.

After discussion amongst the Commission several questions were asked and answered by City staff regarding future sanitary sewer facilities that would be required once this site was developed, a future trail connection along the west side of the site and the conditional use permit process.

Mr. Bollinger moved, second by Mr. Carlson, to recommend to City Council denial of the MV28 LLC Comprehensive Plan amendment/re-zone request to Public/Public with the below listed findings of fact and conclusions of law. Motion carried with Mr. Brocksmith providing a dissenting vote.

Findings of Fact/Conclusions of Law Incorporated into the Planning Commission's motion on this agenda item:

1. Large RVs traveling to/from/through the site will cause negative impacts to the area.
2. There would negative impacts because the proposal will result in an increase in pollution, in particular carbon pollution.
3. There would be negative impacts to the existing roadways with the proposal.
4. There would be negative floodplain impacts with the proposal.
5. The integrity of the surrounding C-2 zone would be compromised with the proposal.

Public Hearing on Transportation Element Updates/Amendments:
Mrs. Lowell provided a summary of the existing and proposed Transportation Elements. Of note is the addition of the new policies regarding Complete Streets. Following a discussion between staff and Planning Commission members, the hearing opened for public comment. Staff made a recommendation to approve this application to the Planning Commission.

Mrs. Acero opened the hearing for public comment.

Liz McNett Crowl, Mount Vernon, spoke in favor of the Complete Streets policies and supports the plan.

There being no other comments the hearing closed.

Mr. Carlson moved, second by Mr. Brocksmith, to recommend approval to City Council the Transportation Element Updates and Amendments. Motion carried.

There being no further business, Mr. Orr moved, second by Mr. Bollinger, to adjourn.

From: David Christensen <cdm@masterplanning.com>
Sent: Thursday, December 07, 2017 12:48 PM
To: Lowell, Rebecca
Cc: Marianne Manville-Ailles; David Christensen
Subject: Re: PL17-012 MV28 LLC Rezone application withdrawal

Rebecca,

Thank you for the clarification. The owner still wants to withdraw the application at this point, so go ahead and process.

Dave

David E. Christensen AIA, LEED *AP*
Architect and Planner
CDM
Christensen Design Management
P.O. Box 5068,1108 11th Street, Suite 304B
Bellingham, WA 98225
Office: 360-676-4800
Cel: 360-319-5333
cdm@masterplanning.com
http://www.masterplanning.com/

On Thu, Dec 7, 2017 at 12:04 PM, Lowell, Rebecca <rebeccab@mountvernonwa.gov> wrote:

> David:
>
> Before I process this request I want to make one clarification for you:
>
> 1. The City cannot process a Development Agreement to authorize a site use that is inconsistent with the property's underlying zoning. Stated another way, you cannot withdraw this application and then ask the City to process a development agreement to allow this C-2 site to be used as a RV park.
>
> Thank you,
>
> Rebecca Bradley-Lowell
>
> Senior Planner
>
> City of Mount Vernon

Development Services Department

910 Cleveland Ave / P.O. Box 809

Mount Vernon, WA 98273

360.336.6214

From: David Christensen [mailto:cdm@masterplanning.com]
Sent: Thursday, December 07, 2017 9:09 AM
To: Lowell, Rebecca <rebeccab@mountvernonwa.gov>; Marianne Manville-Ailles <mma@sseconsultants.com>
Cc: David Christensen <cdm@masterplanning.com>
Subject: PL17-012 MV28 LLC Rezone application withdrawal

Rebecca and Marianne,

The owner wants to withdraw this rezone, PL17-012 application, immediately.

Please reply and acknowledge receipt of this notification, and that this email is adequate notification.

Thanks.

Agent for Tim White/MV28 LLC,

David E. Christensen AIA, LEED *AP*
Architect and Planner
CDM
Christensen Design Management
P.O. Box 5068,1108 11th Street, Suite 304B
Bellingham, WA 98225
Office: 360-676-4800
Cel: 360-319-5333
cdm@masterplanning.com
http://www.masterplanning.com/

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17-012

RECEIVED
CITY OF MOUNT VERNON
JAN 26 2017
C.E.D. DEPARTMENT
BY_____

City of MOUNT VERNON

MASTER LAND USE APPLICATION FORM

FILE NUMBER: PL17-012

PROPERTY OWNER(S): (If there is more than one legal owner, please attach an additional notarized Master Application for each owner)
NAME: MV28 LLC
ADDRESS: 12708 Leatherwood Lane
CITY/STATE: Bow/WA ZIP: 98232
TELEPHONE NUMBER and EMAIL ADDRESS: 360-757-7806
APPLICANT (if other than owner):
NAME: David E. Christensen AIA
COMPANY: (If applicable) Christensen Design Management
ADDRESS: P.O. Box 5068
CITY/STATE: Bellingham / WA ZIP: 98227
TELEPHONE NUMBER and EMAIL ADDRESS: 360-676-4800, cdm@masterplanning.com
CONTACT (If this section is completed, correspondence will only be sent to this individual, if left blank, materials will only be sent to the property owner):
NAME: David E. Christensen AIA
ADDRESS: P.O. Box 5068
CITY/STATE: Bellingham / WA ZIP: 98227
TELEPHONE NUMBER and EMAIL ADDRESS: 360-676-4800 cdm@masterplanning.com

PROJECT INFORMATION
Project or development name: MV28
Property/project address(s)/location: Unassigned. Legal attached. A copy of the site legal description from either: 1) a recent title report, or 2)a description written and/or reviewed by a P.L.S., must be attached.
Skagit County Assessor's parcel number(s): P26279 and P26054
Existing land use(s): Unimproved, Temp Agriculture use.
Proposed land uses: Non Project Rezone from C-2 to P.
Existing Comprehensive Plan designation: General Commercial
Proposed Comprehensive Plan designation (if applicable) Public District (RV Resort Park CUP)
Existing Zoning designation: C-2
Proposed Zoning designation (if applicable): P (RV Park as a Cond. use)
Site Area (sq. ft. or acreage): 20.8 acres
Project value: N/A
Is the site located in any type of environmentally sensitive area? No.

Fee Calculations

Please note that CEDD staff uses this area to calculate the application fees for all submittals.

Annexation	$ _____
Binding Site Plan	$ _____
Boundary Line Adjustment	$ _____
Comprehensive Plan Amendment	$ _____
Conditional Use Permit, Administrative	$ _____
Conditional Use Permit	$ _____
Critical Area Permit	$ _____
Design Review	$ _____
Environmental Review (SEPA)	$ _____
Environmental Review with critical areas	$ _____
Fill and Grade Permit	$ _____
Landscape Modifications	$ _____
Major Modification	$ _____
Master Plan	$ _____
Non-Conforming	$ _____
Other Permit Write in Below:	$ _____

Plat, Preliminary	$ _____
Planned Unit Development	$ _____
Rezones	$ _____
Shoreline Permits:	
Conditional Use	$ _____
Substantial Development	$ _____
Variance	$ _____
Short Plat, Preliminary	$ _____
Site Plan Approval	$ _____
Special Use Permit	$ _____
Special Use Permit for ADU	$ _____
Temporary Use Permit	$ _____
Transportation Concurrency	$ _____
Variances, Administrative	$ _____
Variances	$ _____
Postage	$ _____
Land Use Signs:	$ _____

AFFIDAVIT OF OWNERSHIP

Only the property owner or an authorized representative may sign this form. If your title report lists a company, partnership or other owners you must submit evidence that you are authorized to sign on behalf of the entity or others that are listed. If you are an authorized representative you must provide a signed and notarized statement from the property owner(s) that you are authorized to sign on their behalf. Please attached additional signature sheets if there are more than one owner.

I, David E. Christensen, declare that I am (please check one) _____ the owner of the property involved in this application, _____ the authorized representative to act for the property owner (proof of authorization must be attached), and that the statements and answers herein contained and the infroamtion herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Applicant Signature [signature]

On this, the 25 day of JANUARY, 20 17 before me personally appeared David E. Christensen known to me to be the same person whose name is subscribed to the within instrument and acknowledged that he/she voluntarily executed the same for the purpose therein contained.

MARTIN E. LEHR
COMMISSION EXPIRES
NOTARY
PUBLIC
02-09-19
STATE OF WASHINGTON

IN WITNESS WHEREOF, I hereunto set my hand and official seal

[signature]

Notary Public in and for the State of Washington

Residing at La Conner

My Appointment Expires 2-9-19

17-012

RECEIVED
CITY OF MOUNT VERNON
JAN 26 2017
C.E D. DEPARTMENT
BY_____

PROOF OF AUTHORIZATION

January 25, 2017

David E. Christensen is an authorized representative to act on behalf of the property owner, for all documentation and submittals required for a "Comprehensive Plan Map & Text Amendment & Associated Rezone" for property known as MV28, Tax Parcels P26279 & P26054.

01/25/2017

Timothy White,
MV28 LLC, Governing Person

Date

EXHIBIT B
(LEGAL DESCRIPTIONS AND ILLUSTRATIVE MAPS)

EXHIBIT B – SUMMERSUN, LAND USE NUMBER: PL15-124

LEGAL DESCRIPTION:

Skagit County Assessor's Parcel Numbers P-24832 and P-113507

The South 616 feet of the following described property:

> The East 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 15, Township 34 North, Range 4 East, W.M.,
>
> EXCEPT that portion conveyed to the State of Washington for highway purposes, by deed dated May 29, 1986, and recorded under Auditor's File No. 8610010020, records of Skagit County, Washington.
>
> AND ALSO EXCEPT road right-of-way.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record

Situate in the City of Mount Vernon, County of Skagit, State of Washington

Containing 208,202 sq ft, 4.78 acres

EXHIBIT B – SUMMERSUN, LAND USE NUMBER: PL15-124

MAP – PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY

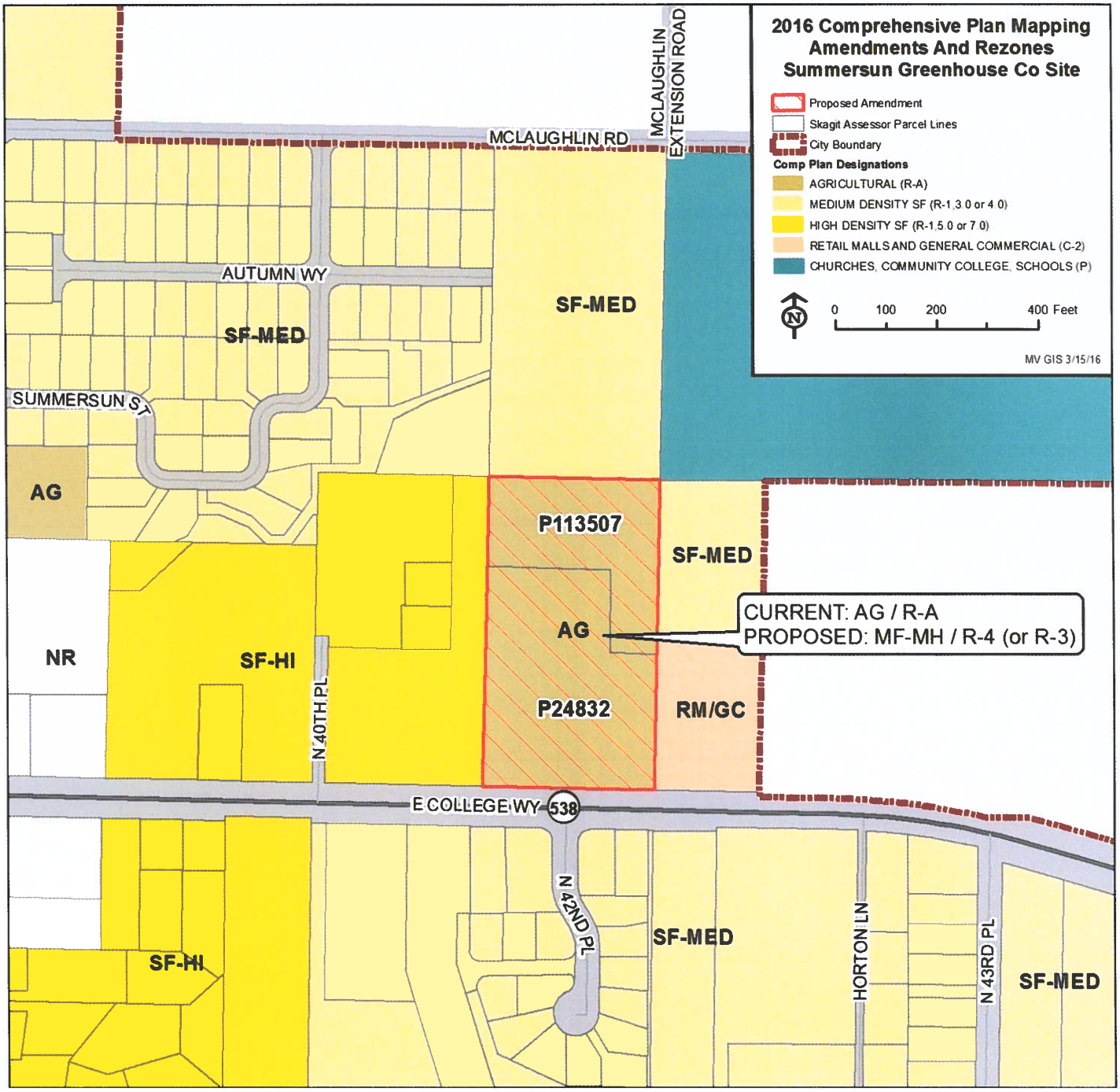


EXHIBIT B – ST. LUKE'S CHURCH, LAND USE NUMBER: PL16-009

LEGAL DESCRIPTION:

Parcel P113150:

Lot 1, "Plat of Blackburn Ridge" as per plat recorded in Volume 16 of Plats, pages 206 through 208, inclusive, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Parcel P113153:

Lot 4, "Plat of Blackburn Ridge" as per plat recorded under Auditor's File Number: 9801300134, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

EXHIBIT B – ST. LUKE'S CHURCH, LAND USE NUMBER: PL16-009

MAP – PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY

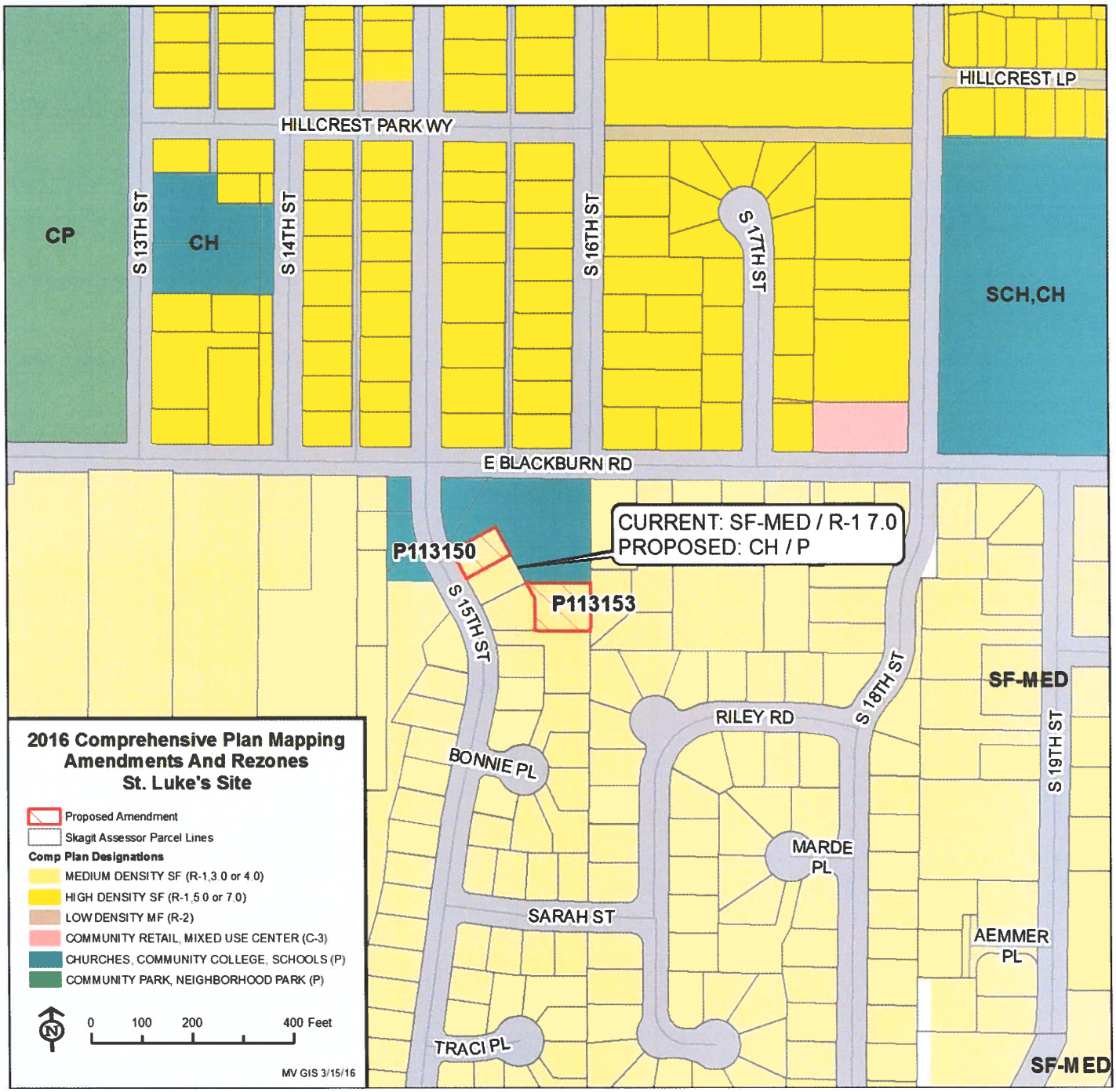


EXHIBIT B – THURMAN, LAND USE NUMBER: PL16-011

LEGAL DESCRIPTION:

Parcel "D" Land Title Subdivision Guarantee Order No. 136278-S
That portion of the Northwest 114 of the Northwest 1/4 of Section 16, Township 34 North, Range 4 East, W.M., described as follows:

BEGINNING at a point 330 feet North of the Southwest comer of the Northwest 1/4 of the Northwest ¼ ;
thence North 165 feet;
thence East to the East line of said subdivision;
thence South 165 feet;
thence West to the POINT OF BEGINNING,

EXCEPT that portion thereof lying within the boundaries of La Venture Road running along the West line thereof.

Parcel "E" Land Title Subdivision Guarantee Order No. 136278-S
That portion of the Northwest ¼ of the Northwest ¼ of Section 16, Township 34 North, Range 4 East, W.M., described as follows:

BEGINNING at a point 495 feet North of the Southwest comer of the Northwest 114 of the Northwest ¼ ;
thence East 200 feet to the POINT OF BEGINNING;
thence North 10 feet;
thence East 260 feet;
thence South 10 feet;
thence West 260 feet to the POINT OF BEGINNING.

EXCEPT from the above, the following described tract:

That portion of the Northwest ¼ of the Northwest ¼ of Section 16, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at the Southwest comer of said Northwest 1/4 of the Northwest ¼
thence North 0°0 l '5 l" West along the West line of said subdivision for a distance of 495.01 feet;
thence South 89°35'09" East parallel with the South line of said Northwest ¼ of the Northwest ¼ for a distance of 30.00 feet, more or less, to the Easterly right-of-way margin of La Venture Road, being the Northwest corner of that certain Parcel "A" conveyed to Richard and Deborah Thurman, husband and wife, by Statutory Warranty Deed recorded under Skagit County Auditor's File No. 9003 150088;
thence continue South 89°35'09" East along the North line of said Parcel "A" of the Thurman Tract for a distance of 869.50 feet, more or less, to the Southwest corner of Tract 4, City of Mount Vernon Short Plat No. MV-17-81, approved September 16, 1981, and recorded September 16, 1981 in Volume 5 of Short Plats, page 128 under Auditor's File No. 8109160029 and being the TRUE POINT OF BEGINNING;
thence continue South 89°35'09" East along the North line of said Thurman

Tract, also being the South line of said Tract 4, City of Mount Vernon Short Plat No. MV-17-81, for a distance of 413.49 feet, more or less, to the East line of said Northwest 1/4 of the Northwest 1/4, being the Northeast corner of said Thurman Tract and the Southeast comer of said Tract 4, City of Mount Vernon Short Plat No.MV-17-81;
thence South 0°04'45" West along the East line of said Northwest 1/4 of the Northwest 1/4, also being the East line of said Thurman Tract for a distance of 165.00 feet, to the Southeast comer of said Thurman Tract;
thence North 89°35'09" West along the South line of said Thurman Tract for a distance of 413.17 feet, more or less, to a point bearing South 0°01 '5 l" East from the TRUE POINT OF BEGINNING;
thence North 0°01'51" West parallel with the West line of said Northwest 1/4 of the Northwest 114 for a distance of 165.00 feet, more or less, to the TRUE POINT OF BEGINNING.

SUBJECT TO and TOGETHER WITH a non-exclusive mutually beneficial easement for ingress, egress and utilities over, under and across the West 50.00 feet (as measured perpendicular to the West line) of the above-described tract reserved by the grantor.

AND ALSO SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.
Situate in the City of Mount Vernon, County of Skagit, State of Washington.

EXHIBIT B – THURMAN, LAND USE NUMBER: PL16-011

MAP – PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY

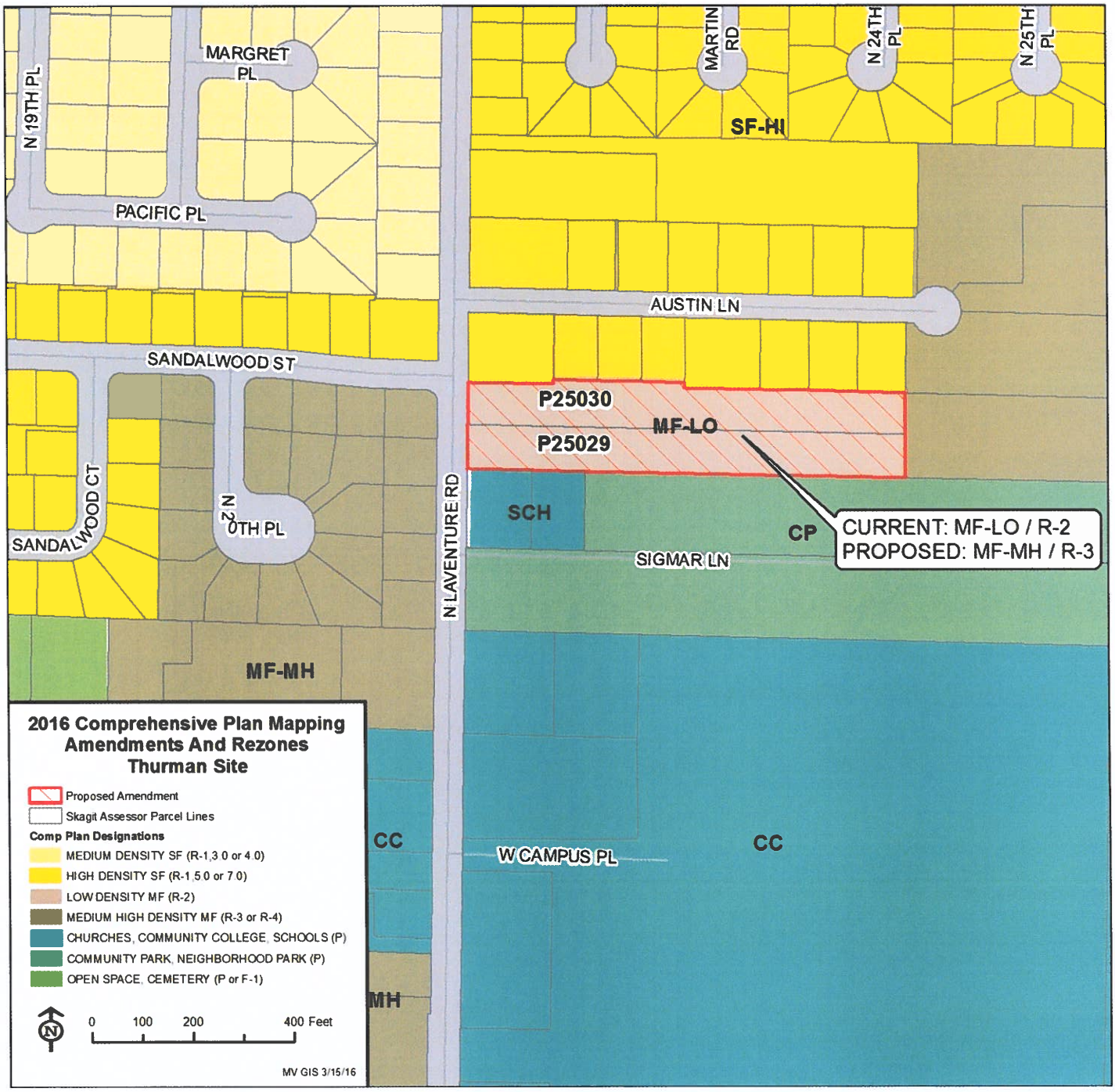
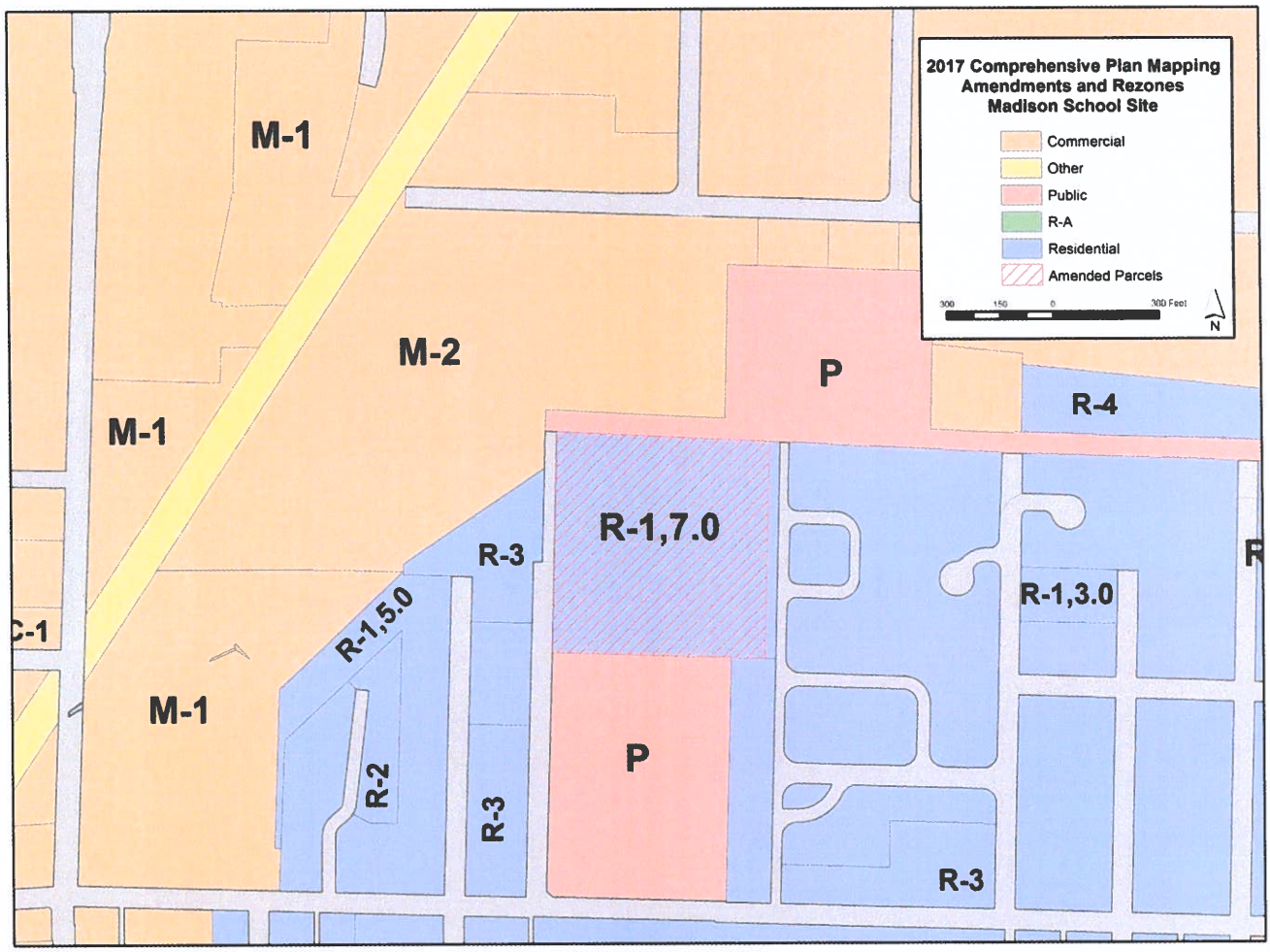


EXHIBIT B – MVSD, MADISON SCHOOL, LAND USE NUMBER: PL17-011

LEGAL DESCRIPTION:

Lot 2 of Short Plat No. MV-5-93, approved July 29, 1993, recorded on January 12, 1994, in Volume 11 of Short Plats, page 50, under Auditor's File No. 9401120063.

MAP – PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY



STAFF REPORT *for*
2018 COMPREHENSIVE PLAN AMENDMENTS

PUBLIC HEARING DATE:	November 20, 2018
APPLICATION NUMBERS & NAMES:	PL18-032 MV28 LLC; 2018 Comprehensive Plan Amendment Request;
	PL18-034 Barnet Comprehensive Plan Amendment;
	PL18-035 Corner 9 Properties LLC Comprehensive Plan Amendment
CITY CONTACT PERSON:	Rebecca Lowell
	Marianne Manville-Ailles; Planning Consultant

A. BACKGROUND

The Washington State Growth Management Act (GMA) mandates that the City of Mount Vernon have a Comprehensive Plan, which is a generalized, coordinated land use policy guidance document. The objectives and policies of the Mount Vernon Comprehensive Plan are based on the City's goals, Objectives, and Policies outlined within the Comprehensive Plan and as expressed through the City's Mission and Vision Statements.

The GMA mandates the following requirements, which have been adopted procedurally by the City:

- The Comprehensive Plan shall be subject to continuing review and evaluation;
- A process must be in place to allow citizens to propose Comprehensive Plan amendments;
- An analysis of the cumulative impacts of proposed amendments is required;
- The Comprehensive Plan must be internally and externally consistent; and,
- The Comprehensive Plan must be consistent with adopted development regulations.

The City of Mount Vernon provides a procedure whereby amendments to the City's Comprehensive Plan may be proposed by members of the community or by City of Mount Vernon staff on behalf of the City. By state law, non-emergency amendments may only occur once a year.

B. BASIS FOR ANALYSIS

This report is the analysis of the proposed 2018 Comprehensive Plan amendments for the site-specific requests. The purpose of this report is to:

- Prepare for a legislative review of the proposed site specific amendments and rezones;
- Assure consistency and conformance between the proposed amendments and the current Comprehensive Plan;
- Provide a basis for open record hearings before the Planning Commission; and,
- Provide background and analysis to the City Council for decision-making.

The proposed amendments are non-project actions; and as such, representatives of various departments have reviewed the application materials to identify and address *non-project* issues associated with the CPA requests.

Comprehensive Plan goals, objectives and policies are implemented by development regulations associated with zoning districts. As Comprehensive Plan amendments are proposed, the corresponding reclassification of land must meet certain criteria (MVMC 17.111.070, "Approval or denial of application – Standards") to receive a recommendation for approval. The following must be demonstrated:

1. Is the request compatible with the City's Comprehensive Plan and development goals?
2. Are public utilities, public facilities, and other services currently adequate to serve the proposed district?

If the amendments are approved, subsequent project proposals would be reviewed for compliance with relevant land use regulations.

C. EXHIBITS

1. Procedural Notices and Correspondence:

- **1a**. Docketing Resolution
- **1b.** Department of Commerce Acknowledgement
- **1c.** Notice of Application and SEPA Materials
- **1d.** Traffic Concurrency Review for the Site Specific Amendments

2. Project Narratives, Master Land Use Applications from Site Specific Applications

- **2a.** PL18-032 MV-28 LLC
- **2b.** PL18-034 Barnet
- **2c.** PL18-035Corner 9 Properties LLC

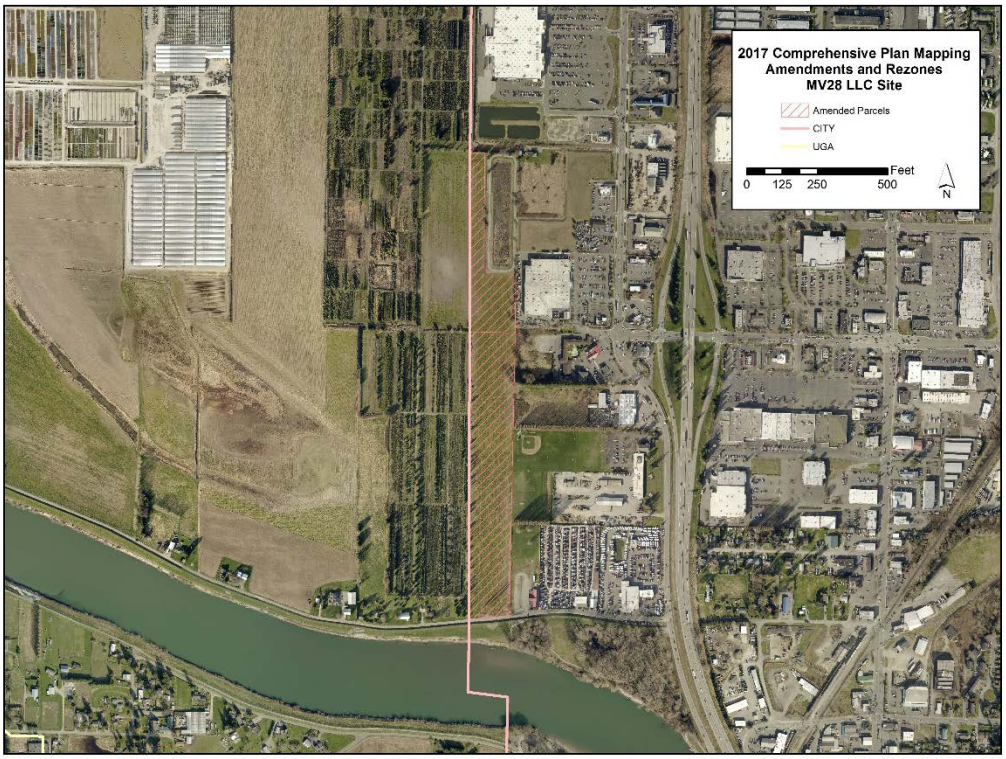
D. COMPREHENSIVE PLAN AMENDMENTS

1. APPLICATION NAME: **MV28 LLC; City File No: PL18-032**

PROJECT DESCRIPTION: The existing Comprehensive Plan designation of the subject site is General Commercial (GC). The applicant, MV28 LLC, has requested this designations be changed to a Comprehensive Plan designation of Public (P). The proposal is to redesignate property owned by the applicant to allow for development as an RV Resort.

PROJECT LOCATION: The proposed property is located at 1717 Freeway Drive. It is identified by the Skagit County Assessor as parcel numbers P26279 and P26054 and is located within a portion of the Southwest ¼ of the Northeast ¼ of Section 18, Township 34 north, Range 4 East, W.M.

APPLICANT/OWNER: MV28 LLC (Timothy White the Governor of the LLC) 12708 Leatherwood Lane, Bow, WA 98232; 360-757-7806



REVIEW CRITERIA:

1. Is the request compatible with the City's Comprehensive Plan and development goals?

In its current designation the applicant has argued that the property is inconsistent with the Comprehensive Plan and development regulations. It is located on the very edge of the City of Mount Vernon. It is a very long and narrow property within the floodplain. Developing the property for the typical commercial uses allowed in the current designation would be difficult. The owner has researched a number of options for development of the property and has determined that the most probable option for success is a RV Resort. While a comprehensive plan amendment and rezone does not guarantee that the applicant will follow through with the proposed RV Resort nor does it guarantee approval of the required Conditional Use Permit that would have to be obtained by the applicant, RV Resorts are only allowed in the Public designation; and as such, the redesignation is a necessary first step in the process.

The proposal is adjacent to properties with a mix of designations and uses. To the south of the property is publically designated property associated with the Riverwalk, Lions Park and the Skagit River. The PUD play fields are adjacent to the property on the east as well as a variety of more typical commercial uses. Skagit County farm land is located to the west of the property.

2. Are public utilities, public facilities, and other services currently adequate to serve the proposed district?

Urban services are currently available to the site; and could be extended by the applicant to serve new development.

COMMENTS RECEIVED?

No comment letters were received in response to the Notice of Application or SEPA determination.

2. APPLICATION NAME: **Barnet; City File No: PL18-034**

PROJECT DESCRIPTION: The proposal is to amend the Comprehensive Plan designation for this 1.07 acre parcel from Single Family High Density (SF-HI) to General Commercial (GC). The proposal is located within Mount Vernon's unincorporated Urban Growth Area. The redesignation is required before the property can be annexed into the City.

PROJECT LOCATION: The proposal is addressed as 18370 Cascade Street, is identified by the Skagit County Assessor as parcel P102004 and is located within a portion of Section 19, Township 34 North, Range 04 East, W.M. The proposal is located within Mount Vernon's unincorporated Urban Growth Area.

APPLICANT/OWNER: Doug Barnet; 19395 Conway Hill Road; Mount Vernon WA, 98274

REVIEW CRITERIA: **1. Is the request compatible with the City's Comprehensive Plan and development goals?**

The property is located in the City's UGA and for the applicant to develop the property annexation is required. The City's Comprehensive Plan Land Use Policies currently preclude annexation of residentially designated properties. The annexation process allows City Council to address any future proposal in more detail. In order to begin the annexation process the proposed designation is a necessary first step.

The proposal is adjacent to properties with the same designations and uses.

2. Are public utilities, public facilities, and other services currently adequate to serve the proposed district?

Urban services are currently available to the site; and could be extended by the applicant to serve new development.

COMMENTS RECEIVED? No comment letters were received in response to the Notice of Application or SEPA determination.

3. APPLICATION NAME: **PL18-035 Corner 9 Properties LLC Comprehensive Plan Amendment**

PROJECT DESCRIPTION: The proposal is to amend the Comprehensive Plan designation for this 0.85 acre parcel from Single-Family Medium Density (SF-MED) to Multi-Family Low Density (MF-LO).

PROJECT LOCATION: The proposal is located on Fraser Avenue near the intersection of Blackburn Road and South La Venture Road. It is identified by the Skagit County Assessor as parcel P131991 and is located within a portion of Section 28, Township 34 North, Range 04 East, W.M

APPLICANT/OWNER: Corner 9 Properties; 504 E Fairhaven; Burlington, WA 98233

REVIEW CRITERIA:

1. Is the request compatible with the City's Comprehensive Plan and development goals?

The site is located in an area with various zoning districts and is characterized by a variety of uses, such as schools, a church, and high density single family residential. The proposed low density attached housing would be compatible with the surrounding uses and the adjacent higher density single family detached PUD. It would be separated from other adjacent uses by existing natural features (i.e., Maddox Creek, dense vegetation along the west side of S. LaVenture Road) and built features (i.e., roads, storm water pond to north).

The request is compatible with the City's Comprehensive Plan and development goals, particularly the Land Use Element and Housing Element. The following are Goals, Objectives and Policies that are specific to and support the requested amendments:

"Goal LU-51: Enhance and improve the quality of multi-family living environments throughout the City that provide areas that offer a larger range of housing options in the form of multi-family units. "

"Housing Goal 1: Achieve a mix of housing styles in Mount Vernon that are appealing and affordable to a diversity of ages, incomes and cultural backgrounds."

Additional housing options will be available with approval of the requested amendments. The low density of the R-2 zoning will ensure that future development is compatible with various surrounding uses. While the site would no longer be designated on the City mapping as part of the Big Fir South PUD, it would be directly adjacent and connected via common open space tracts. Furthermore, the City Comprehensive Plan acknowledges that scattered multifamily use is appropriate within single family areas when located with a PUD. The amendment will allow the development of a multi-family infill project, thereby assisting in achieving a mix of housing styles.

"Objective LU-51-1 Ensure that development in the multi-family residential designations are designed to provide quality homes and neighborhoods for residents and to mitigate impacts to existing neighborhoods as new ones develop."

"Objective HO-1.1 In City plans and zoning regulations, accommodate a variety of housing types, attractive and compatible in design, and available to all economic segments of the community."

"Objective HO-1.2 Promote infill housing that is compatible with abutting housing styles and with the character of the existing neighborhood."

The City's zoning standards (e.g., building height) and design standards will ensure that the future multi-family development will be constructed with quality site and home design. The City's standards will ensure that the overall housing design is based on a consistent, compatible and aesthetic architecture. Amending the comprehensive plan to allow low density infill residential use vs. retail use, will ensure that additional housing options are available and will contribute to housing affordability.

"Policy LU-51.1.6 New multi-family residential projects should demonstrate provisions for an environment that contributes to a high quality of life for future residents, regardless of income level."

As a multi-family infill project subject to the City's design standards, the amendments will provide for additional housing options available to lower income levels.

"Policy HO-1.2.1 The City should encourage infill housing on vacant or underutilized parcels having adequate serves, and ensure that the infill development is compatible with surrounding neighborhoods."

The site is currently vacant and designated for retail use as part of the Big Fir South PUD. The applicant has indicated that due to various changes in the retail market, the viability of the site for retail use has been diminished and there has been no interest in the property for retail use. The site is underutilized, but has urban services and is served by transit. As a multi-family infill project subject to the City's design standards, the amendments will provide for high quality housing that is compatible with the surrounding neighborhood.

2. Are public utilities, public facilities, and other services currently adequate to serve the proposed district?

Urban services are currently available to the site; and could be extended by the applicant to serve new development.

COMMENTS RECEIVED? No comment letters were received in response to the Notice of Application or SEPA determination.

E. PROCESS

BENCHMARK:	DATE:	AUTHORITY:
City Council Docket 2018 Comprehensive Plan Amendments	Adopted: February 28, 2018 Signed: March 7, 2018	RCW 36.70A130 (1)(a) and (2)(a)
Department of Commerce Notification and Acknowledgement	July 5, 2018	RCW 36.70A.106 WAC 365-196-630
NOA Issued	October 16, 2018	MVMC 14.05.150(A) RCW 36.70B.110 WAC 197-11-355
NOA Comment Period Ended	November 2, 2018	MVMC 15.06.120 WAC 197-11-355 RCW 43.21C.110
DNS Issued with Comment and Appeal Period	PL18-032 November 16, 2017 PL18-034 & PL18-035 November 5, 2018	MVMC 15.06.215 WAC 197-11-355(4)
Open Record Public Hearing before Planning Commission	Scheduled November 20, 2018	14.05.080 RCW 36.70B.120
Open Record Public Hearing before City Council	Scheduled December 12, 2018	14.05.050(A) and (C) RCW 36.70B.120

Environmental Review: A threshold environmental determination (Determination of Non-significance) was issued for PL18-032 on November 16, 2017 and the notice was published November 20, 2017. The comment period ended on

November 30, 2017. The appeal period ends on December 11, 2017. A threshold environmental determination (Determination of Non-significance) was issued for PL18-034 & PL18-035 on November 5, 2018 and the notice was published November 5, 2018. The appeal period ends on November 15, 2018.

Department of Commerce Review: The Washington State Department of Commerce was notified of the proposed site specific amendments, rezones, and revisions on July 5, 2018; Commerce acknowledged receipt of these materials July 9, 2018. The State Agency 60-day review expired September 3, 2018 with no comments.

Accompanying this staff report, labeled as **Exhibit 1**, are copies of the notices outlined above.

F. STAFF RECOMMENDATIONS

Staff requests the following Findings of Fact, Conclusions of Law, and recommendations be approved by the Planning Commission. Further, staff requests that the Commission make a recommendation without the benefit of staff making a recommendation on project: PL18-032, MV28, LLC.

FINDINGS OF FACT:

1. On November 20, 2018 the City of Mount Vernon Planning Commission held an open-record public hearing to consider amendments to the Comprehensive Plan. All persons present at the hearings wishing to speak were heard and all written comments were considered, along with the written staff report with its associated exhibits.

2. The hearing on November 20, 2018, was preceded with appropriate notice, issued on November 5, 2018, distributed via mail/email on November 5, 2018, and published on November 5, 2018.

3. Notice of adoption of the proposed amendments has been duly transmitted in compliance with RCW 36.70A.106 (1).

4. A Final SEPA threshold Determination of Non-Significance for the Comprehensive Plan Amendments PL18-034 and Pl18-035 was issued on November 5, 2018, published on November 5, 2018, and was also mailed to property owners within 300 feet of the site on November 5, 2018. The comment period (for the Notice of Application/ Proposed DNS) expired on November 2, 2018. A 10-day appeal period ends on November 15, 2018.

CONCLUSIONS OF LAW:

1. The requirements for public participation in the development of this amendment as required by the State Growth Management Act (GMA) and by the provisions of City of Mount Vernon Resolution No. 491 have all been met.

2. The proposed amendments are found to be in compliance with the State Growth Management Act.

3. The Mount Vernon Comprehensive Plan has consistently been maintained in compliance with the Growth Management Act as amended since the initial adoption in 1995.

4. The City utilized the State Attorney General Advisory Memorandum: "Avoiding Unconstitutional Takings of Private Property" for evaluating constitutional issues, in conjunction with and to inform its review of the proposed amendments. The City has utilized the process, a process protected under Attorney-Client privilege pursuant to law including RCW 36.70A.370(4), with the City Attorney's Office, which has reviewed the Advisory Memorandum, has discussed this Memorandum, including the "warning signals' identified in the Memorandum, with decisions makers, and conducted an evaluation of all constitutional provisions potentially at issue and advised of the genuine legal risks, if any, with the adoption of the amendments to assure that the proposed regulatory or administrative actions did not result in an unconstitutional taking of private property, consistent with RCW 36.70A.370(2); and,

5. Chapter 36.70A RCW, the Growth Management Act (GMA) mandates that the City of Mount Vernon develop a Comprehensive Plan, which is a generalized, coordinated land use policy statement of the City.

6. The GMA requires that the Comprehensive Plan and development regulations be subject to continuing review and evaluation.

7. The City has adopted procedures pursuant to the GMA providing for amendments to the Comprehensive Plan no more than once each year and providing for comprehensive review of the cumulative impacts of all proposed amendments.

8. The GMA requires plans and development regulations to be consistent; and also requires comprehensive plans to be both internally and externally consistent.

STAFF RECOMMENDATIONS

1. MV28 LLC; Comprehensive Plan Amendment Request, City File No: PL18-032.

   Staff has **NO RECOMMENDATION** for this project.

2. That the Comprehensive Plan Amendment for Barnet, Project File No. PL18-034 is recommended for **APPROVAL** of the request to change the designation of the parcel from Single Family High Density (SF-HI) to General Commercial (GC).

3. That the Comprehensive Plan Amendment for Corner 9 Properties LLC, Project File No. PL18-035 is recommended for **APPROVAL** of the request to change the designation of the parcel from Single-Family Medium Density (SF-MED) to Multi-Family Low Density (MF-LO).

RESOLUTION NO. 946

WHEREAS, the City's public participation program that was adopted with Resolution 491 outlines the process by which the City receives and dockets proposed Comprehensive Plan amendments; and

WHEREAS, the City's public participation program, GMA docketing process and the ultimate GMA process for reviewing and deciding Comprehensive Plan amendment requests are discretionary, legislative decisions involving City Council policy decisions; and

WHEREAS, consistent with Resolution 491 four (4) site specific and two (2) Capital Improvement Plan Comprehensive Plan amendment applications were submitted to the City before January the 31, 2018 deadline; and

WHEREAS, a public hearing notice was published in the *Skagit Valley Herald* providing notice of the hearing before the Mount Vernon City Council; and

WHEREAS, on February 28, 2018, the City Council held a public hearing to review proposed 2018 Comprehensive Plan Amendments and Mount Vernon Municipal Code Amendments as necessary; and

WHEREAS, at the February 28, 2018 public hearing City Council reviewed the proposed amendments to be docketed for 2018, considered the relative importance of the proposed amendments, the relationship they may have to other proposed amendments, whether or not there is need for prompt review, how long amendments have been on the docket for review, and ability of staff and Planning Commission to review the proposed amendments; and

WHEREAS, at the public hearing, the Council approved the docketing for the 2018 cycle of projects listed on the attached **Exhibit A** identified as file numbers: PL18-032, PL18-034, PL18-035, PL18-036, PL18-045, and PL18-046.

WHEREAS, state law including but not limited to RCW 36.70A.130 requires that any zoning changes (including zoning map amendments) must be consistent with the City's comprehensive plan, requiring a separate and distinct legislative exercise of the City Council's legislative powers prior to the City's processing any rezone request inconsistent with the City's comprehensive plan.

WHEREAS, City Council makes the following findings with regard to the application PL 18-036 submitted by MBH Group, LLC, Governed by Dan Mitzel, ("MBH Group"):

1. MBH Group, LLC property identified as parcel P28788 along with the east part of parcel P28882 were annexed into the City in 2005 (see Ordinance 3248) with Comprehensive Plan designation of Commercial-Limited Industrial (C-L).

2. MBH Group, LLC property identified as parcel P126105 was annexed into the City in 1998 (see Ordinance 2876) with Comprehensive Plan designation of Commercial-Limited Industrial (C-L).

3. The east portion of MBH Group, LLC property that abuts Gunn Road and is immediately north of parcel P126105 was annexed into the City in 2005 (see Ordinance 3248) with Comprehensive Plan and zoning designations for single-family residential uses (SF-MED/R-1, 4.0).

4. MBH Group, LLC property identified as parcel P126105 was formerly owned by the Mount Vernon School District (MVSD) until 2007 when MBH Group, LLC or its predecessor purchased it. In 2003 this parcel was re-designated from Commercial-Limited Industrial to Public at the request of the MVSD as a result of planning for the construction of a transportation and operation facilities that were subsequently constructed on nearby property still owned by MVSD. At the time MVSD completed construction and found parcel P126105 was no longer needed for this facility they made another application to the City in 2006 and asked that this parcel be re-designated back to its Commercial-Limited Industrial designation that existed up until 2003. This re-designation was granted by the City with Ordinance 3332.

5. In 2006 Hansell Mitzel, LLC (also governed by Dan Mitzel) submitted a Comprehensive Plan Amendment (City File Number: LU06-019) application for four (4) separate parcels that included the east part of P28882, the south part of P29194, P28892, and P28893 requesting these parcels be re-designated from single-family residential to Commercial-Limited Industrial and from neighborhood retail (C-4) to Commercial-Limited Industrial. The east part of P28882 is included as part of the MBH Group, LLC application submitted in 2018 (City File Number: PL18-036). The City approved re-designating only two of the four parcels that were part of the Hansell Mitzel, LLC 2006 application which were the east part of parcel P28882 (included in the MBH Group LLC's 2018 application) and the south part of P29194. Parcels P28892 and P28893 were not re-designated in 2006 by the City Council due largely to concerns about incompatible uses being sited together. Please see Ordinance 3332 found within the accompanying Exhibit B.

6. In 2007 Hansell Mitzel, LLC (also governed by Dan Mitzel) submitted another Comprehensive Plan Amendment (City File Number: LU07-002) application. This application included properties adjacent to and near the MBH Group LLC properties. As such, the 2007 application addressed concerns expressed in 2006 regarding incompatible uses. City Council adopted Ordinance 3392 that re-designated properties abutting and near Gunn Road to Commercial-Limited Industrial.

7. The 2018 Comprehensive Plan Amendment/rezone application submitted by MBH Group is limited to three parcels under its ownership. This is similar to the application submitted in 2006 and fails to comprehensively evaluate neighborhood impacts that its application, if approved, would create.

8. Attached to this Resolution, labeled as **Exhibit B**, is a copy of the Findings of Fact and Conclusions of Law supporting the adoption of MBH Group, LLC2007 Comprehensive Plan Amendment request. These findings were adopted by the Planning Commission and then by City Council as part of Ordinance 3392, and remain in effect.

9. The circumstances under which the City Council adopted Ordinance 3392 have not changed. The findings of fact and conclusions of law adopted in Ordinance 3392 are legislative findings that remain relevant and do not support MBH Group, LLC's current request.

10. MBH Group, LLC's application seeks changes to land use designations that are not consistent with the City's adopted Comprehensive Plan. Specifically, listed below are Goals, Objectives and Policies from the Land Use Element of the Comprehensive Plan that MBH Group, LLC's proposal is likely in conflict with:

Policy LU-1.2.1 Provide development regulations that create a compatible pattern of development within established neighborhoods. The development standards shall address densities, building setbacks, parking and landscaping.

Policy LU-1.1.3 Provide adequate capacity for the City's projected residential growth and provide enough commercial/industrial areas within the City to balance residential growth.

GOAL LU-2 PROVIDE FOR ORDERLY DEVELOPMENT WITHIN THE CITY OF MOUNT VERNON THAT IS CONSISTENT WITH ADOPTED PLANS AND DEVELOPMENT REGULATIONS.

OBJECTIVE LU-2.1 Implement the Comprehensive Plan Land Use Map.

Policy LU-2.2.2 Coordinate transportation and utility improvement projects with the Land Use Element and the Capital Improvements Plan for the City.

GOAL LU-8 SUPPORT EXISTING BUSINESSES AND PROVIDE A DYNAMIC BUSINESS ENVIRONMENT FOR NEW COMMERCIAL AND INDUSTRIAL ACTIVITIES THAT ENHANCE THE CITY'S EMPLOYMENT AND TAX BASE WHILE PROVIDING WELL PLANNED AND ATTRACTIVE FACILITIES.

Policy LU-8.1.3 Residential uses are allowed in the C-1, C-3 and C-4 zoning designations if the criteria for such uses, as outlined within the zoning code for each district, are met. In all other commercial or industrial zoning designations residential uses are allowed if a mixed-use overlay is adopted for a site or if the use is classified as an accessory use such as a watchman, custodian, manager or property owner as specified within each associated zoning district's regulations.

Policy LU-8.2.6 Development should be designed to mitigate potential adverse impacts on adjacent properties with different zoning designations (i.e., residential or public zoning). Careful consideration of impacts from lighting, landscaping, and setbacks should all be evaluated during site design.

11. MBH Group, LLC's application seeks changes to land use designations without evaluations of the overall economic well-being of Mount Vernon and is therefore inconsistent with below listed Goals, Objectives and Policies of the Economic Development Element of the Comprehensive Plan:

    OBJECTIVE ED-1.1 Provide an adequate job-producing land base to ensure an optimal number of jobs for citizens within the community, and to aid the community in paying for infrastructure and services.

    Policy ED-1.1.1 Consider working towards an adequate supply of commercial and industrial lands and supporting infrastructure to accommodate the City's forecasted growth.

    Policy ED-1.6.2 Ensure an adequate amount of land is designated for retail/commercial uses based on site characteristics, market demand, community need, and adequacy of facilities and services.

    OBJECTIVE ED-1.7 Sustain and expand the current industrial and manufacturing employment base.

    Policy ED-1.7.1 Protect the existing inventory of commercial and industrial parcels from conversion to non-industrial uses.

12. City staff has informed MBH Group, LLC that it recommends its application be denied if docketed and processed in 2018 without the benefit of a sub-area plan. Notwithstanding that information, MBH Group LLC continues to request that its application be docketed and processed in 2018.

13. Accompanying this Resolution labeled as Exhibit B are copies of the Ordinances and associated Staff Reports that were part of the processes that changed the designations of property including and near MBH Group LLC's current ownership. These materials include: Ordinance 2876, Ordinance 3140, Ordinance 3248, Ordinance 3332 with its associated Staff Report, and Ordinance 3392 with its associated Staff Report.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON AS FOLLOWS:

SECTION ONE. The City Council does hereby adopt the above listed recitals as set forth fully herein.

SECTION TWO. That the City of Mount Vernon will accept for docketing and review the proposed Comprehensive Plan Amendments and Mount Vernon Municipal Code Amendments, as described in the attached **Exhibit 'A'**, incorporated herein by this reference. Any associated rezone set forth herein shall not be considered until legislative action of the Comprehensive Plan amendment process has been taken by the City Council.

Passed this 28th day of February, 2018

Signed in Authentication this 7th day of March, 2018

BY: _____
Jill Boudreau, Mayor

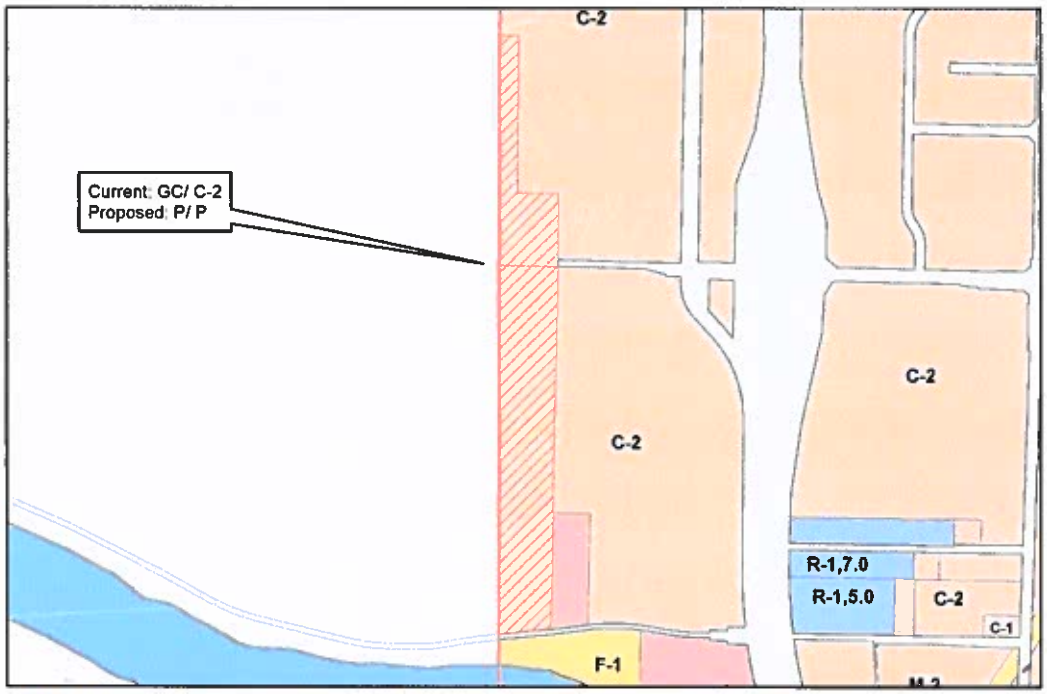
_____
Doug Voleski, Finance Director

Approved as to form:

_____
Kevin Rogerson, City Attorney

EXHIBIT A - SITE SPECIFIC APPLICATIONS FOR 2018 DOCKET

Land Use Number: PL18-032 Proponent: MV-28, LLC (Tim White) Parcels: P26279 & P26054	Comprehensive Plan: FROM General Commercial (GC) TO Public (P) Zoning: FROM General Commercial (C-2) TO Public District (P)



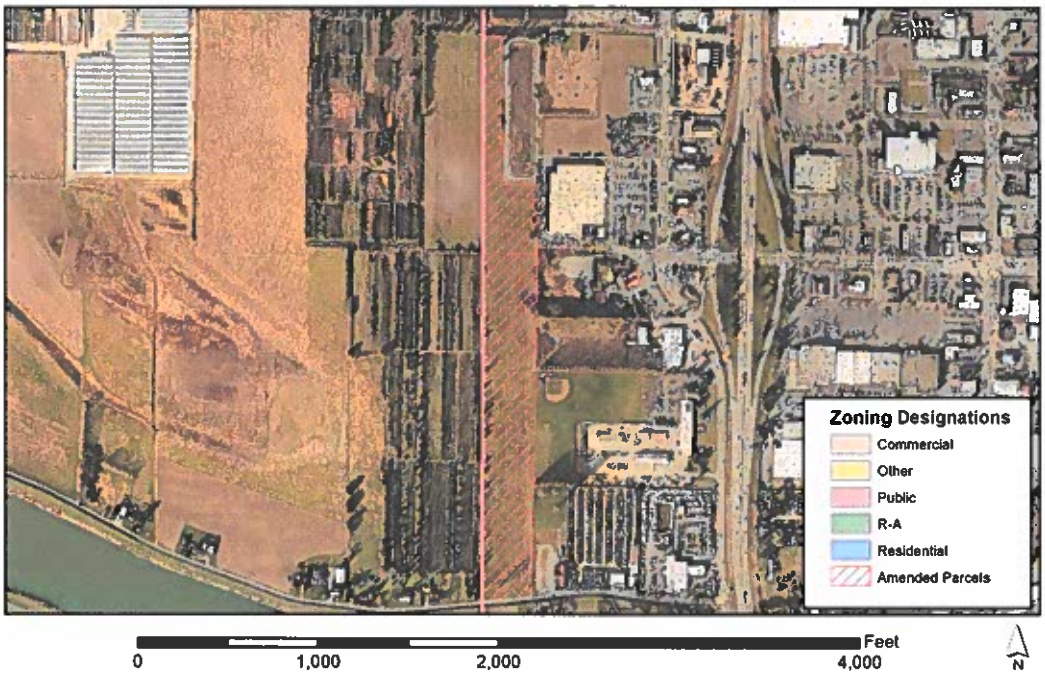


EXHIBIT A - SITE SPECIFIC APPLICATIONS FOR 2018 DOCKET

Land Use Number: PL18-034 Proponent: Douglas Barnet Parcels: P102004	Comprehensive Plan: FROM Single-Family High Density (SF-HI) TO General Commercial (C-2) Zoning: None, this property is located within the City's Urban Growth Area (UGA)

EXHIBIT A - SITE SPECIFIC APPLICATIONS FOR 2018 DOCKET

Land Use Number: PL18-035 Proponent: Corner 9 Properties (Landed Gentry) Parcels: P131991	Comprehensive Plan: FROM Single-Family Medium Density (SF-MED) TO Multi-Family Low Density (MF-LO) Zoning: Single-Family Residential with a maximum density of 4.54 du/acre with a PUD zoning overlay (R-1, 4.0 PUD) to Duplex and Townhouse Zone (R2)

EXHIBIT A - SITE SPECIFIC APPLICATIONS FOR 2018 DOCKET

Land Use Number: PL18-036 Proponent: MBH Property, LLC (Dan Mitzel) Parcels: P28788, P28882, and P126105	Comprehensive Plan: FROM Commercial-Limited Industrial (C-L) to Multi-Family High Density (MF-HI) Zoning: FROM Commercial-Limited Industrial (C-L) to Multi-Family Residential (R-4)

EXHIBIT A - SITE SPECIFIC APPLICATIONS FOR 2018 DOCKET

Land Use Number: PL18-045 Proponent: Mount Vernon School District Parcels: NA	Updates to the District's school impact fee are requested. This request will be processed with the Capital Improvements Plan (CIP)
Land Use Number: PL18-046 Proponent: Sedro-Woolley School District Parcels: NA	Updates to the District's school impact fee are requested. This request will be processed with the Capital Improvements Plan (CIP)

Mount Vernon Municipal Code and/or Comprehensive Plan amendments deemed necessary by staff as part of current work programs.

EXHIBIT B

8
3/
11'

KATHY HILL
SKAGIT C[illegible] AUDITOR

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'98 APR -8 A11 :47

RECORDED____FILED____
REQUEST OF_____

COVER SHEET FOR RECORDING DOCUMENTS

RETURN TO: City of Mount Vernon
P. O. Box 809
Mount Vernon, Washington 98273

DOCUMENT TITLE: Ordinance No. 2876

GRANTOR: City of Mount Vernon

GRANTEE: Public

ABBREVIATED LEGAL DESCRIPTION: S30, T34N, R4E, WM

COMPLETE LEGAL DESCRIPTION ON PAGE: 1

ASSESSOR'S PARCEL/TAX ID NUMBER: P 29217, P29218, P29220, P29221, 29223

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BK 1794 PG 0360

ORDINANCE NO. 2876

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, ANNEXING CERTAIN PROPERTY TO THE CITY OF MOUNT VERNON, WASHINGTON, AS PROVIDED BY CHAPTER 35A.14 RCW, AND ESTABLISHING A ZONING CLASSIFICATION FOR SAID PROPERTY OF C-LI, SUBJECT TO THE APPROVED MASTER PLAN THEREFORE.

WHEREAS, petitions for annexation have been presented to the City Council of the City of Mount Vernon, Washington, in compliance with the provisions of Chapter 35A.14 RCW seeking annexation of the property described below:

LEGAL DESCRIPTION

PARCEL A

That portion of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at the Northeast corner of said subdivision (the East ¼ corner of said Section 30); **thence** South 88° 33' 33" West along the North line of said subdivision, 1,463.05 feet; **thence** South 0° 31' 10" West, 30.02 feet to the South margin of Blackburn Road and the **TRUE POINT OF BEGINNING; thence** South 0° 31' 10" West, along a line established by quick claim deed recorded in Book 1294 of Deeds, pages 479 and 480, records of Skagit County, Washington, under Auditor's File No. 9402040122, a distance of 1,298.60 feet to the South line of the North half of said subdivision; **thence** North 88° 14' 04" East, along said South line, 1,235.98 feet to the West line of Burlington Northern Railway (formerly Great Northern Railway) right-of-way; **thence** North 3° 05' 33" East, along said West line, 441.77 feet to the North line of the South 1/3 of said subdivision; **thence** South 88° 20'33" West, along said North line, 431.83 feet to the East line of the West ½ of the Northeast ¼ of said subdivision; **thence** South 0° 33' 01" East, along said East line, 176.70 feet to the Northeast corner of a five (5) acre parcel conveyed to LaDon Henson and Jean Muriel Henson, husband and wife, by deed recorded in Volume 285 of Deeds, page 736, records of Skagit County, Washington, under Auditor's File No. 549406; **thence** South 88° 14' 04" West, along the North line of said parcel, 224.40 feet to the intersection with the centerline of Cleveland Avenue projected Southerly; **thence** North 0° 07' 45" East, along said Southerly projection, 1,030.42 feet to a point on said South margin of Blackburn Road which lies North

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BK 1794 PG 0361

88° 33' 33" East, 595.73 feet from the TRUE POINT OF BEGINNING; **thence** South 88° 33' 33" West, along said South margin, 595.73 feet to the **TRUE POINT OF BEGINNING.**

All situated in Skagit County, Washington.

WHEREAS, All other statutory requirements for annexation have been made, and

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1. The territory proposed by said annexation petition which is proximate, contiguous, and adjacent to the present corporate limits to the City and is particularly described as set forth above, is hereby annexed to the CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON, under a zoning classification of C-LI, subject to the approved master plan therefore.

Section 2. The above-mentioned property hereby annexed to the City of Mount Vernon shall be assessed its proportionate share of bonded indebtedness of said City contracted prior to and existing at the date of this annexation.

Section 3. In compliance with the provisions of RCW 35A.14.900 Rural Sanitation Service is hereby granted a five (5) year permit to collect the garbage in the area annexed by this ordinance commencing on the effective date of this ordinance at which time the City will provide garbage collection in this area.

Section 4. In the event RCW 35A.14.900 is found by a State or Federal Appellate Court to be unconstitutional or invalid then said permit shall be automatically revoked and the City will assume responsibility for the garbage collection service in this area.

Section 5. Franchises for all other public utilities now existing in the annexed area, being provided by the same firms or municipal corporations as those which proved similar services in the City of Mount Vernon, are hereby extended and granted in common with and under the same terms as the existing franchises with said companies or municipal corporations as they exist within the limits of the City of Mount Vernon.

Section 6. The real property annexed herein shall become a part of the City of Mount Vernon, Washington, on March 11, 1998.

PASSED AND ADOPTED this 11th day of March, 1998.

MARK S. KNOWLES, Finance Director

SIGNED AND APPROVED this 18th day of March, 1998.

SKYE K. RICHENDRFER, Mayor

Approved as to form:

LINFORD C. SMITH, City Attorney

Published Apr 6, 98

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Skagit County Auditor
4/21/2003 Page 1 of 6 2:36PM

COVER SHEET FOR RECORDING DOCUMENTS

RETURN TO: City of Mount Vernon
P.O. Box 809
Mount Vernon, WA 98273

DOCUMENT TITLE: Ordinance No. 3140

GRANTOR: City of Mount Vernon

GRANTEE: Public

ABBREVIATED LEGAL DESCRIPTION:

SECTION 1	The tract located at	124 South 12th	P53017
SECTION 2	The tract located at	902 South 13th	P53559
SECTION 3	The tract located at	1216 East Broadway	P53575
SECTION 4	The tract located at	400 West Blackburn	P29218
SECTION 5	The tract located at	3701 East College Way	P24997
SECTION 6	The tract located at	1904 North LaVenture	P24947

COMPLETE LEGAL DESCRIPTION: Pages 1,2,3,4,5

ORDINANCE NO. 3140

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, PURSUANT TO CHAPTER 17.111 OF THE MOUNT VERNON MUNICIPAL CODE, REZONING CERTAIN AREAS

WHEREAS, a City-Initiated Rezone has been submitted to the Hearings Examiner in compliance with Chapter 17.111 of the Mount Vernon Municipal Code, and said rezone requests a classification of the below mentioned areas in Sections 1 through 6 from the existing land use designations to the requested land use designations and,

WHEREAS, all requirements provided in Chapter 17.111 of the Mount Vernon Municipal Code for reclassification of property within the City Limits have been met; and

WHEREAS, the City Hearings Examiner has recommended that such areas be reclassified as per petitioners' request;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, DOES ORDAIN AS FOLLOWS:

SECTION 1. The following tract located at 124 S. 12th Street is hereby rezoned from R-1, 6.0 (Single-Family Residential) to P-O (Professional Office):

LEGAL DESCRIPTION:

Lot 4, Block 2, 'HARTLEY & RINGS ADD. TO MOUNT VERNON", as per plat recorded in Volume 6 of Plats, page 16, records of Skagit County, Washington, Situate in the City of Mount Vernon, County of Skagit, State of Washington.

SECTION 2. The following tract located at 902 S 13th Street is hereby rezoned from R-1, 6.0 (Single-Family Residential) to P-O (Professional Office):

LEGAL DESCRIPTION:

Lots 1 and 2, Block 8, MAP OF MILLETT'S ADDITION TO MOUNT VERNON, according to the plat thereof recorded in Volume 2 of Plats, page 63, records of Skagit County, Washington.

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Skagit County Auditor
4/21/2003 Page 2 of 6 2:36PM

SECTION 3. The following tract located at 1216 East Broadway is hereby rezoned from R-1, 6.0 (Single-Family Residential) to P-O (Professional Office):

LEGAL DESCRIPTION:

Lots 11 and 12, Block 9, MAP OF MILLETT'S ADDITION TO MOUNT VERNON, according to the plat thereof recorded in Volume 2 of Plats, page 63, records of Skagit County, Washington.

SECTION 4. The following tracts located at 400 W. Blackburn Road are hereby rezoned from C-L (Commercial/Light Industrial) to P (Public):

LEGAL DESCRIPTION:

PARCELS "A" and "B":

The East 5 acres of the Northwest ¼ of the Southeast ¼ and the West ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M., EXCEPT the South 5 acres thereof, AND EXCEPT that portion lying East of the centerline of Cleveland Avenue extended South, EXCEPT roads. ALSO EXCEPT THAT Westerly portion thereof conveyed to the Mount Vernon Christian School by deed dated January 28, 1994 and recorded as Auditor's File No. 9402040122.

PARCELS "C", "D", and "E":

The South 5 acres of the following described portion of the Northeast ¼ of the Southeast ¼ and Northwest ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M.:

Commencing at the Southeast corner of the West ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M.; thence North to the North line of said Northeast ¼ of the Southeast ¼; thence West to the East line of tract deeded to Frances Bartell and wife, by Deed dated April 4, 1878, and recorded September 3, 1878, in Volume 2 of Deeds, Page 689, records of Skagit County, Washington; thence Southerly along the Easterly line of said tract Deeded to Bartell to the South line of the Northwest ¼ of the Southeast ¼ of said Section 30, thence East to the point of beginning.

ALSO the South 1/3 of the East ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M., that lies West of the Great Northern Railroad right-of-way.

PARCELS "F":

That portion of the Southeast ¼ of the Southeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M., lying West of the Great Northern Railway Company right-of-way, EXCEPT that portion thereof embraced within the boundaries of the following described tract:

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Skagit County Auditor
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Beginning at the point of intersection of the Westerly line of the Great Northern Railway Company right-of-way with the North line of Section 31, said Township and Range; thence Southerly along the Westerly line of said railway right-of-way, 227 feet, more or less, to the Northeast corner of the lands conveyed to John Olson and Mary Olson, husband and wife, by Deed recorded in Volume 153 of Deeds, Page 551, under Auditor's File No. 234215, records of said County; thence West on the North line of said Olson lands, 1126 feet, more or less, to the East line of the County Road along the East side of Britt's Slough; thence Northerly along the East line of said County Road to a point 35 rods North of the South line of Section 30, said Township and Range; thence East, 161 feet, more or less, to the West line of the Southeast ¼ of the Southeast ¼, said Section 30; thence North on the West line of said Southeast ¼ of the Southeast ¼ to the Northwest corner of the lands conveyed to Herman L. Peterson and Sandra Peterson, husband and wife, by Deed recorded in Volume 195 of Deeds, Page 22, under Auditor's File No. 373500, records of said County; thence East, 1038 feet, more or less, to the West line of the Great Northern Railway Company right-of-way; thence Southerly on said right-of-way, 912 feet, more or less, to the point of beginning.

SECTION 5. The following tract located at 3701 E. College Way is hereby rezoned from R-A (Residential-Agriculture) to C-4 (Neighborhood Commercial):

LEGAL DESCRIPTION:

PARCEL "1":

That portion of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 16, Township 34 North, Range 4 East, of the Willamette Meridian, described as follows:

Beginning at a point on the North line of the County road 25.00 feet North and 201.00 feet West of the Southeast corner of said subdivision; thence North 00°34'30" East, parallel with the East line of said subdivision, 150.00 feet;
Thence West parallel with the South line of said subdivision, 330.00 feet more or less, to a point 113.36 feet East of the West line thereof;
Thence South parallel wit the West line of said subdivision, 150.00 feet to the North line of the County road;
Thence East 330.00 feet, more or less, to the point of beginning.

EXCEPT the following described tract:

That portion of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 16, Township 34 North, Range 4 East, of the Willamette Meridian, described as follows:

Beginning at a point on the North line of the County road 25.00 feet North and 201.00 feet West of the Southeast corner of said subdivision;
Thence North 00°34'30" East parallel with the East line of said subdivision 150.00 feet;

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Skagit County Auditor
4/21/2003 Page 4 of 6 2:36PM

Thence West parallel with the South line of said subdivision 110.00 feet;
Thence South parallel with the East line of said subdivision to the North line of the County Road;
Thence East to the point of beginning.

AND EXCEPT that portion conveyed to the State of Washington by deeds recorded December 23, 1986, and July 7,1988, under Auditor's File Nos. 8612230026 and 8807070001, records of Skagit County, Washington.

PARCEL "2":

The South 35.00 feet of Tract B of MOUNT VERNON SHORT PLAT NO. MV-6-77 as approved March 22, 1977, and recorded in Volume 2 of Short Plats, page 44, under Auditor's File No. 853027, records of Skagit County, Washington; being a portion of the Southeast Quarter of the Northeast Quarter of Section 16, Township 34 North, Range 4 East, of the Willamette Meridian thereof;

EXCEPT the East 110.00 feet thereof;

ALSO EXCEPT the West 113.36 feet thereof;

AND ALSO EXCEPT that portion conveyed to the State of Washington by deeds recorded December 23, 1986, and July 7, 1988, under Auditor's File Nos. 86122230026 and 8807070001, respectively, records of Skagit County, Washington, all situated in Skagit County, Washington.

SECTION 6. The following tracts located at 1904 N. LaVenture Road are hereby rezoned from R-1, 9.6 (Single-Family Residential) to P (Public):

LEGAL DESCRIPTION:

PARCEL "1":

That part of the Southwest ¼ of the Northwest ¼ of Section 16, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point 739.98 feet North of the Southwest corner of the Southwest ¼ of the Northwest ¼; thence North 104.35 feet; thence East 208.7 feet; thence South 104.35 feet; thence West 208.7 feet to a point of beginning, EXCEPT that portion, if any, lying within County road known as LaVenture Road, ALSO EXCEPT mineral rights as reserved by the State of Washington in deed dated March 29, 1917 and recorded April 15, 1917 under Auditor's File No. 118382 in Volume 106 of Deeds, pages 366 and 367, records of Skagit County, Situate in the County of Skagit, State of Washington.

PARCEL "2":

Part of the Southwest quarter of the Northwest quarter of Section 16, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the west line of said subdivision 635.63 feet north of the west quarter corner of said Section 16; thence north along the section line 104.35

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Skagit County Auditor
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feet; thence east at right angles 208.7 feet; thence south at right angles 104.35 feet; thence west at right angles 208.7 feet to the point of beginning; except county road right-of-way; also except mineral rights as reserved by the State of Washington in deed dated March 29, 1917 and recorded April 15, 1917 under Auditor's File No. 118382 in Volume 106 of Deeds, pages 366 and 367, records of Skagit County, Situate in the County of Skagit, State of Washington.

PASSED AND ADOPTED THIS 9th day of April 2003

MARK S. KNOWLES, Finance Director

SIGNED AND APPROVED this 9th day of April 2003

SKYE RICHENDRFER, Mayor

Approved as to form:

Scott Thomas, City Attorney

Published Summary Apr 24, 2003

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Skagit County Auditor
4/21/2003 Page 6 of 6 2:36PM

The Mount Vernon City Council adopted Ordinance 3140 on April 9, 2003. An ordinance of the City of Mount Vernon rezoning certain areas. Anyone wishing to view or receive the ordinance in its entirety should contact the Mount Vernon Finance Office, 910 Cleveland, Mount Vernon WA 98273.

Published: April 24, 2003

200502250123
Skagit County Auditor
2/25/2005 Page 1 of 7 2:40PM

COVER SHEET FOR RECORDING DOCUMENTS

RETURN TO: City of Mount Vernon
P.O. Box 809
Mount Vernon, WA 98273

DOCUMENT TITLE: Ordinance No. 3248

GRANTOR: City of Mount Vernon

GRANTEE: Public

ABBREVIATED LEGAL DESCRIPTION: Those portions of Sections 29, 30, 31, 32, Township 34 north Range 4 East and Sections 5 and 6, Township 33 North, Range 4 East.

COMPLETE LEGAL DESCRIPTION: Pages 3 and 4

The tract located at: Parcel # P106105, P106106, P106797, P109065, P109066, P109067, P113735, P113736, P113737, P113738, P113739, P113740, P113741, P113742, P113743, P113744, P113745, P116856, P117188, P117418, P118243, P119262, P119263, P119264, P119265, P119266, P119267, P119268, P119269, P119270, P119271, P120397, P120398, P120399, P120400, P120405, P120406, P121393, P121394, P121395, P121396, P121397, P16337, P16350, P28066, P28081, P28082, P28083, P28084, P28095, P28098, P28099, P28101, P28102, P28104, P28105, P28106, P28167, P28168, P28169, P28170, P28175, P28176, P28177, P28180, P28198, P28200, P28201, P28203, P28205, P28206, P28207, P28208, P28211, P28212, P28213, P28226, P28227, P28234, P28239, P28538, P28634, P28635, P28639, P28640, P28643, P28645, P28647, P28648, P28649, P28650, P28651, P28652, P28653, P28719, P28722, P28723, P28724, P28726, P28730, P28731, P28732, P28736, P28738, P28740, P28788, P28790, P28868, P28870, P28872, P28878, P28879, P28880, P28881, P28882, P28883, P28884, P28885, P28886, P28887, P28888, P28890 P28892, P28893, P28895, P28896, P28897, P28902, P28906, P28907, P28908, P29194, P29214, P29215, P29216, P29226, P29227, P29228, P29229, P29231, P29232, P29262, P29263,

P29265, P29278, 29279, P29280, P29281, P29282, P29288, P29289, P29306, P29311, P29312, P29314, P29315, P29316, P29327, P29328 P29333, P29339 P29341, P29342, P29345, P29347, P29349, P29350, P29353, P29356, P29357, P29360, P29361, P29363, P29364, P29375, P29385, P29401, P29466, P29507,P29508, P29509, P29510, P29511,P29512, P29515, P29518, P29521 P29522, P29524, P29526, P29527, P29528, P29529, P29531, P29532, P29534,P29536, P29537, P29539, P29541, P29543, P29545, P29546, P29548, P29549, P29550, P29551, P29555, P29557, P29558, P29559, P29561, P29565, P29566, P29567, P29568, P29569, P29570, P29571, P29572, P29573, P29575, P29581, P29583, P29584, P29585, P29588, P29591, P29593, P29594, P29595 P29641, P66113, P66115, P66117, P66118, P66120, P66121, P66122, P90501, P95735, P95736, P96232, P28789, P28107, P28108, P28110, P28111, P28112, P28114, P28116, P28118, P28119, P28121, P28123, P28129, P28130, P28132, P28133, P28135, P28137, P28140, P28141, P28146, P28147, P28148, P28150,P28151, P28152, P28154, P28156, P28157, P28158, P28162, P28164,P28166, P28659, P28660, P28661, P28662, P28663, P28664, P28665, P28674, P28675, P28677, P28678, P28680, P28682, P28683, P28685, P28687, P28688, P28707, P28708, P28709, P28710, P28711, P28712, P28713, P28714,,P28715, P28717, P28718, P118390, P117289, P28666, P28659, P28668, P28670, P28671, P28672, P28673, P82654, P28095, P16350, P29669, P114433

ORDINANCE NO. 3248

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, ANNEXING APPROXIMATELY 518 ACRES COMMONLY KNOWN AS THE SOUTH MOUNT VERNON ANNEXATION, AND REQUIRING THE PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND ON THE SAME BASIS AS OTHER PROPERTY WITHIN THE CITY, AND ZONING THE PROPERTY COMMERCIAL LIMITED INDUSTRIAL (C-L), SINGLE-FAMILY RESIDENTIAL WITH A 9,600 SQUARE FOOT LOT SIZE (R-1, 9.6), COMMUNITY COMMERCIAL DISTRICT (C-3) AND NEIGHBORHOOD COMMERCIAL (C-4).

WHEREAS, on October 8, 2004, the City of Mount Vernon received a Notice of Intention to annex certain real property commonly known as the South Mount Vernon Annexation; and

WHEREAS, the Notice of Intention was signed by the owners of the property representing at least 10% of the assessed value of the property described in Exhibit A attached hereto; and

WHEREAS, on November 10, 2004 the City Council met with the initiators of the annexation, accepted the Notice of Intention subject to certain conditions and authorized circulation of an annexation petition; and

WHEREAS, the Boundary Review Board did not invoke jurisdiction within 45 days of the submittal of the Notice of Intention; and

WHEREAS, petitions for annexation have been presented to the City Council of the City of Mount Vernon in compliance with the provisions of RCW 35A.01.040, where certified as sufficient with signatures by the owners of not less than sixty percent (60%) of the assessed value of the property for which annexation is petitioned and a date was fixed for a public hearing thereon with notice of the hearing caused to be published in one or more issue of a newspaper of general circulation in the City and posted in three or more public places within the territory proposed for annexation; and

WHEREAS, the City Council held a public hearing on the proposed annexation on February 15, 2005, and at the conclusion of said hearing , determined the property should be annexed, subject to the requirement that the property be assessed and taxed at the same rate as other property within the City; now therefore,

THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Annexation. That certain 518 acres of property that is legally described on the attached Exhibit A and depicted on the map attached hereto as Exhibit B, both of which are incorporated herein by this reference as if set forth in full, is hereby annexed to and made a part of the City of Mount Vernon.

Section 2. Zoning. Zoning for the annexation area shall be Commercial Limited Industrial (C-L), Single-Family Residential with a minimum 9,600 square foot lot size (R-1, 9.6), Community Commercial District (C-3) and Neighborhood Commercial (C-4) in conformance with the Comprehensive Plan designations and pre-annexation zoning for the area.

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Section 3. Indebtedness. Pursuant to the terms of the annexation petition, all property within the territory annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments for taxes and payment of any bonds issued or debts contracted prior to or existing as of the date of annexation.

Section 4. Duties of the City Clerk. The City Clerk is hereby directed to file a certified copy of this ordinance, together with the attached Exhibits A and B, with the Skagit County Commissioners. In addition, the Clerk is authorized and directed to file the annexation certificate provided for in RCW 35A.14.700 with the Office of Financial Management within the thirty (30) day of the effective date of the annexation.

Section 5. Sanitation Service. In compliance with the provisions of RCW 35A.14.900 Rural Sanitation is hereby granted a ten (10) year permit to collect the garbage in the area annexed by this ordinance commencing on the effective date of this ordinance at which time the City will provide garbage collection in this area.

Section 6. Challenges to RCW 35A.14.900. In the event that RCW 35A.14.900 is found by a State or Federal Appellant Court to be unconditional or invalid then said permit shall be automatically revoked and the City will assume responsibility for the garbage collection service in this area.

Section 7. Franchises & Public Utilities. Franchises for all other public utilities now existing in the annexed area, being provided by the same firms or municipal corporation as those which provide similar services in the City of Mount Vernon, are hereby extended and granted in common with and under the same terms as the existing franchises with said companies or municipal corporation as they exist within the limits of the City of Mount Vernon.

Section 8. Effective Date. This Ordinance, being an exercise of a power specifically delegated to the City legislative body shall be deemed annexed to the City (5) five days and after its passage, approval and publication as provided by law.

PASSED AND ADOPTED this 15th day of February, 2005.

SIGNED AND APPROVED THIS 15th day of February, 2005

ALICIA D. HUSCHKA, Finance Director

BUD NORRIS, Mayor

Approved as to form:

KEVIN ROGERSON, City Attorney

Published February 19, 2005

Ordinance No.: 3248
Adopted February 15, 2005
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December 3, 2004

LEGAL DESCRIPTION FOR:

Exhibit A
City of Mount Vernon.
South Mount Vernon Annexation.
MAP H

Those portions of Sections 29, 30, 31, 32, Township 34 North, Range 4 East and Sections 5 and 6, Township 33 North, Range 4 East being more particularly described as follows:

Beginning at the intersection of the South right-of-way line of Blackburn Road and the West right-of-way line of Burlington Northern Railroad, said intersection being located in the Southeast quarter of said Section 30; **thence** in a Southwesterly direction along said Westerly right-of-way line to the intersection with the South right-of-way line of Hickox Road. Said intersection being in the Northeast quarter of said Section 6; **thence** in an Easterly direction, along said South right-of-way line, to the intersection with the East right-of-way line of old Highway 99 South, located in the Northwest quarter of said Section 5; **thence** in a Southeasterly direction, along said right-of-way line, to the intersection with the Northerly right-of-way line of Interstate 5 overpass. **thence** in a Southeasterly direction along said overpass right-of-way line to the intersection with the West right-of-way line of Interstate 5; **thence** in a Northeasterly direction along said West right-of-way line, to the intersection with the South right-of-way line of Hickox Road; **thence** East along the South right-of-way line of East Hickox Road projected, to the intersection with the East line of Short Plat PL-00-0322 extended South; **thence** North, along said East line and said line projected, to the Northeast corner of Lot 2 of said Short Plat, said Northeast corner also being on the South line of that certain parcel conveyed to the State of Washington under warranty deed, with Auditor's File #744121, said parcel also having a Skagit County property I.D. Number P29356; **thence** East along said South line to the Southeast corner thereof; **thence** in a Northwesterly direction along the East line of said parcel to the Northeast corner thereof; said corner also being the Southeast corner of that certain parcel conveyed to Magic Living, Inc., by statutory warranty deed recorded under Auditor's File #9612310134. Said parcel also showing on survey recorded in Book 14 of Surveys, page 96 under Auditor's File #9306070076; **thence** in a Northerly direction, along the East line of said parcel, to the Southwest corner of Tract "C" Short Plat 31-77; **thence** in a Northeasterly direction along the West line of said Tract "C", to the Northwest corner thereof; **thence** in a Northeasterly direction to the Southeast corner of Tract "D" as shown on Short Plat #1-86 recorded under Auditor's File #8603070013; **thence** in a Northeasterly direction along the East line of said Short Plat to the Northeast corner thereof; **thence** continue on the projection of said East line of Tract "D", 8.12 feet plus or minus to the East-West centerline of Section 32, Township 34 North, Range 4 East. Said intersection point also being on the South line of Tract "D" Short Plat #27-76; **thence** in a Westerly direction along the South line of said Tract "D" and said line projected West, to the intersection with the Southerly projection of the East line of Tract "3" Short Plat #16-85; **thence** in a Northerly direction along said East line and its projection to the Northeast corner of said Tract "3"; **thence** in a Westerly direction to the Southeast corner of Tract 9W, Plat of Red Hawk Estates, recorded under Auditor's File #200005310116; **thence** in a Northerly direction along the East line of said Tract 9W to the Northeast corner thereof, said corner also being the Southeast corner of that certain parcel conveyed to Glen McGoff under Quit Claim Deed recorded under Auditor's File #9212020053 with a Skagit County property I.D. Number P29509; **thence** in a Northerly direction along the East line of said parcel to the Northeast corner thereof, said corner also being the Southeast corner of that certain parcel conveyed to Benjamin Day by Quit Claim Deed, recorded under Auditor's File #9712310170 with a Skagit County property I.D. Number P29507; **thence** in a Northerly direction along the East line of said parcel, to the Northeast corner thereof, said corner also being the Northwest corner of that

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certain parcel conveyed to Benjamin Day under Quit Claim Deed with Auditor's File #9712310168 with Skagit County property I.D. Number P29505; **thence** in an Easterly direction along the North line of said parcel, to the intersection with the East line projected South of that certain parcel conveyed to Paul Hagman under statutory warranty deed, recorded under Auditor's File #9904080049, with Skagit County property I.D. Number P121397 (formally identified as P29502); **thence** in a Northerly direction along said East line, for a distance of 300 feet; **thence** Northeasterly to the Southwest corner of a parcel having a Skagit County property I.D. Number P29466; **thence** in an Easterly direction along the South line projected East of said parcel P29466 to the intersection with the Easterly right-of-way line of Blodgett Road; **thence** in a Northwesterly direction along said Easterly right-of-way line, to an intersection with the Westerly projection of the North line of Tract "A" of Short Plat #25-76, approved August 23, 1976, and recorded a Auditor's File number 841391, **thence** Easterly along said North line to the intersection with the West line of line of that property described in Annexation Ordinance No. 2942, as signed on March 10, 1999, and recorded under Auditor's File No. 9905190013; **thence** North along the West boundary of said Annexation Ordinance No. 2942, to the South right-of-way line of Blackburn Road; **thence** Westerly along said South right-of-way line to the East line of that property described in Annexation Ordinance No. 1776 as signed on January 22, 1975, and recorded under Auditor's File No. 812704; **thence** Southerly and Westerly along the East and South borders of said Annexation Ordinance No. 1776, to the intersection with the Easterly right-of-way line of Blodgett Road; **thence** Southerly along said Easterly right-of-way line to the Easterly projection of the South line of that property described in Annexation Ordinance No. 1958 as signed on July 11,1979 and recorded under Auditor's File No. 7910160016 records of Skagit County, Washington.; **thence** Westerly along said South line to the West right-of-way line of Cedardale Road; **thence** in a Northerly direction along said West right-of-way line to the intersection with the South right-of-way line of Blackburn Road; **thence** in a Westerly direction along said South right-of-way line, to the intersection with the Westerly right-of-way line of Burlington Northern Railroad and the point of beginning of this description.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

That portion of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, being more particularly described as follows.

Beginning at the Northeast corner of that certain parcel as shown on record of survey filed in Book 20 of Surveys at pages 71 and 72 under Auditor's File #9802260028. Said corner also being on the South right-of-way line of Blackburn Road; **thence** South 0° 07' 45" West along the East line of said parcel, 1030.42 feet, to an angle point in said parcel; **thence** North 88° 14' 04" East along the boundary of said parcel, 224.40 feet, to an angle point in said parcel; **thence** North 0° 33' 01" West, along the boundary of said parcel, 176.70 feet, to an angle point in said parcel; **thence** North 88° 20' 33" East, along the North line of said parcel, 431.83 feet to the intersection with the Westerly right-of-way line of the Burlington Northern Railroad; **thence** in a Northerly direction along said Westerly line to the intersection with the South right-of-way line of Blackburn Road; **thence** in a Westerly direction along said South right-of-way line to the point of beginning.

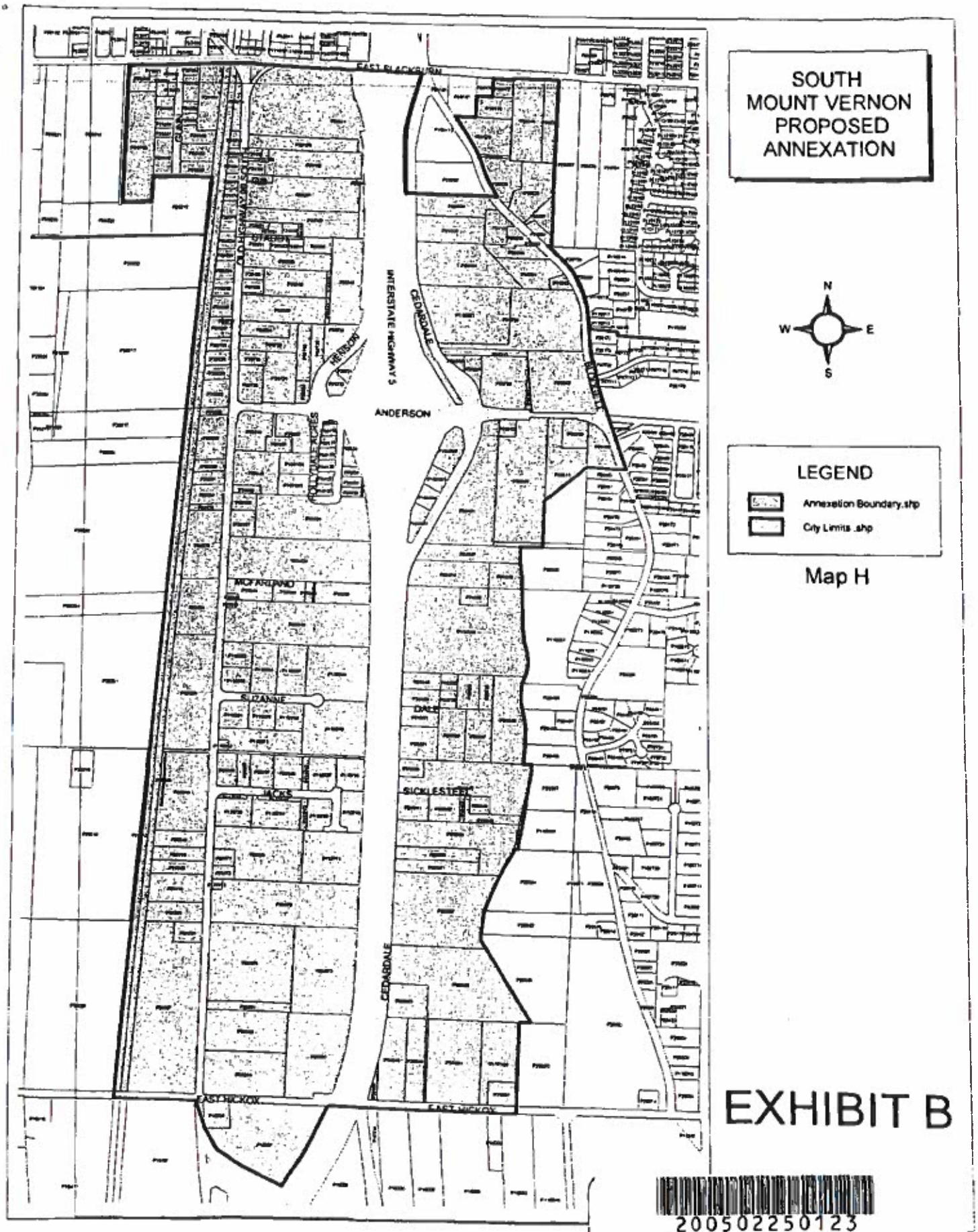

EXHIBIT B

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The Mount Vernon City Council adopted Ordinance 3248 on February 15, 2005. An ordinance of the City of Mount Vernon, Washington, annexing approximately 518 acres commonly known as the South Mount Vernon Annexation, and requiring the property to be assessed and taxed at the same rate and on the same basis as other property within the City, and zoning the property Commercial Limited Industrial (C-L), Single-Family Residential with a 9,600 square foot lot size (R-1, 9.6), Community Commercial District (C-3) and Neighborhood Commercial (C-4). Anyone wishing to view or receive the ordinance in its entirety should contact the Mount Vernon Finance Office, 910 Cleveland, Mount Vernon WA 98273.

Published: February 19, 2005

ORDINANCE NO. 3332

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON AMENDING THE CITY'S COMPREHENSIVE PLAN MAPPING IN ACCORDANCE WITH, AND PURSUANT TO CHAPTERS 36.70A RCW AND REZONING CERTAIN AREAS, PURSUANT TO CHAPTER 17.111 OF THE MOUNT VERNON MUNICIPAL CODE,

WHEREAS, Chapter 36.70A RCW, the Growth Management Act ("GMA") mandates that the City of Mount Vernon develop a Comprehensive Plan, which is a generalized, coordinated land use policy statement of the City; and

WHEREAS, the GMA requires that the Comprehensive Plan and development regulations be subject to continuing review and evaluation; and

WHEREAS, the City has adopted procedures pursuant to the GMA providing for amendments to the Comprehensive Plan no more than once each year and providing for comprehensive review of the cumulative impacts of all proposed amendments; and

WHEREAS, the GMA requires plans and development regulations to be consistent; and

WHEREAS, the GMA also requires comprehensive plans to be both internally and externally consistent; and

WHEREAS, concurrent rezones were processed with the Comprehensive Plan amendments to provide consistency in compliance with Chapter 17.111 of the Mount Vernon Municipal Code, and said rezone requests a classification of the below mentioned areas in Sections 1 through 7 from the existing land use designations to the requested land use designations and,

WHEREAS, all requirements provided in Chapter 17.111 of the Mount Vernon Municipal Code for reclassification of property within the City Limits have been met; and,

WHEREAS, in compliance with all the terms, conditions, and procedures of the State Environmental Policy Act and Chapter 15.06 of the Mount Vernon Municipal Code, an environmental assessment of the proposed revisions of the Comprehensive Plan was conducted and an environmental checklist completed, and upon determination that no provable significant, adverse environmental impact would result from the proposal, a mitigated determination of non-significance was issued;

WHEREAS, the Planning Commission conducted two duly noticed public hearings June 6th and 20th, 2006 to consider the proposed comprehensive plan mapping amendments and zone amendments, and recommended that the City Council adopt the proposed amendments, copies of which are on file in the office of the City Clerk; and

WHEREAS, the Planning Commission, after fully, fairly and carefully considering the public input and staff materials relevant to the amendments, forwarded to the Council its recommendations; and,

WHEREAS, the Council desires to receive as much public input in this process as possible to make this a community generated plan and a reflection of community values and long range goals, and therefore the Council conducted a duly noticed open record hearing at their regularly scheduled meeting on June 28, 2006, pursuant to the laws of the State of Washington and the ordinances of the City of Mount Vernon, and

WHEREAS, the City Council finds that all procedural requirements for adoption of the attached amendments of the Plan as set forth in Chapter 35A.63.RCW and Chapter 36.70A RCW, and as set forth in the State Environmental Policy Act and Chapter 15.06 of the Mount Vernon Municipal Code have been complied with, and that adequate environmental review has been given; and

WHEREAS, in consideration of the recommendations of the Planning Commission, and the comments made by interested parties, the City Council finds that the Comprehensive Plan and Zone Mapping Amendments comports with the spirit or intent of the GMA, and that the recommendation of the Planning Commission should be adopted;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, DOES ORDAIN AS FOLLOWS:

SECTION 1. LU05-103 (Duffy):

The following tracts located north of East Montgomery Street and east of South 15th Street that have the following parcel numbers: P53348, P53349, P53350 and P53351 are proposed to be re-designated **FROM** a Comprehensive Plan Designation of Single-Family High Density (SF-HI) and a zoning designation of Single-Family Residential with a maximum density of 5.73 du/acre (R-1,5.0) **TO** a Comprehensive Plan designation of Residential Office/Professional Office (RO/PO) and a zoning designation of Professional Office (PO).

A full legal description and map for this site are attached as **EXHIBIT A.**

SECTION 2. LU06-011 (Broman-Pickett):

The following tract located south of West Section Street and east of South 2nd Street that has the following parcel number: P54298 is proposed to be re-designated **FROM** a Comprehensive Plan designation of Community Park/Neighborhood Park (CP) and a zoning designation of Public (P) **TO** a Comprehensive Plan designation Retail Malls and General Commercial (RM/GC) and a zoning designation of General Commercial (C-2).

A full legal description and map for this site are attached as **EXHIBIT B.**

SECTION 3. LU06-013 (Chinook Enterprises):

The following tract located north of Sigmar Lane and east of North LaVenture Road that have the following parcel numbers: P25061 and P25026 are proposed to be re-designated FROM a Comprehensive Plan designation of Multi-Family Low and a zoning designation of Single-Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0) TO a Comprehensive Plan designation Schools (S) and a zoning designation of Public (P).

A map of the site and the legal description are attached as **EXHIBIT C**.

SECTION 4. LU06-014 (Steve Harmon):

The following tract located north of East College Way and south of McLaughlin Road that has the following parcel number: P24857 is proposed to be re-designated **FROM** Comprehensive Plan designation of Agricultural (AG) and a zoning designation of Residential-Agricultural (R-A) **TO** a Comprehensive Plan designation of Retail Malls/General Commercial (RM/GC) for the approximate south 2/3's of the site and the approximate north 1/3 of the site to Medium Density Single-Family (SF-MED) with associated zoning of General Commercial (C-2) for the approximate south 2/3's of the site and an associated zoning of Single-Family Residential with a maximum density of 4.54 dwelling units per acre (R-1, 4.0) for the approximate north 1/3 of the site.

A map of the site and the legal description are attached as **EXHIBIT D**.

SECTION 5. LU06-016 (Mount Vernon School District):

The following tracts located south of Blackburn Road and west of Old Highway 99 South that have the following parcel numbers: P29223, P29220 and P29217 are proposed to be re-designated **FROM** Comprehensive Plan designation of Schools (S) and a zoning designation of Public (P) **TO** a Comprehensive Plan designation Commercial/Limited Industrial (C/L) and a zoning designation of Commercial/Limited Industrial (C/L).

A map of the site is attached as **EXHIBIT F**.

A condition of this specific amendment is that access be from the extension of Cleveland Avenue and access from Gunn Road be restricted unless during a future Comprehensive Plan amendment cycle the properties on Gunn Road are re-designated to commercial/industrial uses then access could be provided from Gunn Road.

SECTION 6. LU06-017 (Skagit Valley Hospital):

The following tracts located south of East Montgomery Street and east of South 11th Street that have the following parcel numbers: P52662, P52664, P52671 and P52674 are proposed to be re-designated **FROM** Comprehensive Plan designation of Single-Family High Density (SF-HI) and a zoning designation of Single-Family Residential with a maximum density of 7.26 du/acre (R-1,7.0) **TO** a Comprehensive Plan designation Healthcare Development District (HD) and a zoning designation of Healthcare Development District (HD).

A map of the site and legal description are attached as **EXHIBIT G**.

SECTION 7. LU06-019 (Hansel Mitzel):

The following tracts located south of Blackburn Road and west of Old Highway 99 South that have the following parcel numbers: the southern portion of P29194 and P28882 are proposed to be re-designated **FROM** Single-Family Medium Density (SF-MED) on the approximate south ½ of parcel P29194 and P28882 and a zoning designation of Single-Family Residential with a maximum density of 4.54 du/acre (R-1,4.0) on all of the parcels **TO** a Comprehensive Plan designation Commercial/Limited Industrial (C/L) and a zoning designation of Commercial/Limited Industrial (C/L) for all the parcels.

A map of the site is attached as **EXHIBIT I**.

A condition of this specific amendment is that access to P29194 be from West Blackburn Road and that access to P28882 be from the extension of Cleveland Avenue and access from Gunn Road be restricted unless during a future Comprehensive Plan amendment cycle the properties on Gunn Road are re-designated to commercial/industrial uses then access could be provided from Gunn Road.

SECTION 8: Effective Date. This Ordinance shall be effective five days after its passage, approval and publication as provided by law.

PASSED and APPROVED this 28th day of June , 2006.

ALICIA D. HUSCHKA, Finance Director

SIGNED AND APPROVED this 28th day of June, 2006

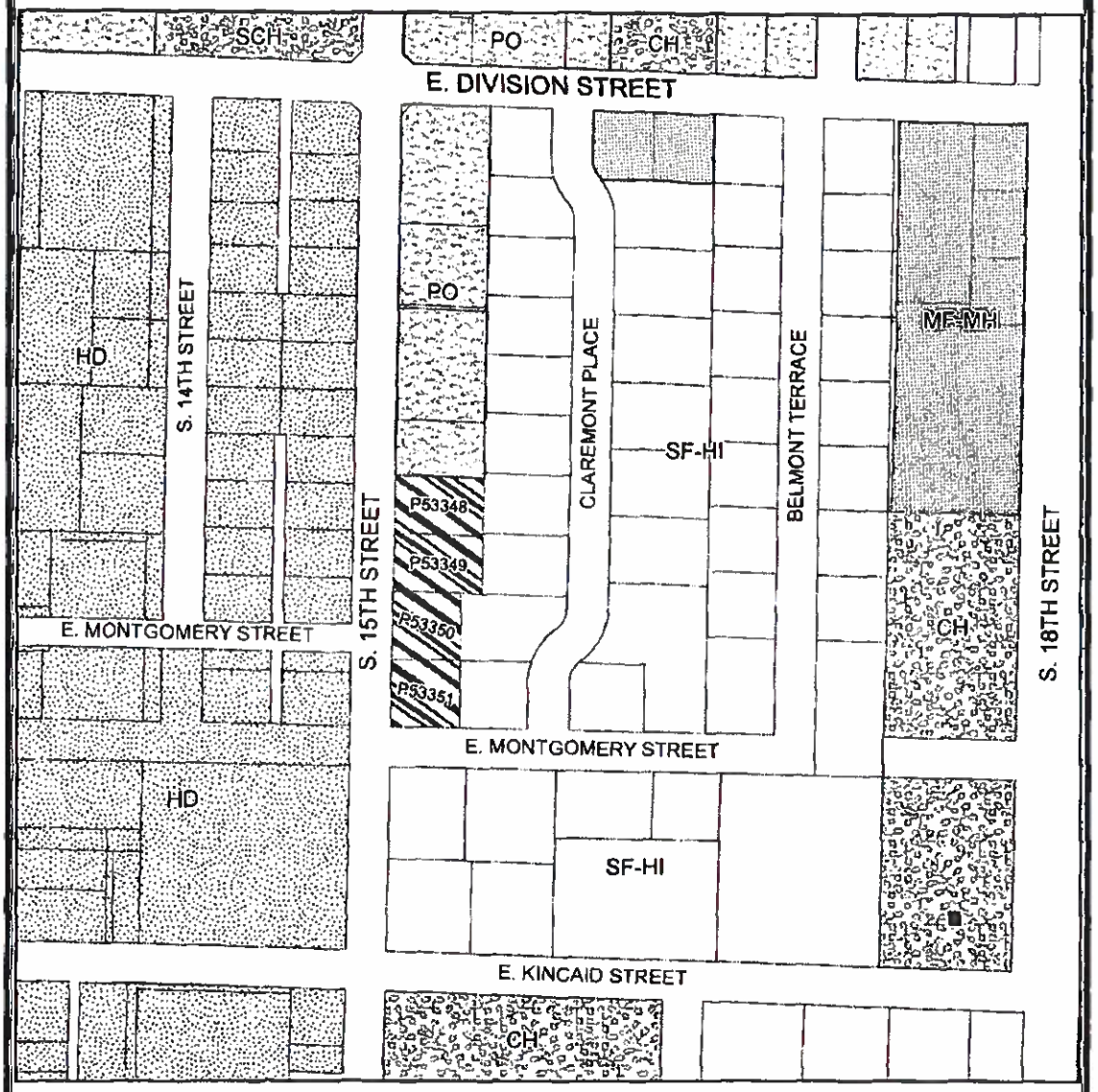
BUD NORRIS, Mayor

Approved as to form:

Kevin Rogerson, City Attorney

Published: July 31, 2006

EXHIBIT A



Legend
Existing Comprehensive Plan Land Use Designations with Associated Zoning

- Proposed Complan Designation Changes
- HIGH DENSITY SF (R-1,5.0 or 7.0)
- MEDIUM HIGH DENSITY MF (R-3 or R-4)
- RESIDENTIAL OFFICE/PROFESSIONAL OFFICE (RO or PO)
- HEALTHCARE DEVELOPMENT (HEALTHCARE DEVELOPMENT DISTRICT)
- CHURCHES, COMMUNITY COLLEGE, SCHOOLS (P)

LU05-103 Complan Mapping Amendment
PARCELS: P53348, P53349, P53350 & P53351
FROM: Single-Family High Density (SF-HI) and a Zoning Designation of (R-1,5.0)
TO: Residential Office/Professional Office (RO/PO) and a Zoning Designation of (PO). March 15, 2006

Lot 4 and the North 4 feet of Lot 5, "Johnson & Follman's First Addition," according to the plat recorded in Volume 7 of Plats, page 87 and 88, records of Skagit County, Washington.

the following described real estate, situated in the County of SKAGIT , State of Washington:
Lot 5, EXCEPT the North 4 feet thereof, "JOHNSON & FOLLMAN'S FIRST ADDITION, MOUNT VERNON, WASHINGTON", as per plat recorded in Volume 7 of Plats, pages 87 and 88, records of Skagit County, Washington.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

Lot 6, "JOHNSON & FOLLMAN'S FIRST ADDITION TO MOUNT VERNON, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 7 of Plats, Pages 87 and 88, records of Skagit County, Washington.

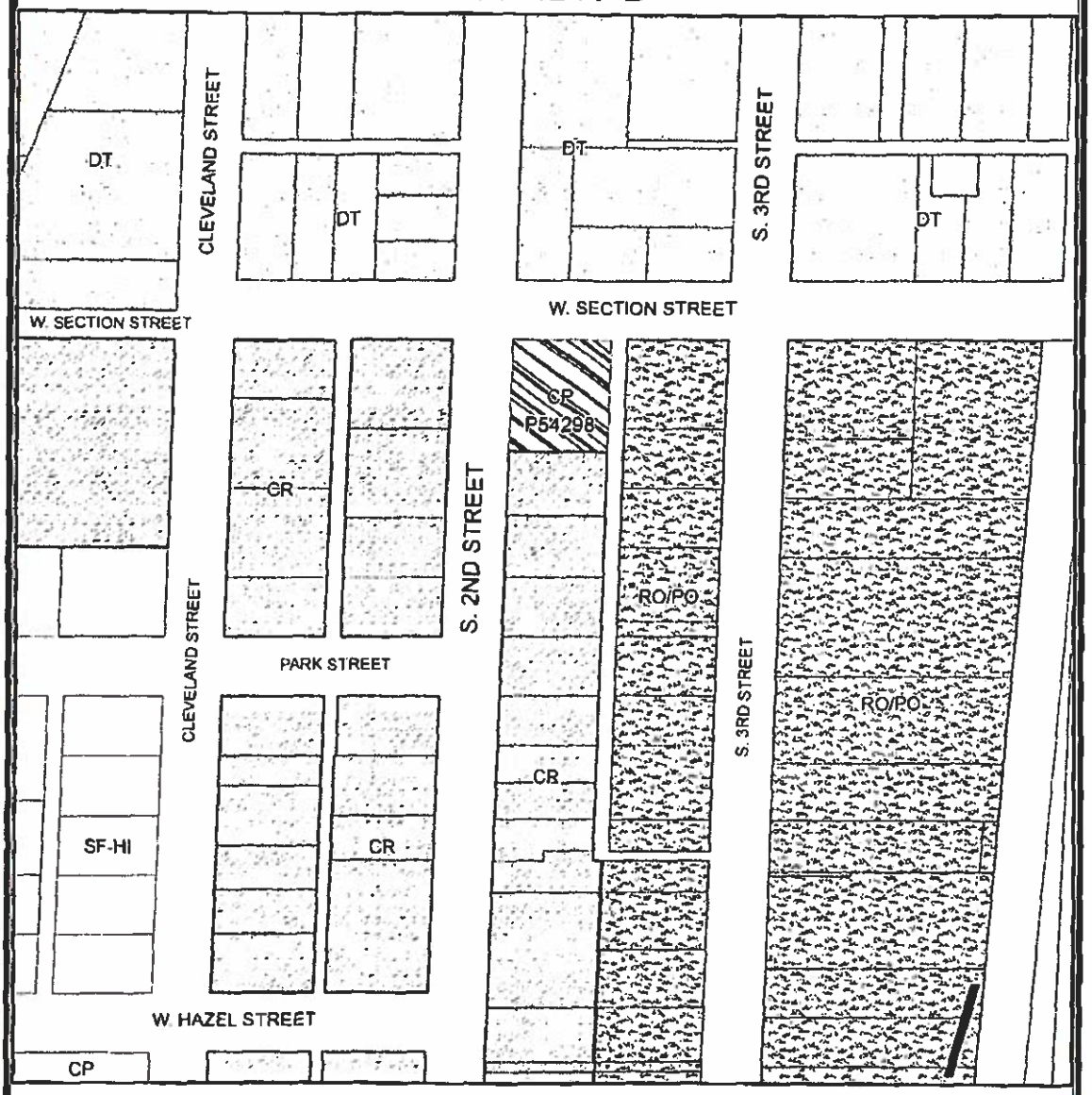
SUBJECT TO easements, including terms and provisions thereof, recorded October 3, 1958, and October 31, 1958, under Skagit County Auditor's File Nos. 571193 and 572344.

Tract 7, "Johnson & Follman's First Addition", according to the plat recorded in Volume 7 of Plats, Pages 87 and 88, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

EXHIBIT A

EXHIBIT B



Legend
Existing Comprehensive Plan Land Use Designations with Associated Zoning

- Proposed Complan Designation Changes
- HIGH DENSITY SF (R-1,5.0 or 7.0)
- RESIDENTIAL OFFICE/PROFESSIONAL OFFICE (RO or PO)
- COMMUNITY RETAIL, MIXED USE CENTER (C-2)
- RETAIL MALLS AND GENERAL COMMERCIAL (C-2)
- DOWNTOWN RETAIL/SUPPORT COMMERCIAL (C-1)
- COMMERCIAL/INDUSTRIAL (M-1 or M-2 or C-2)
- GOVERNMENT CENTER (P)
- COMMUNITY PARK, NEIGHBORHOOD PARK (P)

LU06-011 Complan Mapping Amendment
PARCELS: P54298
FROM: Community Park/Neighborhood Park (CP) and a Zoning Designation of (P)
TO: Retail Malls and General Commercial (RM/GC) and a Zoning Designation of (C-2). March 15, 2006

Schedule "A-1"

119658-P

DESCRIPTION:

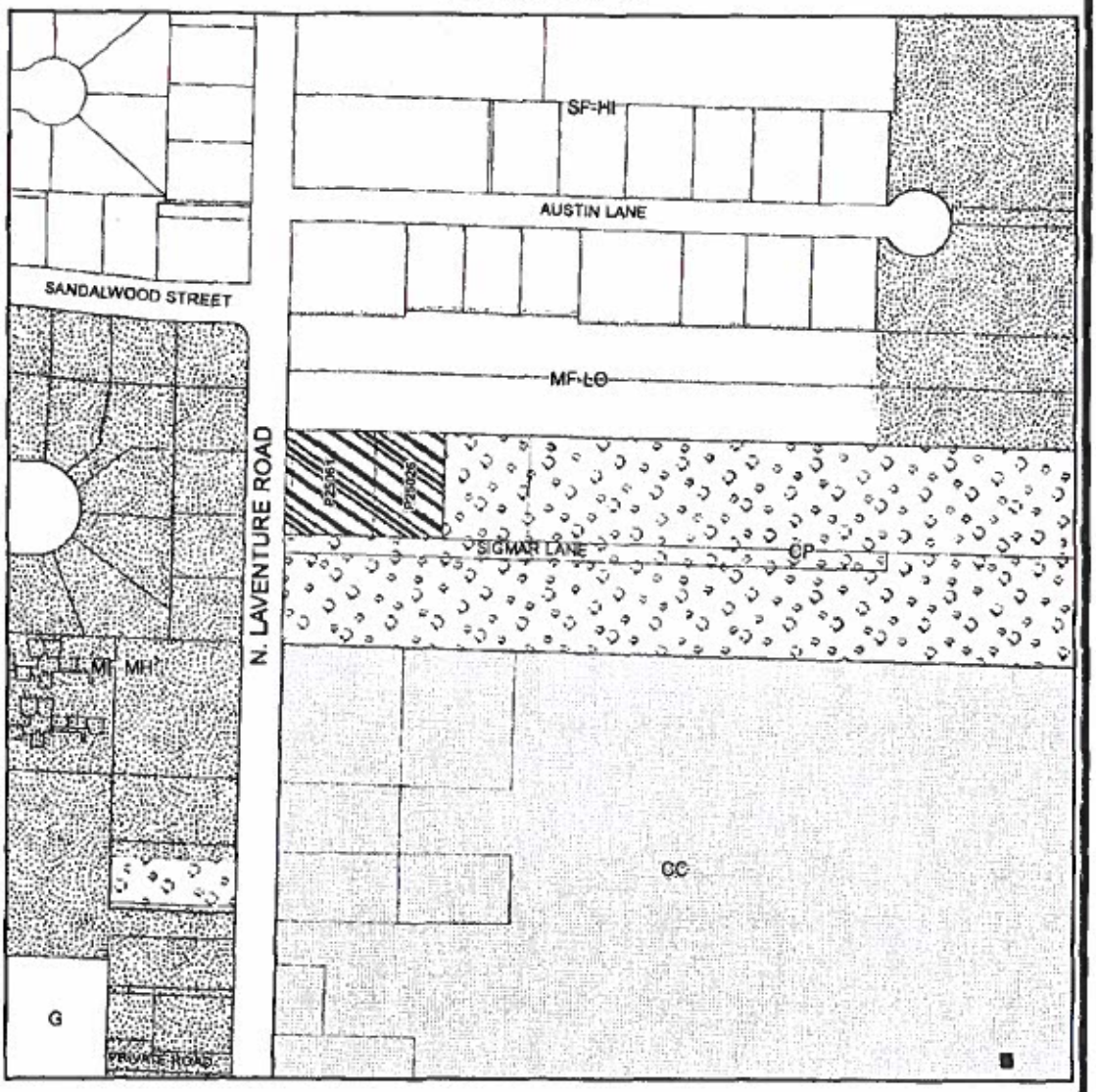
Lots 1 Through 4, inclusive, Block 2, "PLAT OF THE SOUTHERN ADDITION TO MT. VERNON," as per plat recorded in Volume 2 of Plats, page 110, records of Skagit County, Washington,

EXCEPT the South 6.68 feet of Lot 4.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

EXHIBIT B

EXHIBIT C



Legend
Existing Comprehensive Land Use Designations with Associated Zoning

- Proposed Complan Designation Changes
- MEDIUM DENSITY SF (R-1,3.0 or 4.0)
- HIGH DENSITY SF (R-1,5.0 or 7.0)
- LOW DENSITY MF (R-2)
- MEDIUM HIGH DENSITY MF (R-3 or R-4)
- GOVERNMENT CENTER (P)
- CHURCHES, COMMUNITY COLLEGE, SCHOOLS (P)
- COMMUNITY PARK, NEIGHBORHOOD PARK (P)

LU06-013 Complan Mapping Amendment
PARCELS: P25061 & P25026
FROM: Multi-Family Low Density (MF-LO) and a Zoning Designation of (R-1,4.0)
TO: Schools (S) and a Zoning Designation of (P).

March 15, 2006

Schedule "A-1" P-92702-E

DESCRIPTION:

PARCEL "A":

That portion of the Northwest ¼ of the Northwest ¼ of Section 16, Township 34 North, Range 4 East W.M., described as follows:

Beginning at a point 165 feet North of the Southwest corner of said subdivision;
thence North 165 feet;
thence East 160 feet;
thence South 165 feet;
thence West to the point of beginning, EXCEPT road along the West line thereof.

TOGETHER WITH a non-exclusive easement for road purposes over and across the North 30 feet of the South 165 feet of the Northwest ¼ of the Northwest ¼ of Section 16, Township 34 North, Range 4, East W.M., as established by instrument recorded July 21, 1959, as Auditor's File No. 583401.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the Northwest ¼ of the Northwest ¼ of Section 16, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point 330 feet North of the Southwest corner of said subdivision;
thence East 160 feet to the true point of beginning, said point being the Northeast corner of a tract sold on Contract to Kenneth Bechtel and Jacqueline Bechtel, husband and wife, by instrument recorded June 11, 1965, under Auditor's File No. 667454;
thence East 104 feet;
thence South 165 feet;
thence West 104 feet, more or less, to the Southeast corner of said Bechtel tract;
thence North along the East line of said Bechtel tract a distance of 165 feet to the true point of beginning.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over the South 30 feet of the following described parcel:

- Continued -

EXHIBIT C

Schedule "A-1" P-92702-E

DESCRIPTION CONTINUED:

PARCEL "B" Continued:

That portion of the Northwest ¼ of the Northwest ¼ of Section 16, Township 34 North, Range 4 East, W.M., described as follows:

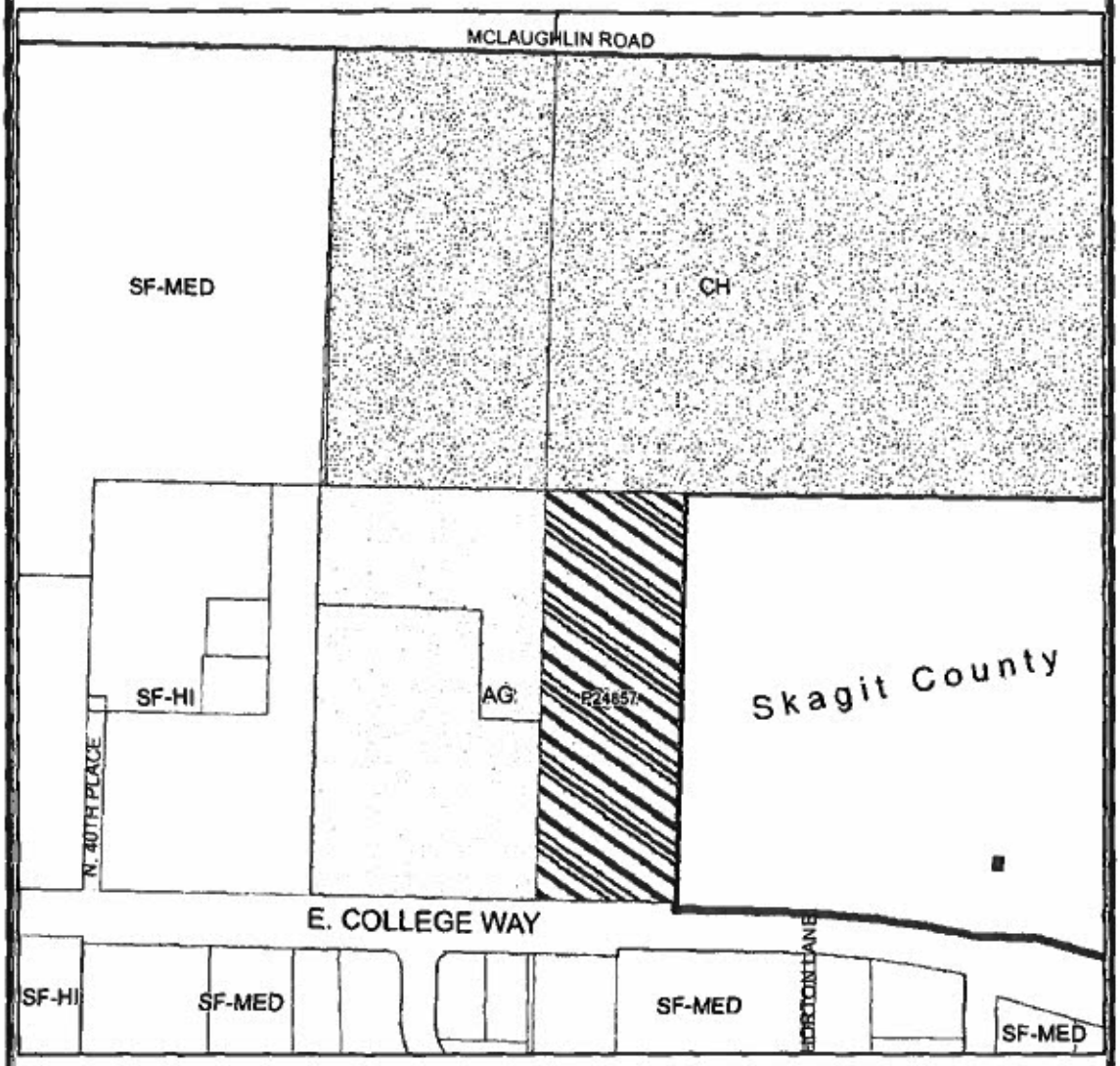
Beginning at a point 165 feet North of the Southwest corner of said subdivision;
thence North 165 feet;
thence East 160 feet;
thence South 165 feet;
thence West to the point of beginning,

EXCEPT road along the West line thereof.

Situate in the County of Skagit, State of Washington.

EXHIBIT C

EXHIBIT D



Legend
Existing Comprehensive Land Use Designations with Associated Zoning

- Proposed Complan Designation Changes
- AGRICULTURAL (R-A)
- MEDIUM DENSITY SF (R-1,3.0 or 4.0)
- HIGH DENSITY SF (R-1,5.0 or 7.0)
- MEDIUM HIGH DENSITY MF (R-3 or R-4)
- RETAIL MALLS AND GENERAL COMMERCIAL (C-2)
- CHURCHES, COMMUNITY COLLEGE, SCHOOLS (P)

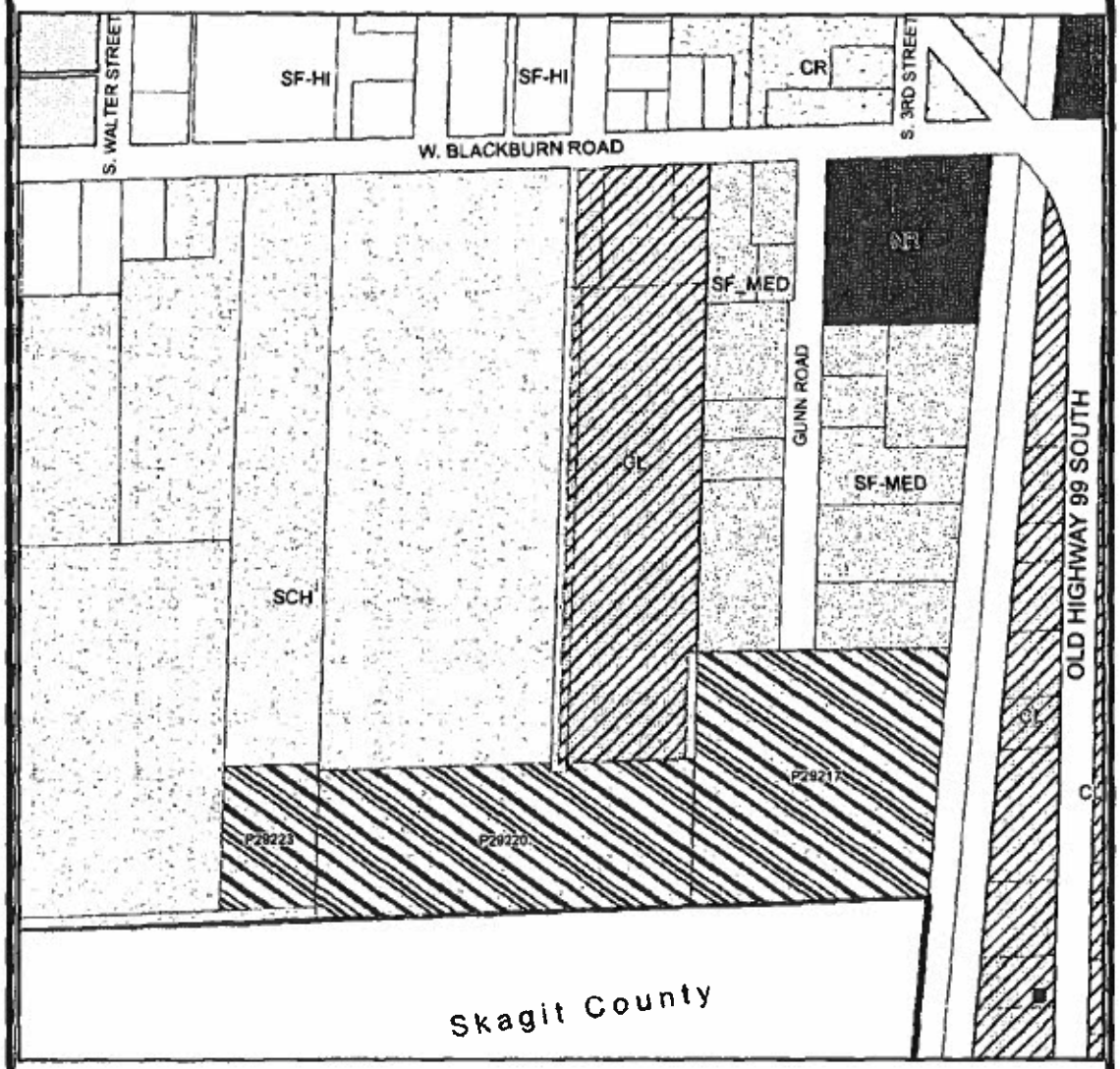
LU06-014 Complan Mapping Amendment
March 15, 2006
PARCELS: P24857
FROM: Agriculture (AG) and a Zoning Designation of (R-A)
TO: South 2/3 of Parcel - Retail Malls/General Commercial (RM/GC) and a Zoning Designation of (C-2)
North 1/3 of Parcel - Multi- Family Medium High Density (MF-MH) and a Zoning Designation of (R-3).

The West 208.7 feet of the South 626.1 feet of that portion of the Southeast ¼ of the Northwest ¼ of Section 15, Township 34 North, Range 4 East, W.M., lying North of State Road No. 1-G, EXCEPT that portion thereof conveyed to the State of Washington by instrument recorded under Auditor's File No. 8610280067.

Situate in the County of Skagit, State of Washington.

EXHIBIT D

EXHIBIT F



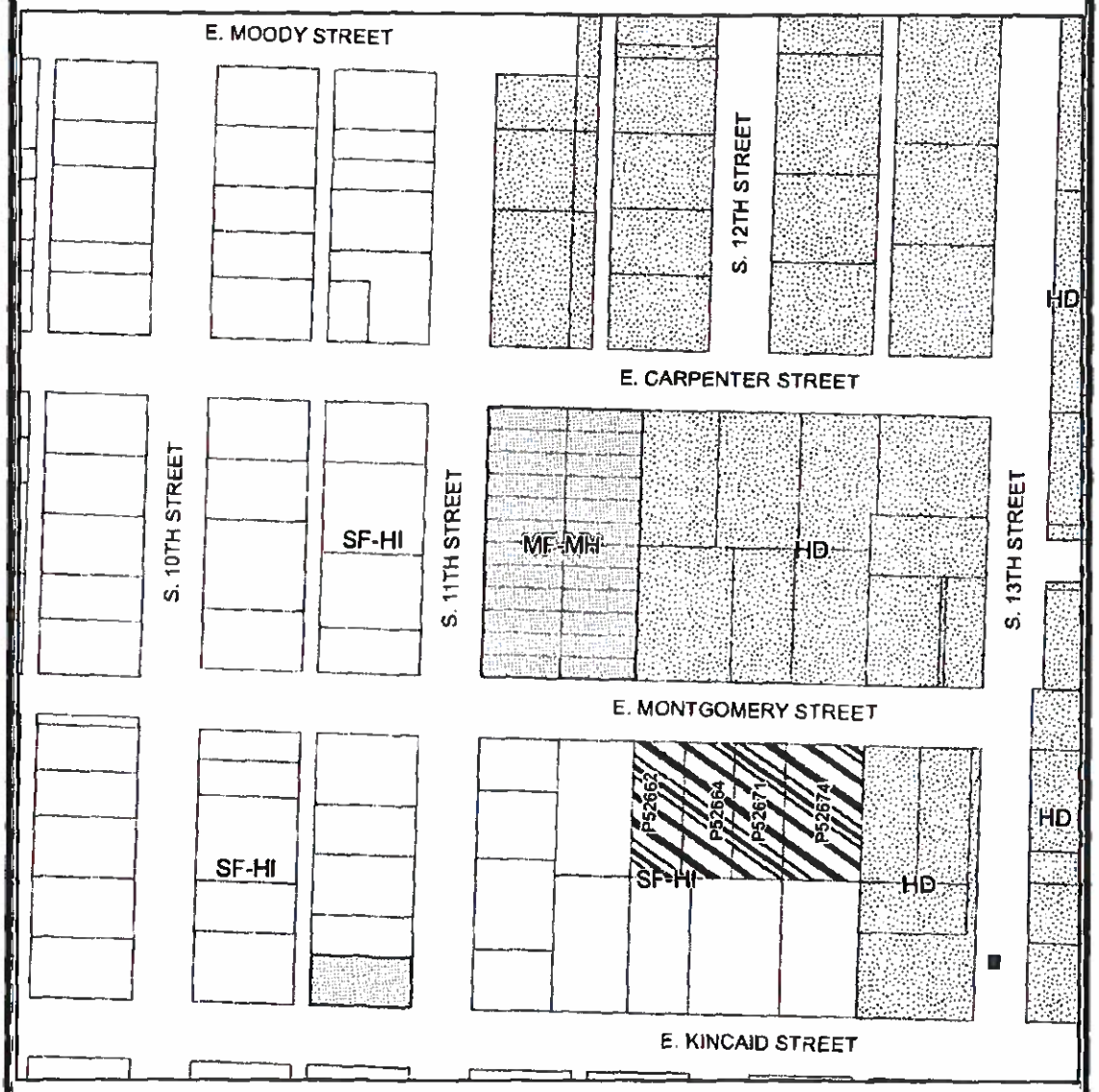
Legend
Existing Comprehensive Land Use Designations with Associated Zoning

- Proposed Complan Designation Change
- MEDIUM DENSITY SF (R-1,3.0 or 4.0)
- HIGH DENSITY SF (R-1,5.0 or 7.0)
- LOW DENSITY MF (R-2)
- NEIGHBORHOOD RETAIL, MIXED USE CENTER (C-4)
- COMMUNITY RETAIL, MIXED USE CENTER (C-3)
- COMMERCIAL/INDUSTRIAL (M-1 or M-2 or C-2)
- COMMERCIAL/LIMITED INDUSTRIAL (C-L)
- CHURCHES, COMMUNITY COLLEGE, SCHOOLS (P)
- COMMUNITY PARK, NEIGHBORHOOD PARK (P)

LU06-016 Complan Mapping Amendment
PARCELS: P29223, P29220 & P29217
FROM: Schools (SCH) and a Zoning Designation of (P)
TO: Commercial/Limited Industrial (CL) and a Zoning Designation of (CL).

March 15, 2006

EXHIBIT G



Legend
Existing Comprehensive Plan Designations with Associated Zoning

Proposed Complan Designation Changes
MEDIUM HIGH DENSITY MF (R-3 or R-4)
HIGH DENSITY SF (R-1,5.0 or 7.0)
HEALTHCARE DEVELOPMENT (HEALTHCARE DEVELOPMENT DISTRICT)

LU06-017 Complan Mapping Amendment
PARCELS: P52662, P52664 & P52674
FROM: Single-Family High Density (SF-HI) and a Zoning Designation of (R-1,7.0)
TO: Healthcare Development District (HD) and a Zoning Designation of (HD).

March 15, 2006

Parcel I.D. #3717-000-011-0013/P52662

The West 50 feet of North ½ of Lot 11, "DALE AND SHEA'S ADDITION TO THE CITY OF MOUNT VERNON," as per plat recorded in Volume 3 of Plats, page 68, records of Skagit County, Washington.

Situate in the City of Mount Vernon, Skagit County, state of Washington.

Parcel I.D. #3717-000-012-0004/P52664

The North ½ of Lot 11, EXCEPT the West 50 feet; the North ½ of Lot 12, EXCEPT the East 50 feet, "DALE AND SHEA'S ADDITION TO THE CITY OF MT. VERNON," according to the Plat recorded in Volume 3 of Plats, page 68, records of Skagit County, Washington.

Situate in the City of Mount Vernon, Skagit County, state of Washington.

Parcel I.D. 3717-000-013-0102/P52674

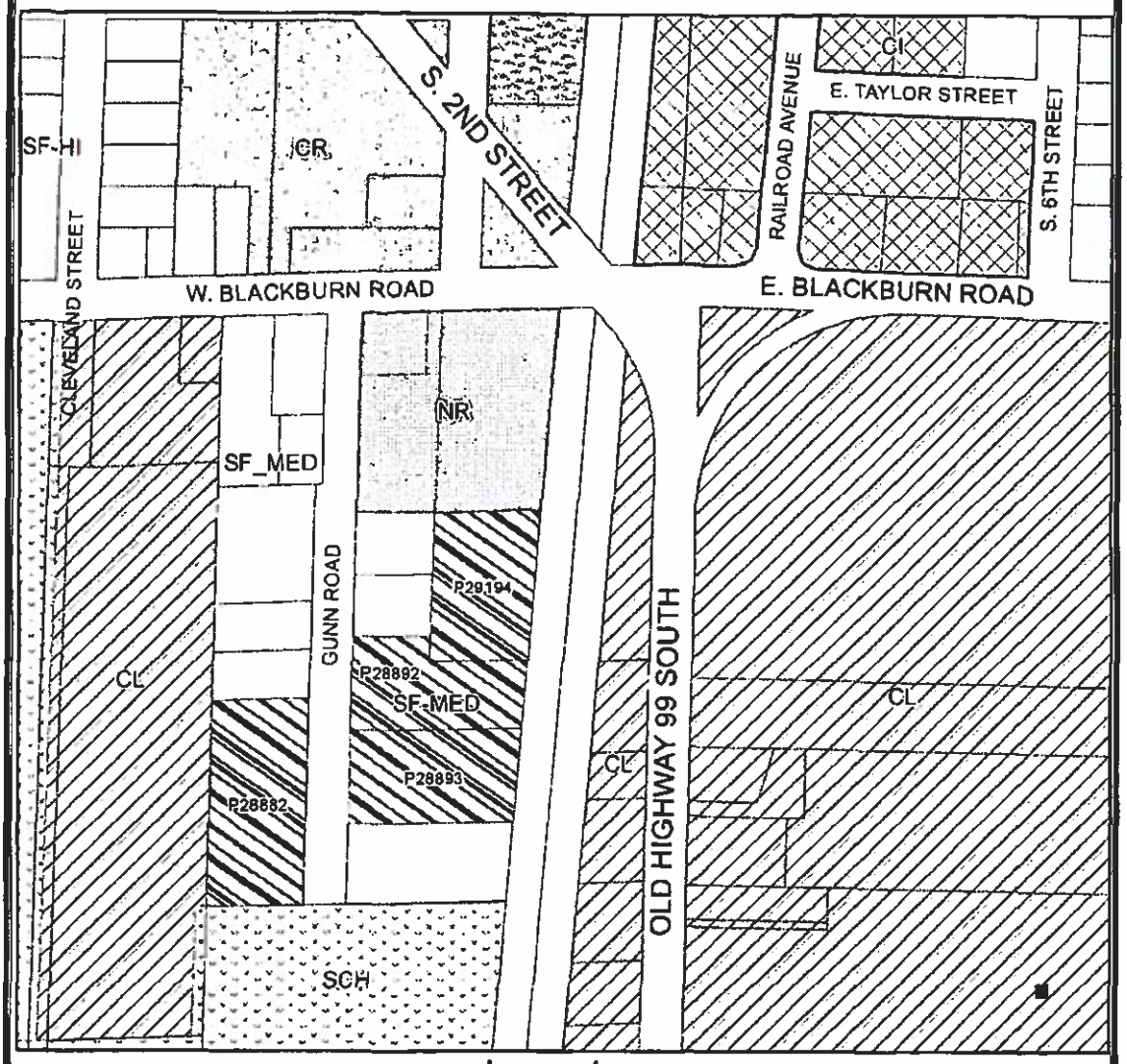
The North ½ of Lot 13, "DALE AND SHEA'S ADDITION TO THE CITY OF MT. VERNON," as per plat recorded in Volume 3 of Plats, page 68, records of Skagit County, Washington.

Situate in the City of Mount Vernon, Skagit County, state of Washington.

The East 50 feet of the North ½ of Lot 12, "DALE AND SHEA'S ADDITION TO THE CITY OF MT. VERNON," as per plat recorded in Volume 3 of Plats, page 68, records of Skagit County, Washington.

EXHIBIT G

EXHIBIT I



Legend

Existing Comprehensive Plan Land Use Designations with Associated Zoning

- Proposed Complan Designation Change Parcels
- MEDIUM DENSITY SF (R-1,3.0 or 4.0)
- HIGH DENSITY SF (R-1,5.0 or 7.0)
- LOW DENSITY MF (R-2)
- RESIDENTIAL OFFICE/PROFESSIONAL OFFICE (RO or PO)
- NEIGHBORHOOD RETAIL, MIXED USE CENTER (C-4)
- COMMUNITY RETAIL, MIXED USE CENTER (C-3)
- COMMERCIAL/INDUSTRIAL (M-1 or M-2 or C-2)
- COMMERCIAL/LIMITED INDUSTRIAL (C-L)
- CHURCHES, COMMUNITY COLLEGE, SCHOOLS (P)

LU06-019 Complan Mapping Amendment
PARCELS: P29194, P28892, P28893 & P28882
FROM: Single-Family Medium Density (SF-MED) & Neighborhood Retail (NR) and a Zoning Designation of (R-1,4.0) & (C-4)
TO: Commercial/Limited Industrial (CL) and a Zoning Designation of (CL).

May 9, 2006

The Mount Vernon City Council adopted Ordinance 3332 on June 28, 2006. An Ordinance of the City of Mount Vernon, Washington, amending the City's Comprehensive Plan mapping in accordance with, and pursuant to Chapters 36.70A RCW and rezoning certain areas, pursuant to Chapter 17.111 of the Mount Vernon Municipal Code. Anyone wishing to view or receive the ordinance in its entirety should contact the Mount Vernon Finance Office, 910 Cleveland, Mount Vernon WA 98273.

Published: July 31, 2006

ORDINANCE NO. 3392

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON AMENDING THE CITY'S COMPREHENSIVE PLAN MAPPING IN ACCORDANCE WITH, AND PURSUANT TO CHAPTERS 36.70A RCW AND REZONING CERTAIN AREAS, PURSUANT TO CHAPTER 17.111 OF THE MOUNT VERNON MUNICIPAL CODE

WHEREAS, Chapter 36.70A RCW, the Growth Management Act ("GMA") mandates that the City of Mount Vernon develop a Comprehensive Plan, which is a generalized, coordinated land use policy statement of the City; and

WHEREAS, the GMA requires that the Comprehensive Plan and development regulations be subject to continuing review and evaluation; and

WHEREAS, the City has adopted procedures pursuant to the GMA providing for amendments to the Comprehensive Plan no more than once each year and providing for comprehensive review of the cumulative impacts of all proposed amendments; and

WHEREAS, the GMA requires plans and development regulations to be consistent; and

WHEREAS, the GMA also requires comprehensive plans to be both internally and externally consistent; and

WHEREAS, concurrent rezones were processed with the Comprehensive Plan amendments to provide consistency in compliance with Chapter 17.111 of the Mount Vernon Municipal Code, and said rezone requests a classification of the below mentioned areas in Sections 1 through 5 from the existing land use designations to the requested land use designations and,

WHEREAS, all requirements provided in Chapter 17.111 of the Mount Vernon Municipal Code for reclassification of property within the City Limits have been met; and,

WHEREAS, the requisite notice of adoption of the proposed amendments has been duly transmitted in compliance with RCW 36.70A.106 (1); and,

WHEREAS, in compliance with all the terms, conditions, and procedures of the State Environmental Policy Act and Chapter 15.06 of the Mount Vernon Municipal Code, an environmental assessment of the proposed revisions to the Comprehensive Plan and associated rezones was conducted and an environmental checklist completed, and upon determination that no provable significant, adverse environmental impact would result from the proposal, a determination of non-significance was issued and published on December 6, 2007;and

WHEREAS, the requisite public hearing before the Planning Commission on December 4, 2007 was preceded with appropriate notice, published on November 5, 2007; and, the requisite City Council hearing of January 9, 2008 was preceded with appropriate notice also published on December 5, 2007; and,

WHEREAS, the Planning Commission, after fully, fairly and carefully considering the public input and staff materials relevant to the amendments, forwarded to the Council its recommendations; and,

WHEREAS, the Mount Vernon Comprehensive Plan has consistently been maintained in compliance with the Growth Management Act as amended since the initial adoption in 1995. The revisions to the Comprehensive Plan and associated rezones are also consistent with the requirements of the Growth Management Act; and,

WHEREAS, the Mount Vernon City Council has reviewed the revisions to the Comprehensive Plan and associated rezones as contained in Sections 1 through 5 and the recommendation and findings of the Planning Commission; and,

WHEREAS, the City Council finds that all procedural requirements for adoption of the attached amendments of the Plan as set forth in Chapter 35A.63.RCW and Chapter 36.70A RCW, and as set forth in the State Environmental Policy Act and Chapter 15.06 of the Mount Vernon Municipal Code have been complied with, and that adequate environmental review has been given; and

WHEREAS the City Council finds that the revisions to the Comprehensive Plan and associated rezones contained in Sections 1 through 5 reflects the best interests of the citizens of the City of Mount Vernon, Washington, and reflects the desires of the public; and,

WHEREAS, the requirements for public participation in the development of this amendment as required by the State Growth Management Act (GMA) and by the provisions of City of Mount Vernon Resolution No. 491 have all been met; and

WHEREAS, in consideration in their entirety the findings and recommendations of the Planning Commission, and the comments made by interested parties, the City Council finds that the Comprehensive Plan and Zone Mapping Amendments comport with the spirit or intent of the GMA, and that the recommendation of the Planning Commission should be adopted;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, DOES ORDAIN AS FOLLOWS:

SECTION 1. LU07-002 (Hansel Mitzel et al):

The following tracts located south of Blackburn Road and west of Old Highway 99 South that have the following parcel number: P29194, P28892, P28893, P28868, P28872, P28885, P28885, P28887, P28888 and P28895 are proposed to be re-designated **FROM** Comprehensive Plan designation of Neighborhood Commercial on the approximate north ½ of parcel P29194 and Single-Family Medium Density (SF-MED) on the rest of the remaining parcels and a zoning designation of C-4 on the approximate north ½ of parcel P29194 and Single-Family Residential with a maximum density of 4.54 du/acre (R-1,4.0) on the rest of the remaining parcels **TO** a Comprehensive Plan designation Commercial/Limited Industrial (C/L) and a zoning designation of Commercial/Limited Industrial (C/L) for all the parcels.

A full legal description and map for this site are attached as **EXHIBIT A**.

SECTION 2. LU07-010 (Wallace/Hanson):

The following tract located south of College Way and west of North Waugh Road that has the following parcel number: P25270 are proposed to be re-designated FROM Comprehensive Plan designation of Single Family Medium Density (SF-MED) (southern—majority of property) and Medium High Density Multifamily (MF-MH) (northern 300+/- feet of property). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0) TO Comprehensive Plan designation of Neighborhood Retail, Mixed Use Center (NR) (northern portion of the property) and Low Density Multifamily (MF-LO) (southern portion of the property). Zoning Designation of Neighborhood Commercial District (C-4) (northern portion of property) and Two Family Residential (R-2) (southern portion of the property).

A full legal description and map for this site are attached as **EXHIBIT B**.

SECTION 3. LU07-012 (Viewcrest Assembly of God):

The following tract located north of East College Way and south of McLaughlin Road that has the following parcel number: P24835 is proposed to be re-designated **FROM** Comprehensive Plan designation of Churches, Community Colleges, Schools (P). Zoning designation of Public (P). **TO** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54. du/acre (R-1, 4.0).

A map of the site and the legal description are attached as **EXHIBIT C**.

SECTION 4. LU07-015 (Mount Vernon School District 1):

The following tract located North of East Division Street and east of Skagit Highlands Parkway that have the following parcel number: P27509 is proposed to be re-designated **FROM** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0). **TO** Comprehensive Plan designation of Public. Zoning Designation of Public (P).

A map of the site and the legal description are attached as **EXHIBIT D**.

SECTION 5. LU07-016 (Mount Vernon School District 2):

The following portion of a tract located south of Martin Road and west of Trumpeter Drive that has the following parcel number: P52662 is proposed to be re-designated **FROM** Comprehensive Plan designation of Public (P). Zoning designation of Public (P). **TO** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0).

A map of the site and the legal description are attached as **EXHIBIT F**.

SECTION 6: Effective Date. This Ordinance shall be effective five days after its passage, approval and publication as provided by law.

PASSED and APPROVED this 9th day of January, 2008.

ALICIA D. HUSCHKA, Finance Director

SIGNED AND APPROVED this 9th day of January, 2008.

BUD NORRIS, Mayor

Approved as to form:

Kevin Rogerson, City Attorney

Published February 4, 2008

EXHIBIT A

P28892 LEGAL DESCRIPTION

Tract "A" of Short Plat No. 54-74, approved October 29, 1974 and recorded October 30, 1974, under Auditor's File No. 809456 in Volume 1 of Short Plats, page 3, records of Skagit County, Washington; being a portion of the East ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

P28893 LEGAL DESCRIPTION

Tract "B" of Short Plat No. 2-76, approved February 6, 1976 and recorded February 6, 1976 in Volume 1 of Short Plats, page 97, under Auditor's File No. 829755, records of Skagit County, Washington; being a portion of the East ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

P29194 LEGAL DESCRIPTION

That portion of the Northwest ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the point of intersection of the South line of the County Road as it existed on February 27, 1963, running along the North line of said subdivision with the Westerly line of the Great Northern Railway Company right-of-way; thence West along the South line of said County Road a distance of 171 feet; thence Southerly along the Westerly line of that certain tract conveyed to Chris Schessler and Katherine Schessler, by Deed dated October 19, 1942, and recorded under Auditor's File No. 357048, a distance of 511.5 feet; thence East to the West line of said Great Northern Railway Company right of way; thence Northerly along the Westerly line of the Great Northern Railway right-of-way to the point of beginning;

EXCEPT the North 10 feet thereof as conveyed to Skagit County for road purposes by Deed recorded June 9, 1972 under Auditor's File No. 769397.

SUBJECT TO covenants, conditions, restrictions and easements of record.
Situate in the County of Skagit, State of Washington.

P28868 LEGAL DESCRIPTION

The West ½ of the following described parcel:

Beginning at the Northwest corner of the East ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M.; thence East 150 feet; thence South 275 feet; thence West 150 feet; thence North 275 feet to the point of beginning EXCEPT the North 30 feet conveyed to Skagit County for road purposes;

TOGETHER WITH that portion of the East ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northwest corner of said East ½ of the Northeast ¼ of the Southeast ¼; thence East, 75 feet; thence South 175 feet to the true point of beginning; thence East 12 feet; thence South, 100 feet; thence West, 12 feet; thence North, 100 feet, more or less, to the true point of beginning.

Situate in the County of Skagit, State of Washington.

P28872 LEGAL DESCRIPTION

That portion of the East ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northwest corner of said East ½; thence East 75 feet; thence South 175 feet to the true point of beginning; thence East 75 feet; thence South 100 feet; thence West 75 feet; thence North 100 feet to the true point of beginning,

EXCEPT the West 12 feet thereof.

Situate in the County of Skagit, State of Washington.

P28885 LEGAL DESCRIPTION

A tract of land in the East ½ of the Northeast ¼ of the Southeast ¼ of section 30, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northeast corner of said Northeast ¼ of the Southeast ¼, run South 88 degrees 34' West along the North line of the Northeast ¼ of the Southeast ¼, 505.95 feet; thence South 0 degrees 33'20" East 275 feet to the true point of beginning; thence from this true point of beginning run South 0 degrees 33'20" East 310.0 feet; thence South 88 degrees 34' West 150.00 feet; thence North 0 degrees 33'20" West 310.00 feet; thence North 88 degrees 34' East 150.00 feet to the true point of beginning.

EXCEPT the South 140 feet thereof;

AND ALSO EXCEPT the East 10 feet thereof conveyed to Skagit County, for an unnamed

County Road, by instrument recorded April 15, 1960, under Auditor's File No. 593256.

Situate in the County of Skagit, State of Washington.

P28886 LEGAL DESCRIPTION

That portion of the East ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northeast corner of said subdivision; thence South 88 degrees 34' West along the North line thereof 505.95 feet; thence South 0 degrees 33'20" East 445 feet to the true point of beginning; thence from its true point of beginning, running South 0 degrees 33'29" East 70 feet; thence South 88 degrees 34' West 150.00 feet; thence North 0 degrees 33'20" West 70 feet; thence North 88 degrees 34' East 150.00 feet to the true point of beginning.

EXCEPT road along the East side thereof.

Situate in the County of Skagit, State of Washington.

P28887 LEGAL DESCRIPTION

The South 70 feet of a tract of land described as follows:

A tract of land in the East ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East, W.M., described as follows: From the Northeast corner of said Northeast ¼ of the Southeast ¼ run South 88 degrees 34' West along the North line of the Northeast ¼ of the Southeast ¼ , 505.95 feet; thence South 0 degrees 33'20" East 275 feet to the true point of beginning; thence from this true point of beginning run South 0 degrees 33'20" East 310.0 feet; thence South 88 degrees 34' West 150.00 feet; thence North 0 degrees 33'20" West 310.0 feet; thence North 88 degrees 34' East 150.00 feet to the true point of beginning.

EXCEPT road along the East side thereof.

Situate in the County of Skagit, State of Washington.

P28888 LEGAL DESCRIPTION

The North 90 feet of that portion of the East ½ of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, 4 East, W.M., described as follows:

Beginning at the Northeast corner of said Northeast ¼ of the Southeast ¼; thence West along the North line of the Northeast ¼ of the Southeast ¼ 339.75 feet; thence South 0°36' West, 315.06 feet to the true point of beginning of this description; thence from said point of beginning, running South 0°36' West, 565.89 feet to the South line of the North 2/3 of the Northeast ¼ of the Southeast ¼ of said section; thence South 88°21' West 107.09 feet; more or less, to a point 200.01 feet East of the West line of the East ½ of the Northeast ¼ of the Southeast ¼ of said section; thence North 0°33'20" West 567.07 feet to a point which bears South 88°34' West from the one point of beginning; thence North 88°34' East 113.08 feet to the true point of beginning,

EXCEPT that portion of said premises, if any, lying East of the West line of those premises conveyed to Ida M. Youngquist, by deed dated October 29, 1937, filed November 3, 1941, under Auditor's File No. 246062, and recorded in Volume 185 of Deeds, page 162.

Situate in the County of Skagit, State of Washington.

P28895 LEGAL DESCRIPTION

PARCEL A:

The South 90 feet of the North 180 feet of that portion of the East Half of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East of the W.M., described as follows:

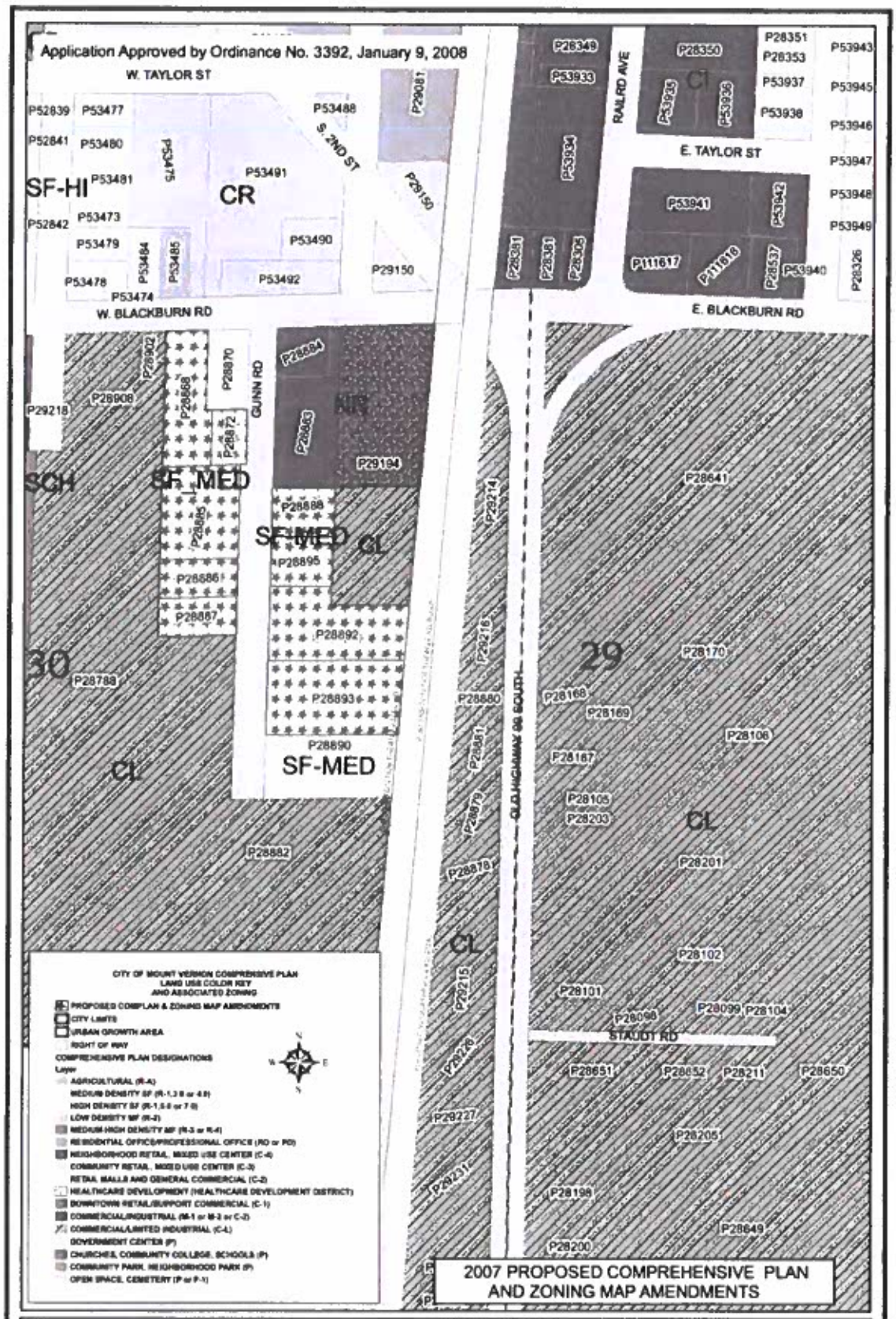
Beginning at the Northeast corner of said Northeast ¼ of the Southeast ¼; thence West along the North line of the Northeast ¼ of the Southeast ¼ a distance of 339.75 feet; thence South 00°36' West a distance of 315.06 feet to the true point of beginning of this description; thence from said point of beginning run South 00°36' West a distance of 565.89 feet to the South line of the North 2/3 of the Northeast ¼ of the Southeast ¼ of said section; thence South 88°21' West a distance of 107.09 feet, more or less to a point 200.01 feet East of the West line of the East ½ of the Northeast ¼ of the Southeast ¼ of said section; thence North 00°33'20" West a distance of 567.07 feet to a point which bears South 88°34' West from the true point of beginning; thence North 88°34' East a distance of 113.08 feet to the true point of beginning.

PARCEL B:

An easement for roadway over that portion of the Northeast ¼ of the Southeast ¼ of Section 30, Township 34 North, Range 4 East of the W.M., described as follows:

Beginning at the Northeast corner of said Northeast ¼ of the Southeast ¼ ; thence West a distance of 505.95 feet; thence South 00°33'20" East a distance of 20 feet to the true point of beginning; thence South 00°33'20" East a distance of 861.52 feet; thence North 88°21' East a distance of 50.01 feet; thence North 00°33'20" West a distance of 861.33 feet; thence South 88°34' West a distance of 50.01 feet to the true point of beginning.

All situated in Skagit County, Washington.



LU07-002 Hansell Mitzel, LLC et al Properties

Project Description The following tracts located south of Blackburn Road and west of Old Highway 99 South that have the following parcel numbers P29194, P28892, P28893, P28868, P28872, P28885, P28886, P28887, P28888 and P28895 are proposed to be re-designated **FROM** Comprehensive Plan designation of Neighborhood Commercial on the approximate north ½ of parcel P29194 and Single-Family Medium Density (SF-MED) on the rest of the remaining parcels and a zoning designation of C-4 on the approximate north ½ of parcel P29194 and Single-Family Residential with a maximum density of 4.54 du/acre (R-1.4.0) on the rest of the remaining parcels **TO** a Comprehensive Plan designation Commercial/Limited Industrial (C/L) and a zoning designation of Commercial/Limited Industrial (C/L) for all the parcels

City of Mount Vernon
910 Cleveland Avenue
Mount Vernon, WA 98273

Phone: (360)-336-6214
Website: www.ci.mount-vernon.wa.us

DATE: FEBRUARY 27, 2007

SCALE: 1" = 200'

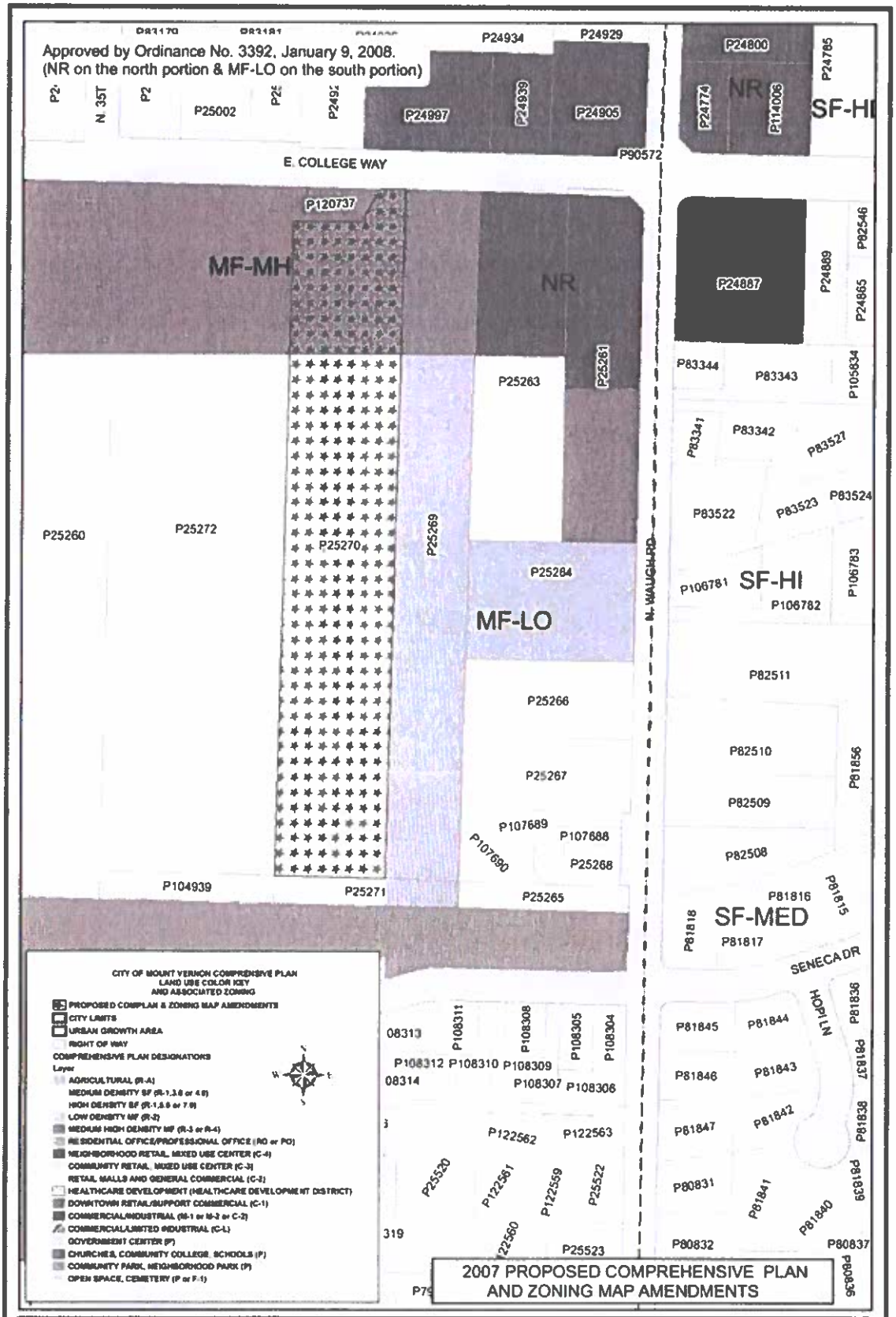
EXHIBIT B

LEGAL DESCRIPTION

The West ½ of the East ½ of the Northeast ¼ of the Southeast ¼ of Section 16, Township 34 North, Range 4 East, W. M, EXCEPT the East 132 feet thereof, AND EXCEPT the South 50 feet thereof, AND ALSO EXCEPT State Highway (College Way) running along the North line thereof.

EXCEPT the North 40 feet conveyed to the City of Mount Vernon for College Way in deed recorded July 29, 2003 under Auditor's File No. 200307290080.

ALSO EXCEPT that Northerly portion conveyed to the City of Mount Vernon in deed recorded July 29, 2003 under Auditor's File No. 200307290079.



LU07-010 Wallace and Hanson

Project Description: The following tract located south of College Way and west of North Waugh Road that has the following parcel number: P25270 are proposed to be re-designated **FROM** Comprehensive Plan designation of Single Family Medium Density (SF-MED) (southern – majority of property) and Medium High Density Multi-Family (MF-MH) (northern 300+/- feet of property). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0) **TO** Comprehensive Plan designation of Neighborhood Retail, Mixed Use Center (NR). Zoning Designation of Neighborhood Commercial District (C-4) (northern portion of property) and Two Family Residential (R-2) (southern portion of the property).

City of Mount Vernon
910 Cleveland Avenue
Mount Vernon, WA 98273

Phone (360)-336-6214
Website www.ci.mount-vernon.wa.us

DATE: FEBRUARY 27, 2007
SCALE: 1" = 200'

EXHIBIT C

LEGAL DESCRIPTION

Parcel B

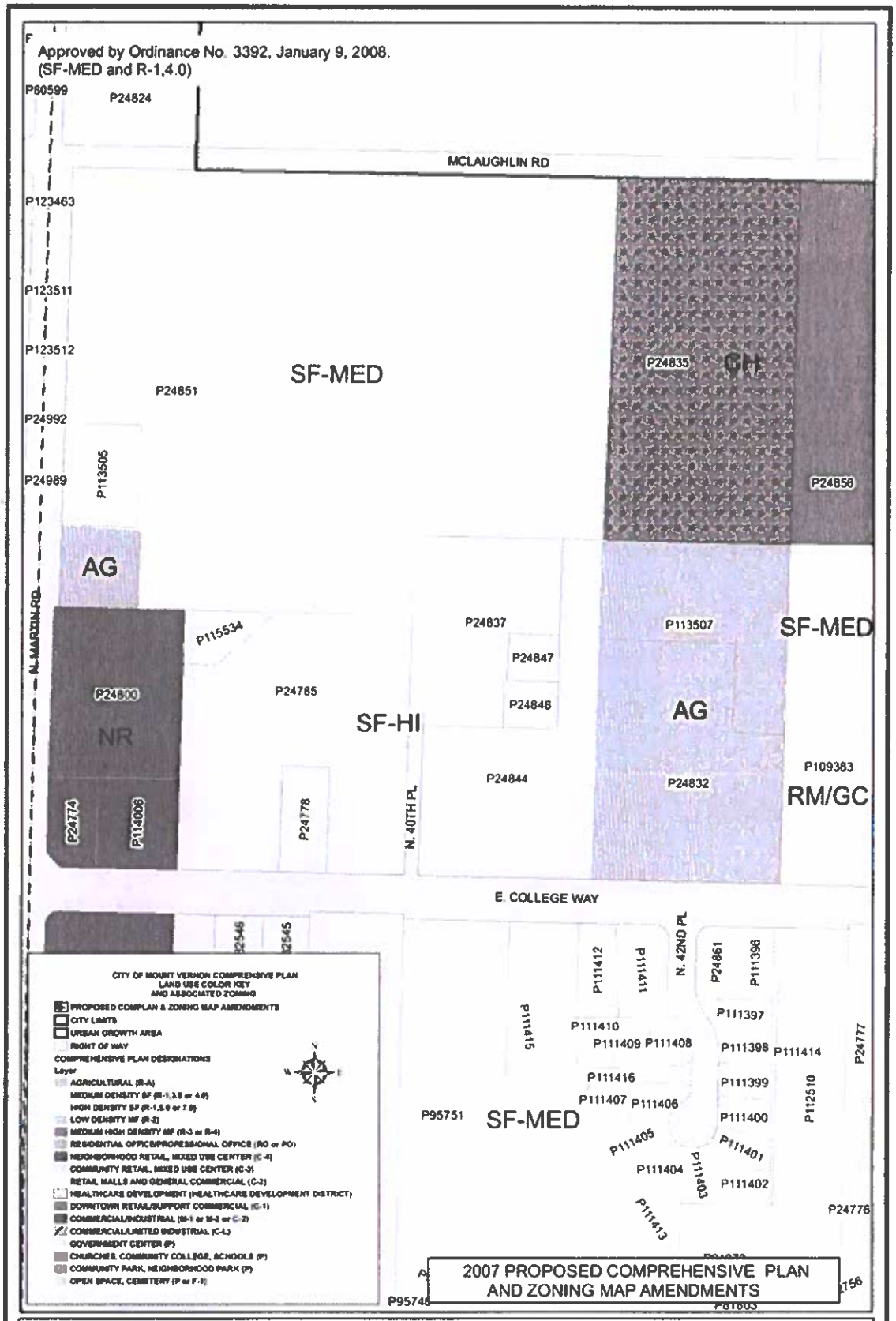
The East 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 15, Township 34 North, Range 4 East, W.M.

EXCEPT the North 20 feet thereof;

ALSO EXCEPT that portion conveyed to the State of Washington, for highway purposes by deed dated May 29, 1986, and recorded under Auditor's File No. 8610010020, records of Skagit County, Washington;

AND ALSO EXCEPT from all of the above, the South 616 feet thereof.

Situate in the County of Skagit, State of Washington.



LU07-012 Viewcrest Assembly of God

Project Description: The following tract located north of East College Way and south of McLaughlin Road that has the following parcel number: P24835 is proposed to be re-designated **FROM** Comprehensive Plan designation of Churches, Community Colleges, Schools (P). Zoning designation of Public (P). **TO** Comprehensive Plan designation of Multifamily Low Density (MF-LO) with a fall back to Single Family Medium Density (SF-MED). Zoning designation of Two Family Residential (R-2) with a fall back to Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0).

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DATE FEBRUARY 27, 2007
SCALE 1" = 200'

EXHIBIT D

LEGAL DESCRIPTION

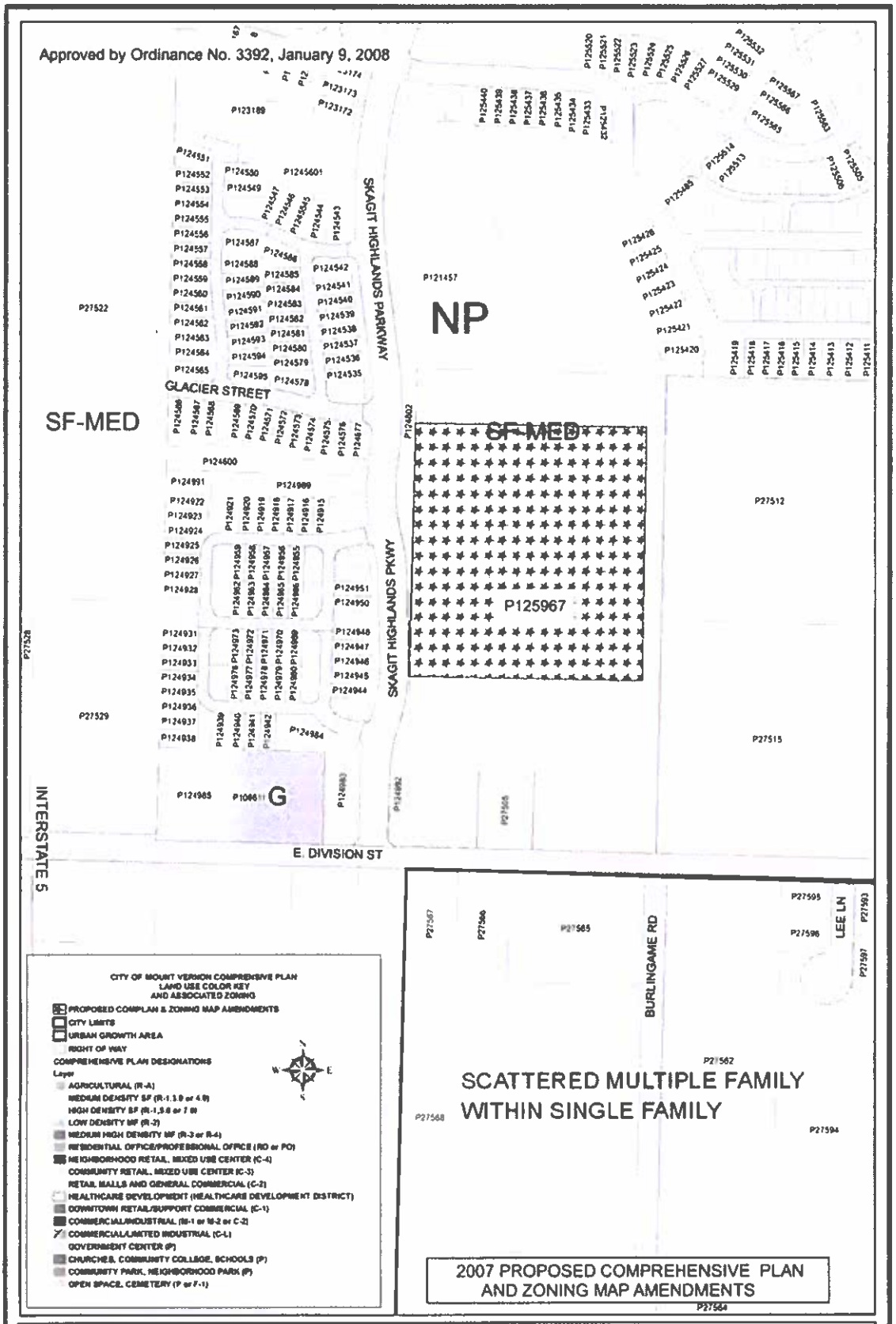
The North 700.00 feet of the South 1180.00 feet of the West 622.39 feet (as measured perpendicular to the South and West lines thereof) of the East ½ of the Southwest ¼ of the Northwest ¼ of Section 22, Township 34 North, Range 4 East, W. M.;

TOGETHER WITH an easement for ingress, egress and utilities over, under and across the South 480.00 feet of the West 60.00 feet (as measured perpendicular to the South and West lines thereof) of said East ½ of the Southwest ¼ of the Northeast ¼ of Section 22, Township 34, Range 4 East, W. M., EXCEPT roadway along the South line thereof;

ALSO BEING SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

Containing 10.0 acres



LU07-015 Mount Vernon School District

Staff Recommendation: The following tract located North of East Division Street and east of Skagit Highlands Parkway that have the following parcel number: P125967 is proposed to be re-designated **FROM** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54. du/acre (R-1, 4.0). **TO** Comprehensive Plan designation of Public. Zoning Designation of Public (P).

City of Mount Vernon
910 Cleveland Avenue
Mount Vernon, WA 98273

Phone: (360)-336-6214
Website: www.ci.mount-vernon.wa.us

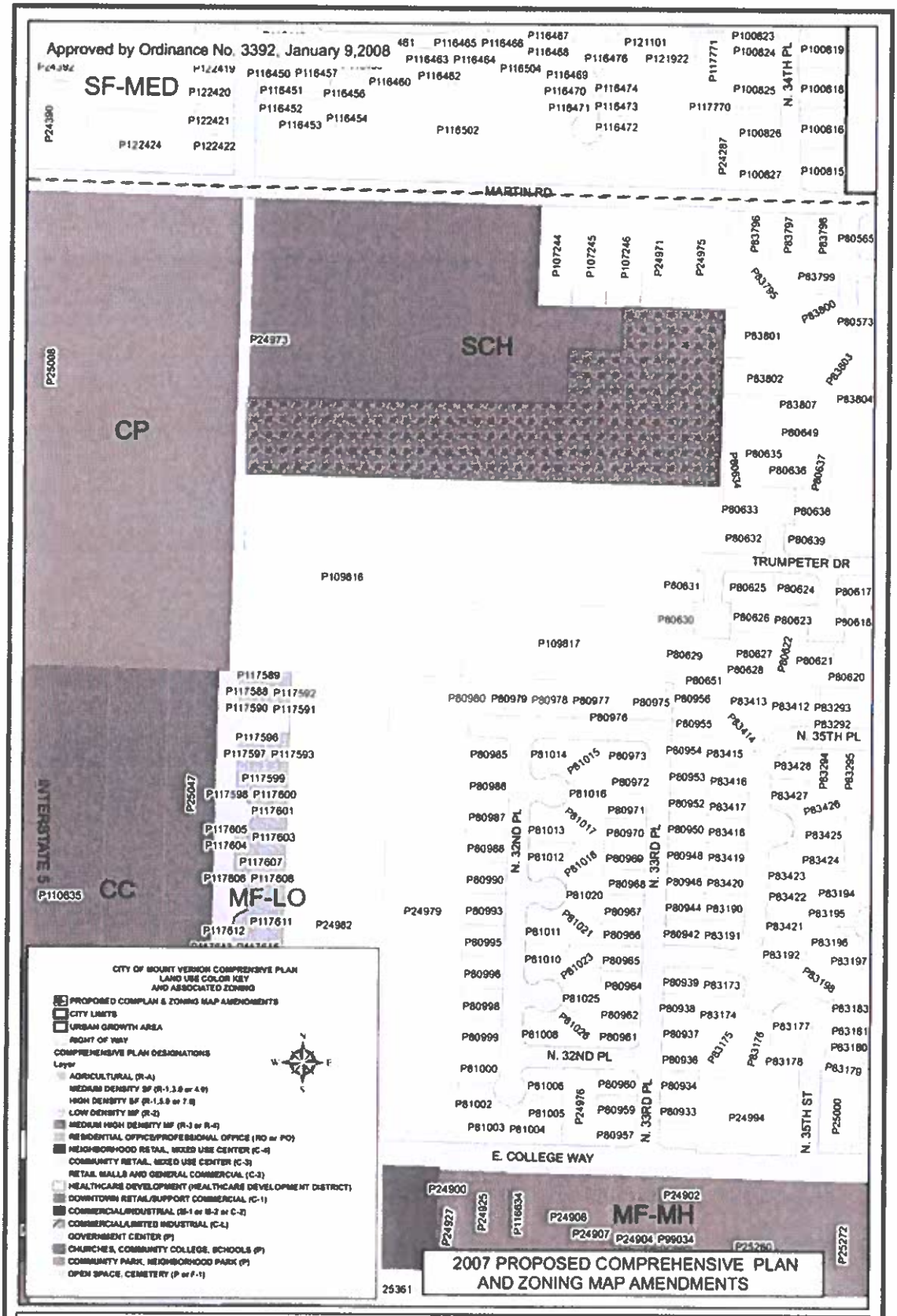
DATE: FEBRUARY 27, 2007
SCALE: 1" = 300'

EXHIBIT F

Legal Description

That portion of Lot "A" of City of Mount Vernon Short Plat No. MV 7-91, recorded in Volume 9 of Short Plats, pages 357 and 358, as Auditor's File No. 9105070082, records of Skagit County, State of Washington, lying within that portion of the Northwest ¼ of the Northeast ¼ of Section 16, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at the North ¼ corner of said Section 16; thence, Easterly, along the North line of said Section, South 88°50'09" East (also shown on said Short Plat as South 89°39'39" East), a distance of 805.63 feet; thence, leaving said North Section line, South 00°35'02" West, a distance of 30.00 feet to a point on the South right-of-way line of Martin Road; thence, continuing along said bearing, South 00°35'02" West, a distance of 270.41 feet; thence, South 88°50'09" East (also shown on said Short Plat as South 89°39'39" East), a distance of 507.50 feet, to a point on the East line of said Northwest ¼ of the Northeast ¼ of said Section 16 being the **TRUE POINT OF BEGINNING;** thence, Southerly, along said East line, South 01°24'32" West (shown on the plat of "TRUMPETER I" as South 00°35'02" West), a distance of 479.60 feet; thence, North 88°50'09" West a distance of 1280.99 feet; thence, North 01°15'07" East a distance of 150.00 feet; thence, South 88°50'09" East a distance of 877.90 feet; thence, North 01°24'32" East a distance of 87.50 feet; thence, South 88°50'09" East a distance of 130.00 feet: thence, North 01°24'32" a distance of 242.90 feet; thence, along the North line of said Lot "A", South 88°50'09" East a distance of 273.50 feet to the **TRUE POINT OF BEGINNING.**



LU07-016 Mount Vernon School District

Staff Recommendation: The following portion of a tract located south of Martin Road and west of Trumpeter Drive that has the following parcel number: P24973, is proposed to be re-designated **FROM** Comprehensive Plan designation of Public (P). Zoning designation of Public (P). **TO** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54. du/acre (R-1, 4.0)

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Mount Vernon, WA 98273

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Website: www.ci.mount-vernon.wa.us

DATE FEBRUARY 27, 2007
SCALE 1" = 300'

The Mount Vernon City Council adopted Ordinance 3392 on January 9, 2008. An ordinance of the City of Mount Vernon, Washington, amending the City's Comprehensive Plan Mapping in accordance with, and pursuant to Chapters 36.70A RCW and rezoning certain areas pursuant to Chapter 17.111 of the Mount Vernon Municipal Code. Anyone wishing to view or receive the ordinance in its entirety should contact the Mount Vernon Finance Office, 910 Cleveland, Mount Vernon WA 98273.

Published: February 4, 2008

Skagit Valley Herald

Client:

CITY OF MOUNT VERNON - LEGALS

Account # 40005201 Ad # 82683

Phone: (360) 336-6214

Fax: (360) 336-6283

Address: PO BOX 809

MOUNT VERNON, WA 98273

Sales Rep.:

3045 Legal Typist

Phone: (360) 424-4567

Fax: (360) 424-5300

Email: classified@skagitvalleyherald.com

Entry date: 01/31/2008 09:25 AM

Class.: 0001 City Legals

Requested By:

Start Date: 02/04/2008

End Date: 02/04/2008

Publications: Skagit Valley Herald

Web Network

Total Price: $17.04

Paid Amount: $0.00

Balance: $17.04

Page 1 of 1

ORDINANCE NO. 3392

The Mount Vernon City Council adopted Ordinance 3392 on January 9, 2008. An ordinance of the City of Mount Vernon, Washington, amending the City's Comprehensive Plan Mapping in accordance with, and pursuant to Chapters 36.70A RCW and rezoning certain areas pursuant to Chapter 17.111 of the Mount Vernon Municipal Code. Anyone wishing to view or receive the ordinance in its entirety should contact the Mount Vernon Finance Office, 910 Cleveland, Mount Vernon WA 98273.

Published:
February 4, 2008
SVH-1995

Proof

LU[illegible]

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

RECEIVED
CITY OF MOUNT VERNON
JAN [illegible]
C.E.D. DEPARTMENT
BY_____

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME:
Hansell Mitzel, LLC DBA Hansell Mitzel Homes

ADDRESS:
PO Box 188

CITY/STATE: ZIP:
Mount Vernon, WA 98273

TELEPHONE NUMBER:
(360) 404-2050

APPLICANT (if other than owner)

NAME:

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER:

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME:

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Project or development name:
Gunn Road Comprehensive Plan Amendment

Property/project address(s)/location:
200 W. Blackburn; 2126 Gunn Road; 2201 Gunn Road; 2208 Gunn Road;

Skagit County Assessor's parcel number:
P29194;P28892;P28882;P28893

Existing land use(s): Residential

Proposed land uses: Commercial Limited Industrial

Existing comprehensive plan map designation: Medium Density SF

Proposed comprehensive plan map designation: CL

Existing Zoning: C4 and R-1 9.6

Proposed Zoning (if applicable): CL

Site Area (Sq. Ft. or acreage):
4.22 +/- acres

Project value:

Is the site located in any type of environmentally sensitive area? No

LU_____-_____

LEGAL DESCRIPTION OF PROPERTY (ATTACH SEPARATE SHEET IF NECESSARY)

See attached Exhibit "A"

TYPE OF APPLICATION & FEES

Check all application types that apply – City staff will determine fees.

	Annexation	$
X	Comp. Plan Amendment	$ 100
X	Comp. Sign plan	
	Special Use Permit	$
	Conditional Use Permit	$
	Site Plan Approval	$
	Fill and Grade Permit	$
	# of cubic yards:_____	
	Variance	$
	Rezone	$
	Waiver	$
	Wetland Permit	$
	Binding Site Plan	$
	Temporary Use Permit	$
	Shoreline Reviews:	
	Substantial Development	$
	Conditional Use	$
	Variance	$
	Exemption	$
	Revision	$

	Subdivision:	
	Boundary line adjustment	$
	Short Plat	$
	Preliminary Plat	$
	Final Plat	$
	Master Plan	$
	Planned Unit Development:	
	Preliminary	$
	Final	$
	PUD public notification sign	$
	Mobile Home Parks (Special Use)	$
	Environmental Review (SEPA)	$
X	Land Use Change Sign 3	$ 30
X	Postage (1x 18x.35)	$ 7.02

100 7.02

AFFIDAVIT OF OWNERSHIP

I, Don R. Mitzel (Please print name), declare that I am (please check one) ✓ the owner of the property involved in this application, Don R. Mitzel the authorized representative to act for the property owner (please attach proof of authorization), and that the foregoing statements and answers herein contained and the infroamtion herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Don R. Mitzel
(Name of Owner/Representative)

(Signature of Owner/Representative)

Attest: Subscribed and sworn to before me, a Notary Public, in and for the State of Washington residing at Arlington, on the 31st day of January 2006.

Michaela M. Murphy
(Signature of Notary Public)

NOTARY PUBLIC
MICHAELA M. MURPHY
COMMISSION EXPIRES 1-9-2007
STATE OF WASHINGTON

(This section to be completed by City Staff.)

A BLA BSP CPA CUP ER FPUD FP F&G MHP MP PP PPUD R SPA S/P SME SUP TUP V-A V-H W

TOTAL FEES: $_____ RECEIPT #:

RECEIVED
MOUNT VERNON
2018
DEPARTMENT

GUNN RD. COMPREHENSIVE PLAN AMENDMENT & REZONE
PROPOSAL DESCRIPTION / NARRATIVE

This proposal is asking for a Comprehensive Plan Amendment and Rezone of approximately 4.22 acres of land as depicted on the enclosed maps. The existing zoning allows for residential uses under the R1-9600 Zoning and some commercial uses on the land that has the C-2 zoning. We are requesting that all of the land be Designated as Commercial Limited Industrial on both the Comprehensive Plan Map and on the Zoning map. The existing uses are primarily residential in nature and consist of 4 residences that are in poor to uninhabitable condition. Our intent, if we receive the requested changes, is to develop the properties as a combination of uses including warehousing, distribution, retail, office and storage condominiums. The development of these properties would require improvements to Gunn Rd. and it is our anticipation that we will be working with the City of Mount Vernon to make sure that the required infrastructure is in place so that the development of these properties can be accomplished.

The area is well suited for this type of re-development because of it's location adjacent to the Burlington northern rail tracks and it's adjacently to existing Commercial Limited Industrial (CLI) uses and zoning to the west of the property. We own approximately 4.5 acres of CLI zoned land on Cleveland Ave. to the west of the subject property that would be developed in conjunction with the subject property in a fashion that could provide for a looped road connection such that Gunn Rd. would connect with Cleveland Ave. The Mount Vernon School District is also asking for a change in designation for its property that is located south of the subject property. By granting both requests it will be possible to establish a CLI zoned area totaling approximately 17 acres which will help to justify the investment in storm drainage, sanitary sewer, storm sewer, power, gas, phone and cable improvements.

The impact to the neighborhood would most likely prompt a re-development of the area as more existing property owners would pursue redevelopment options.

Future residential uses in the area are not the best use of this land resource. The City of Mount Vernon is actively pursuing ways of creating more balance between residential and commercial development. By re-designating this area it will provide more opportunities for employment by businesses that will locate in the subject area. The area is close to I-5 and Highway 99 and will be a desirable place for businesses to locate.

All of the required utilities are either available or can be extended and improved to provide for all infrastructure needed for re-development of the area.

Specific answers to decision criteria are as follows:

Criteria: The comprehensive plan amendment and any associated rezone bears a substantial relation to the public health safety and welfare.
The redevelopment of this area will promote improvement in public health and welfare as a result of the improvement in the overall neighborhood and the increase in the tax base

for the City of Mount Vernon which will enhance the City's ability to fund all public safety and welfare programs.

Criteria: The comprehensive plan amendment and associated rezone addresses changing circumstances or the needs of the City as a whole.
The redevelopment of this area will increase the tax base for the City, provide employment opportunities and improve the balance between residential and commercial tax base. The area already has commercial, limited industrial and public service uses and the expansion of these types of uses is appropriate for the area.

Criteria: The comprehensive plan amendment and associated rezone is compatible with the comprehensive plan or other goals of the City.
The redevelopment of this area promotes many of the goals of the comprehensive plan in the area of promoting employment opportunities, promotion of commercial development tax base and the improvement to the esthetics of the area.

Criteria: The comprehensive plan amendment and the associated rezone are compatible and not materially detrimental to adjacent land uses and surrounding neighborhoods.
The surrounding neighborhood is presently a mixture of commercial, industrial, residential and public uses. The redevelopment of this area to be primarily commercial in nature is the best long range use of these land resources. The area is not well suited for redevelopment into residential uses and therefore a CLI designation is best suited to promote re-investment into the part of the City of Mount Vernon.

Criteria: the comprehensive plan amendment and associated rezone will not result in development which will adversely impact community facilities, including but not limited to utilities, transportation, parks or schools.
The redevelopment of this area will not adversely impact any of the community facilities and will actually enhance the City's ability to financially support the above mentioned facilities

Criteria: The subject property is suitable for development in general conformance with zoning standards under the proposed zoning classifications.
In reviewing the zoning and development guidelines it is our opinion that the re-development of this property is in full compliance with all development and zoning standards.

We look forward to providing any other supporting evidence that this request is in the best interest of the City of Mount Vernon.

CITY OF MOUNT VERNON
910 Cleveland Avenue
Mount Vernon, WA 98273
(360) 336-6214 • Fax (360) 336-6283
Web site: www.ci.mount-vernon.wa.us

Document Title: LU07-002

Mitzel Comp Plan Amend & Rezone

Item: Revised Staff Report

Business address: Gunn Road

Parcel Number# P29194, P28892, P28893, P28868, P28872, P28885, P28887, 28888, 28895

Description: **Comp plan amendment & rezone**

City of Mount Vernon

Community & Economic Development
Planning • Engineering • Building

910 Cleveland Avenue
P O Box 809
Mount Vernon, WA
98273

Phone: (360) 336-6214
Fax: (360) 336-6283
mvds@ci.mount-vernon.wa.us
www.ci.mount-vernon.wa.us

AFFIDAVIT OF MAILING:	**Revised Staff Report for Comprehensive Plan Amendments**
LAND USE NUMBER:	LU07-001, LU07-002, LU07-010, LU07-012, LU07-014, LU07-015 and LU07-016
DATE MAILED:	December 11, 2007
MAILED BY:	Linda Beacham

Revised Staff Report for Planning Commission was mailed to Applicants, Agents and Parties of Record

REVISED STAFF REPORT	***City of Mount Vernon*** *Community & Economic Development* 2007 PROPOSED COMPREHENSIVE PLAN AMENDMENT AND ASSOCIATED REZONES AND CHANGES TO THE MVMC RELATED TO THE MOUNT VERNON SCHOOL DISTIRCT'S NEW CAPITAL FACILITIES PLAN

A. SUMMARY

Project Name: City of Mount Vernon 2007 Comprehensive Plan Amendment Requests and Associated Rezones AND Changes to the MVMC Title 3 Chapter 3.36 Addressing Impact Fees for the Mount Vernon School District

Project Number: LU-07-001, LU07-002, LU07-010, LU07-012, LU07-014, LU07-015, LU07-016; CA07-005

Project Manager: Marianne Manville-Ailles

Site Specific Project Descriptions

1. LU07-001 (Brim):

The following tracts located east of Cedardale Road and west of Blodgett Road that have the following parcel numbers: P28081, P28082, P90501 and P28736 are proposed to be re-designated **FROM** Comprehensive Plan designation of Single-Family Medium Density (SF-MED) and a zoning designation of Single-Family Residential with a maximum density of 4.54 du/acre (R-1,4.0) **TO** a Comprehensive Plan designation Commercial/Limited Industrial (C/L) and a zoning designation of Commercial/Limited Industrial (C/L)

A map of the site is attached as **EXHIBIT A**.

2. LU07-002 (Hansel Mitzel et al):

The following tracts located south of Blackburn Road and west of Old Highway 99 South that have the following parcel number: P29194, P28892, P28893, P28868, P28872, P28885, P28885, P28887, P28888 and P28895 are proposed to be re-designated **FROM** Comprehensive Plan designation of Neighborhood Commercial on the approximate north ½ of parcel P29194 and Single-Family Medium Density (SF-MED) on the rest of the remaining parcels and a zoning designation of C-4 on the approximate north ½ of parcel P29194 and Single-Family Residential with a maximum density of 4.54 du/acre (R-1,4.0) on the rest of the remaining parcels **TO** a Comprehensive Plan designation Commercial/Limited Industrial (C/L) and a zoning designation of Commercial/Limited Industrial (C/L) for all the parcels.

A map of the site is attached as **EXHIBIT B**.

3. LU07-010 (Wallace/Hanson):

The following tract located south of College Way and west of North Waugh Road that has the following parcel number: P25270 are proposed to be re-designated **FROM** Comprehensive Plan designation of Single Family Medium Density (SF-

MED) (southern—majority of property) and Medium High Density Multifamily (MF-MH) (northern 300+/- feet of property). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0) **TO** Comprehensive Plan designation of Neighborhood Retail, Mixed Use Center (NR) (northern portion of the property) and Low Density Multifamily (MF-LO) (southern portion of the property). Zoning Designation of Neighborhood Commercial District (C-4) (northern portion of property) and Two Family Residential (R-2) (southern portion of the property).

A map of the site is attached as **EXHIBIT C**.

4. LU07-012 (Viewcrest Assembly of God):
The following tract located north of East College Way and south of McLaughlin Road that has the following parcel number: P24835 is proposed to be re-designated **FROM** Comprehensive Plan designation of Churches, Community Colleges, Schools (P). Zoning designation of Public (P). **TO** Comprehensive Plan designation of Multifamily Low Density (MF-LO) with a fall back to Single Family Medium Density (SF-MED). Zoning designation of Two Family Residential (R-2) with a fall back to Single Family Residential with a maximum density of 4.54. du/acre (R-1, 4.0).

A map of the site is attached as **EXHIBIT D**.

5. LU07-014 (Skagit Council Housing):
The following tracts located south of East Blackburn Road and east of Blodgett Road that have the following parcel numbers: P28639 and P28640 are proposed to be re-designated **FROM** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0). **TO** Comprehensive Plan designation of Medium High Density Multifamily (MF-MH). Zoning designation of Multifamily Residential (R-4).

A map of the site is attached as **EXHIBIT E**.

6. LU07-015 (Mount Vernon School District 1):
The following tract located North of East Division Street and east of Skagit Highlands Parkway that have the following parcel number: P27509 is proposed to be re-designated **FROM** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0). **TO** Comprehensive Plan designation of Public. Zoning Designation of Public (P).

A map of the site is attached as **EXHIBIT F**.

7. LU07-016 (Mount Vernon School District 2):
The following portion of a tract located south of Martin Road and west of Trumpeter Drive that has the following parcel number: P52662 is proposed to be

re-designated **FROM** Comprehensive Plan designation of Public (P). Zoning designation of Public (P). **TO** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0).

A map of the site is attached as **EXHIBIT G**.

B EXHIBITS

Exhibit A: LU07-001-(Brim) map.
Exhibit B: LU07-002-(Hansel Mitzel et al) map.
Exhibit C: LU07-010-(Wallace/Hanson) map.
Exhibit D: LU07-012-(Viewcrest Assembly of God) map
Exhibit E: LU07-014-(Skagit Council Housing) map
Exhibit F: LU07-015-(Mount Vernon School District 1) map
Exhibit G: LU07-016-(Mount Vernon School District 2) map

C. BACKGROUND

Site Specific Project Requests

The following is a staff review to prepare for a quasi-judicial review of seven (7) site specific Comprehensive Plan mapping amendments and their associated rezones. The Planning Commission will compile the record at open record hearings scheduled for December 4, 2007 and December 18, 2007, and make a recommendation for Council to review and make a final decision at their closed record hearing scheduled for January 9, 2008.

This review is done to adopt Mount Vernon's 2007 Comprehensive Plan Amendments as one package to assure consistency and conformance amongst the proposed amendments to the Comprehensive Plan and to consider concurrently so the cumulative effect of the various proposals can be ascertained.

These requests are non-project actions proposing amendments to the City Comprehensive Plan Map and associated rezone with changes to the City Zoning Map. When a project is proposed for these sites, City review will ensure that the applicant complies with all relevant local, state and federal permits, laws and regulations.

When development is proposed for these sites the City will undergo an extensive project specific review. Based on this review the development will have to adequately mitigate and address potential impacts under existing development standards and environmental regulations. This review will require that stormwater requirements are addressed, as well as other provisions of the City of Mount Vernon Municipal Code, such as the Sewer Code (Title 13), Concurrency Code (Title 14), Fire Code (Title 15), Subdivision Code (Title 16), and Zoning Code (Title 17). These provisions will be reviewed to assure that adequate mitigation and conditions are in place prior to development.

Each Comprehensive Plan Amendment request has undergone a basic engineering review to determine if current capacity of the wastewater treatment facility, and transportation planning were adequate to assure that capacity was available to provide appropriate levels of service for these non-project actions. The City infrastructure planning can accommodate this growth with appropriate mitigation as specific by development regulations and future site specific development review.

The 2007 Comprehensive Plan docket has been approved by the Mount Vernon City Council for further review. After being accepted for review, these site specific requests have been routed to staff for further

review and comment as well as through the SEPA process. Designations for each of the seven (7) areas are now being considered for Comprehensive Plan Amendments and associated rezones.

Non-Project Specific Requests

The City is also considering two non-project requests. The first is an update to the transportation element to reflect the analysis of the transportation consultants hired by the city to modify the transportation improvements that are included as projects in the city's 20-year plan. As a result of the modified project list, the transportation impact fees will be revised to ensure that there will be adequate funding for the new project list. The transportation consultant will be providing a detailed presentation of their work to the Planning Commission at the December 18, 2007 meeting.

The second non-project amendment is an update to the Capital Facilities, Public Services and Utilities Element of the Comprehensive Plan to reflect the Mount Vernon School District's newly adopted Capital Facilities plan. The updates in that plan will also result in an increase to the School impact fees.

MVMC Code Change

During this hearing cycle the City is also proposing modifications to MVMC Title 3 Chapter 3.36 Addressing the proposed Impact Fee changes included in the Mount Vernon School District's Capital Facilities Plan. Additionally, the City's transportation consultants have amended the MVMC Title 14 Chapter 14.10 Transportation Concurrency Management Ordinance

D. ENVIRONMENTAL REVIEWAND PUBLIC NOTICE

Pursuant to the City of Mount Vernon's Environmental Ordinance (Chapter 15.06) and the State Environmental Policy Act (SEPA- RCW 43.21C), the City issued a Notice of Application, Proposed Determination of Non-Significance (DNS) and Notice of Public Hearings for the Comprehensive Plan Amendments/Rezones on October 31, 2007 and for the MVMC Code Changes on November 14, 2007. The City of Mount Vernon (lead Agency) issued a Determination of Non-significance for the Comprehensive Plan Amendments/Rezones on November 21, 2007 and for the MVMC Code Changes on November 30, 2007. The SEPA appeal period for the Comprehensive Plan Amendments/Rezones ends on November 30, 2007 and for the MVMC Code Changes ends on December 10, 2007. Appeals must be filed in writing together with the required application fee. Information regarding the appeal process is available at the Mount Vernon Community & Economic Development Department 360-336-6214.

OTHER NOTICE PROVIDED:

Site Specific Comprehensive Plan/Rezone Notice of Application mailed to all property owners within 300 feet: October 31, 2007

Comprehensive Plan/Rezone CTED Notice of proposed Amendment- RCW 36.70A Confirming letter: October 9, 2007.

Comprehensive Plan/Rezone Notice of Hearing mailed to all property owners within 300 feet and published: October 31, 2007 and November 5, 2007 respectively.

The six (6) of the seven (7) areas to be rezoned also posted land use signs in accordance with Mount Vernon Municipal Code. The public notice requirements outlined in MVMC 14.05 were met for six (6) of the sites proposed to be rezoned. The applicant for LU07-001—Brim failed to post land use signs in accordance with the Mount Vernon Municipal Code and therefore public notification requirements were not met for that application.

E. STAFF ANALYSIS FOR CP AMENDMENT AND REZONE CRITERIA

Representatives from various departments have reviewed the application materials to identify and address non-project issues associated with the site specific Comprehensive Plan/Rezone requests. The essence of these comments has been incorporated into the appropriate sections of this report and based on the adequacy of our systems provided the basis for the Departmental Recommendation at the end of the report.

Rezone Criteria:

Section 17.111.070 of the Mount Vernon Municipal Code (MVMC) requires that a rezone meet certain standards to be approved. The criteria are summarized as follows:

A. Are public utilities, public facilities and other services currently adequate to serve the proposed district?

B. Is the request compatible with the City's Comprehensive Plan and development goals?

Consistency with the Comprehensive Plan:

Approval of Comprehensive Plan Amendments is based upon several factors. The "Land Use Element" designates the proposed general distribution and general location and extent of the uses of land, where appropriate, for ...housing... commerce...industry, recreation, open spaces, ...pubic utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth." RCW 36.70A.070 Comprehensive Plan – Mandatory elements, talks of how proposed changes need to be internally consistent with all elements and the future land use map. It further states that plans shall be amended with public participation. Mount Vernon has followed Resolution 491 that spells out the public participation process necessary for amendment to our plan.

Staff reviewed these proposed amendments with these standards in mind, and to assist decision makers in the review of these amendments we have provided the following analysis:

1. LU07-001 (Brim):

Proposal: The following tracts located east of Cedardale Road and west of Blodgett Road that have the following parcel numbers: P28081, P28082, P90501 and P28736 are proposed to be re-designated **FROM** Comprehensive Plan designation of Single-Family Medium Density (SF-MED) and a zoning designation of Single-Family Residential with a maximum density of 4.54 du/acre (R-1,4.0) **TO** a Comprehensive Plan designation Commercial/Limited Industrial (C/L) and a zoning designation of Commercial/Limited Industrial (C/L)

A map of the site is attached as **EXHIBIT A**.

Existing Site Use: There is a single family residence and associated outbuildings on the northern parcel the remainder are vacant with some pasture.

Neighborhood characteristics:

North:	Residential.
East:	Blodgett Road.
South:	Vacant future Skagit Valley Herald site.
West:	Commercial/Limited Industrial.

Access: Blodgett Road

Site Area: +/- 8.12 acres

Additional Comments: This proposal is a carryover from the 2006 Comprehensive Plan Amendment requests. The proposal was deferred to the current docketing cycle to allow additional time to assemble properties and obtain necessary access agreements to allow the proposal to be compatible with the Comprehensive Plan. To date the City has received no additional information to indicate that any of the steps outlined in last year's finding have been taken to make the proposal compatible. The applicant has been notified that the proposal will not be carried over for another year. With no additional information the proposal is not consistent with the intent of the Comprehensive Plan.

The 2006 staff comments are included below and remain unchanged for this review.

This proposal is adjacent to and surrounds residential properties. The properties across Blodgett Road from the proposal are also developed or developing for residential purposes. As proposed, the request creates a checker board that is inconsistent with the intent of the Comprehensive Plan. This creates conflicts with the existing residential uses that are consistent with the current designation. Specifically, the conflicts would be associated with traffic from commercial/industrial uses on a residential street. Light and noise could also pose problems.

The City has designated Blodgett Road as a residential collector street. Traffic associated with commercial/industrial uses is not compatible with the residential designation of Blodgett Road. Further, there are constraints in the roadway geometry, particularly at the intersection of Blodgett Road/Cedardale Road/Blackburn Road, that make access by commercial/industrial traffic undesirable. As a result of the geometry and residential designation of the street, the City is proposing to restrict commercial/industrial traffic on Blodgett Road. This would require the proposal to take access from Cedardale Road. As part of the Comprehensive Plan Amendment process, agreements would need to be secured to allow access to the Blodgett Road Parcels from Cedardale Road. Such agreements have not yet been secured.

The proposal could be made more compatible with the adjacent uses if the residential properties immediately adjacent to the proposal could be assembled and included in this request and if access issues could be resolved.

City mapping indicates that the parcels may be encumbered by wetlands and a stream (which is actually a drainage ditch owned by Drainage District #17 per AFN 335874) that divides this property from the Commercial/Industrial properties to the west.

2. LU07-002 (Hansel Mitzel et al):

Proposal: The following tracts located south of Blackburn Road and west of Old Highway 99 South that have the following parcel number: P29194, P28892, P28893, P28868, P28872, P28885, P28885, P28887, P28888 and P28895 are proposed to be re-designated **FROM** Comprehensive Plan designation of Neighborhood Commercial on the approximate north ½ of parcel P29194 and Single-Family Medium Density (SF-MED) on the rest of the remaining parcels and a zoning designation of C-4 on the approximate north ½ of parcel P29194 and Single-Family Residential with a maximum density of 4.54 du/acre (R-1,4.0) on the rest of the remaining parcels **TO** a Comprehensive Plan designation Commercial/Limited Industrial (C/L) and a zoning designation of Commercial/Limited Industrial (C/L) for all the parcels.

A map for this site is attached as **EXHIBIT B.**

Existing Site Use: Residential.

Neighborhood characteristics:

North:	Residential and vacant.
East:	Burlington Northern Railway and Gunn Road.
South:	Residential and vacant.
West:	Gunn Road and vacant.

Access: Gunn Road & West Blackburn Road

Site Area: +/- 5.28 acres

Additional Comments: This proposal is a carryover from the 2006 Comprehensive Plan Amendment requests. The proposal was deferred to the current docketing cycle to allow additional time to assemble properties to allow the proposal to be compatible with the Comprehensive Plan. The applicant and the City met with the neighbors in early summer to discuss assembling the properties as outlined in last year's findings and decision. The majority of the neighbors were supportive of the request and the petition has been expanded to include them. Two residential properties elected not to participate in the request (P28870-located west of Gunn Road immediately south of Blackburn and P28890-located east of Gunn Road at its southern terminus). The two properties east of Gunn Road and immediately south of Blackburn Road that are designated Neighborhood Retail with an associated C-4 zoning have also elected not to change. Staff has reviewed the new proposal and believes that in this configuration the proposal is consistent with the intent of the Comprehensive Plan.

The property lies within the 100 year floodplain.

3. LU07-010 (Wallace/Hanson):

Proposal: The following tract located south of College Way and west of North Waugh Road that has the following parcel number: P25270 are proposed to be re-designated **FROM** Comprehensive Plan designation of Single Family Medium Density (SF-MED) (southern—majority of property) and Medium High Density Multifamily (MF-MH) (northern 300+/- feet of property). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0) **TO** Comprehensive Plan designation of Neighborhood Retail, Mixed Use Center (NR) (northern portion of the property) and Low Density Multifamily (MF-LO) (southern portion of the property). Zoning Designation of Neighborhood Commercial District (C-4) (northern portion of property) and Two Family Residential (R-2) (southern portion of the property).

A map for this site is attached as **EXHIBIT C**.

Existing Site Use: There is an existing single family residence and out buildings located on the northern portion of the site. The southern portion of the site is vacant. The applicant has indicated that wetlands have been identified at the most southerly area of the property.

Neighborhood characteristics:

North:	College Way.
East:	Large lot residential.
South:	Vacant wooded.
West:	Vacant part wooded part pasture.

Access: College Way

Site Area: +/- 4.34 acres

Additional Comments: While it is typically not desirable from a planning perspective to propose split zoning for a parcel, the current zoning on this parcel and a number of adjacent parcels is split. To propose a single zoning on the parcel would make it less consistent with the neighborhood. The proposal to make the northern portion of the site Neighbor Retail is consistent with the Neighborhood retail in this area on both sides of College Way. The Low Density Multifamily is consistent with adjacent Low Density Multifamily. The proposal appears to be consistent with the intent of the Comprehensive Plan.

4. LU07-012 (Viewcrest Assembly of God):

Proposal: The following tract located north of East College Way and south of McLaughlin Road that has the following parcel number: P24835 is proposed to be re-designated **FROM** Comprehensive Plan designation of Churches, Community Colleges, Schools (P). Zoning designation of Public (P). **TO** Comprehensive Plan designation of Multifamily Low Density (MF-LO) with a fall back to Single Family Medium Density (SF-MED). Zoning designation of Two Family Residential (R-2) with a fall back to Single Family Residential with a maximum density of 4.54. du/acre (R-1, 4.0).

A map for this site is attached as **EXHIBIT D**.

Existing Site Use: The site has been as an active greenhouse business for many years. The applicant has indicated that the lease to operate the greenhouses expired in April 2007. It is our understanding that the greenhouses are being dismantled.

Neighborhood characteristics:

North:	Vacant parcel future site for Church/School.
East:	Agricultural.
South:	College Way.
West:	Commercial.

Access: College Way

Site Area: +/- 2.95 acres

Additional Comments: The applicant has requested that the property be redesignated to Multifamily Low Density (MF-LO) with associated R-2 zoning as their first choice. They have indicated that they would also consider a fall back to Single Family Medium Density (SF-MED) with an associated R-1 4.0 zoning.

During the 2006 docketing cycle the City processed a Comprehensive Plan Amendment request and rezone for the property immediately south and east of the subject request (LU06-014 Steve Harmon). The Harmon property requested a multi family designation and through the process City Staff, the Planning Commission and the City Council determined that a more appropriate designation would be Single Family Medium Density with an associated R-1 4.0 zoning. The rationale for determining that the R-1 4.0 was more appropriate for the 2006 Harmon request (LU06-014) was due to the environmental constraints of the property; the location of the property on the edge of the City; and its proximity to rural agricultural lands. Those same concerns apply to the Viewcrest property. Based on the previous (2006) decision on the adjacent property, redesignation of the subject property to Single Family Medium Density (SF-MED) with an associated R-1 4.0 zoning would be appropriate and consistent with the intent of the Comprehensive Plan.

The property has critical areas identified on it and lies within the 100 year flood plain.

5. LU07-014 (Skagit Council Housing):

Proposal: The following tracts located south of East Blackburn Road and east of Blodgett Road that have the following parcel numbers: P28639 and P28640 are proposed to be re-designated **FROM** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0). **TO** Comprehensive Plan designation of Medium High Density Multifamily (MF-MH). Zoning designation of Multifamily Residential (R-4).

A map for this site is attached as **EXHIBIT G.**

Existing Site Use: Existing single family residence on a large lot..

Neighborhood characteristics:

North: East Blackburn Road.
East: Large Lot Residential.
South: Large Lot Residential.
West: Residential.

Access: East Blackburn Road

Site Area: +/- 4.8 acres

Additional Comments: While the Comprehensive Plan allows scattered multiple family within the single family zones of the City, the multifamily is allowable only through the PUD process and at the discretion of the City. It is not intended as a vehicle for rezoning but as tool to notify the public that flexibility is available through the PUD process. By utilizing that process the owners would be eligible to include 5 multifamily units and 20 single family units on the property.

The subject properties are located in a single family neighborhood characterized by larger homes on large lots. Some distance east of the proposal the zoning is R-1 7.0 (maximum density 7.26 du/acre) within the Single Family Medium Density zone with the same multiple family overlay. The proposal would allow for the most dense multiple family use—a minimum of 10 du/acre and a maximum of 15 to 20 du/acre. This would be significantly more dense than the surrounding neighborhood.

The City's land capacity analysis concludes that there is more than enough residentially designated property to meet its needs to the year 2025. A conscious decision was made after undertaking the land capacity analysis and reviewing its findings not to designate additional areas of the City for multifamily uses. The Growth Management Act includes goals regarding provision of affordable housing. The City of Mount Vernon has complied with these goals by providing areas of the City with a variety of densities and by providing incentives for affordable units within the PUD provisions. The Growth Management Act also includes goals regarding protecting the character of existing neighborhoods. The City has the responsibility of balancing these goals. To do this the City has determined that a deliberate comprehensive approach to planning based on considering the overall community good is preferable to past practices of small scattered spot zones to accommodate individual requests.

The request would result in a 'spot zone'—rezoning of a small parcel of land owned by a single owner that will permit land uses not available to adjacent properties. By definition comprehensive planning and its associated zoning must consider the broadest context—all of the area and uses surrounding the parcel. The questions that must be addressed when considering an action that might result in a "spot zone" is doe s the action advance the health, safety and general welfare of the community in general. In other words is it in the greater public interest of the entire community. A rezone of a single parcel that merely provides an individual benefit absent a clear public benefit is a "spot zone" and is incompatible with the Comprehensive Plan. This proposal is not consistent with the overall zoning scheme for the area. It would provide a benefit to a single parcel different from all adjacent parcels. The request is not compatible with the single family zoning and character of adjacent lots and is not necessary to the overall zoning of the area. As such the proposal is a "spot zone" that would undermine the very purpose of comprehensive planning.

The request is a non-project action proposing amendment to the City Comprehensive Plan Map and associated rezone with changes to the City Zoning Map it is not linked with any particular proposal. While the applicant has represented a specific type of development, the redesignation and rezoning would allow the property to be developed under any scenario allowed in that zoning designation. To redesignate and rezone the property based on a potential development proposal would be precedent setting. The Planning Commission must carefully consider whether setting such a precedent is the long term best interests of the City.

City mapping indicates the potential presence of wetlands on this parcel.

6. LU07-015 (Mount Vernon School District 1):

Proposal: The following tract located North of East Division Street and east of Skagit Highlands Parkway that have the following parcel number: P27509 is proposed to be re-designated **FROM** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0). **TO** Comprehensive Plan designation of Public. Zoning Designation of Public (P).

A map for this site is attached as **EXHIBIT F.**

Existing Site Use: Vacant.

Neighborhood characteristics:

North: Vacant and recently cleared.
East: Vacant and wooded.
South: Vacant and wooded.
West: Skagit Highlands Parkway

Access: Skagit Highlands Parkway

Site Area: +/- 10 acres

Additional Comments: The proposal was submitted to allow for a portion of a larger parcel to be redesignated to Public to allow the School District to construct a new school. Since the application was submitted the property has been reconfigured and the School District has obtained the parcel it intends to build the school on. The new parcel number for this request is P125967. Redesignation of publically owned land to Public with associated Public zoning is consistent with the Comprehensive Plan.

City mapping indicates the potential presence of wetlands on this parcel.

7. LU07-016 (Mount Vernon School District 2):

Proposal: The following portion of a tract located south of Martin Road and west of Trumpeter Drive that has the following parcel number: P52662 is proposed to be re-designated **FROM** Comprehensive Plan designation of Public (P). Zoning designation of Public (P). **TO** Comprehensive Plan designation of Single Family Medium Density (SF-MED). Zoning designation of Single Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0)

A map for this site is attached as **EXHIBIT G.**

Existing Site Use: Centennial School is located on the northerly portion of the subject parcel. The portion proposed for redesignation is vacant.

Neighborhood characteristics:

North: Centennial Elementary School.
East: Residential.
South: Vacant and wooded.
West: Ball fields.

Access: Martin Road

Site Area: +/- 6.75 acres

Additional Comments: The School District has determined that the parcel of land that Centennial School is located on is larger than the District needs for that particular facility. In order to generate revenues for other facilities in the system the District would like to surplus the excess property. The proposal would make the portion of the property the School District intends to sell consistent with surrounding zoning. The proposal would be consistent with the intent of the Comprehensive Plan.

City mapping indicates the potential presence of wetlands on this parcel.

F. STAFF ANALYSIS NON-PROJECT SPECIFIC ACTIONS AND CODE AMENDMENTS

Staff has review the proposed not project specific actions and the proposed change to the Municipal Code and offers the following comments.

The Capital Facilities, Public Services and Utilities Element of the Comprehensive Plan includes the Mount Vernon School District's Capital Facilities Plan. The amendment to the Comprehensive Plan consists of replacing the 2005 Capital Facilities Plan in CF-3 with the newly adopted 2007 Capital Facilities Plan and changing the reference in the Public Schools Section of the Element from 2005 to 2007.

The rationale for the update to the Capital Facilities Plan is summarized in the following. Changes to the Mount Vernon School District Capital Facilities Plan are necessary due to rapid population growth that has significantly impacted capacity and made it impossible to provide new permanent facilities in time to avoid overcrowding. The new plan indicates the need for a new elementary school and expansion to the High School to add capacity. In addition, Madison Elementary will be replaced and expanded. The plan also includes provisions for purchase of a future elementary school site. Funding of these projects will require a combination of sources including a future bond, impact fees, state matching funds and revenues from the sale of surplus property.

The proposal includes revised impact fees. The single family residential fee is proposed to be increased from $5,000 per unit to $6,903 per unit. The single family fee has increased in large part due to the significant increases in construction cost from 2005 to 2007. The current annual construction inflation is around 10% per year. This has increased the District's new elementary school project from a projected $14 million in 2005 (with a 2010 construction completion date) to a projected total cost of $23 million in the 2007 Plan (with a 2011 construction completion date).

The multifamily fee is proposed to be decreased from $2,900 to $1,664 per unit. The multifamily fee has decreased largely due to the fact that the multifamily student generation rate has significantly declined from the 2005 rate. For example, at the elementary school level, the 2005 rate was 0.139. The 2007 rate is less than half of this amount at 0.063. The result is a lower per dwelling unit cost for multifamily units.

The Mount Vernon Municipal Code has adopted the Mount Vernon School District's impact fees as an appendix to Title 3 Chapter 3.36. The code change would consist of replacing the existing impact fee dollar amounts with the proposed dollar amounts discussed previously.

A supplement to this staff report will be prepared prior to the December 18, 2007 Planning Commission that provides staff analysis of the proposed changes to the Transportation Element of the Comprehensive Plan.

G. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. LU07-001 (Brim):

1. MVMC 17.111 addresses amendments and reclassifications. The requirements of 17.111.060 Public Hearing notification have not been fully satisfied. The hearing notice was placed in the paper, and notice was sent to all property owners within 300 feet of the requested action; however, the applicant failed to post the property.
2. The requirements of SEPA have been met.
3. As proposed the request results in a checker board of residential and commercial/industrial uses that would be incompatible with the intent of the Comprehensive Plan.
4. The proposed uses would be incompatible with those existing residential uses that they are immediately adjacent to and surrounding in regards to traffic, noise, light and glare.
5. The current access is from Blodgett Road a residential street with geometry constraints. Commercial/industrial traffic would be incompatible with the residential character of the street and geometry issues. The City intends to restrict commercial/industrial access to Blodgett Road.
6. Access for the proposal would be required to come from Cedardale Road. This would require agreements to be secured from all property owners between Cedardale Road and the site. Such agreements have not yet been secured.
7. The parcel where the Brim Tractor business is located was part of a Binding Site Plan recorded under Auditor File No. 200305070015. That BSP reserved and easement for ingress, egress and utilities through the parcel to its eastern boundary.
8. Drainage District 17 owns a ten foot strip of property (Quit Claim Deed recorded under Auditor's File No. 335874) that divides the parcel where the Brim Tractor business is located from the parcels that are included in the Comprehensive Plan Amendment request.
9. The City has received no documentation that would indicate that agreement exists to allow crossing of the Drainage District property.
10. The Binding Site Plan property is encumbered by a Protected Critical Area Easement Agreement with Skagit County recorded under Auditor File No. 200208130060 that limits the use of the Protected Critical Area to low impact uses. It would appear that the PCA Easement Agreement would preclude construction of a roadway.

11. The proposal is located at the eastern most edge of the commercial/industrial area of Mount Vernon. As such, City staff must give substantial consideration to the potential conflicts that could exist in an area of transition from commercial/industrial uses to residential uses.
12. The areas to the west and south of the proposal have developed or are developing for commercial/industrial purposes.
13. The proposal could be made more compatible with the existing goals of the Comprehensive Plan and with the surrounding neighborhood by assembling adjacent residential parcels on the west side of Blodgett Road and by securing agreements for access from Cedardale Road.
14. Statements were made during the 2006 hearings that the City, County and property owners in the area of the proposal were involved in an ongoing project with regard to providing a regional detention facility. At that time the City and County were unaware of an ongoing project—this is still the case. It was and still is the City's understanding that there was failure to secure agreements with the owners of the properties necessary to allow the project to continue and the project was ended.

2. LU07-002 (Hansel Mitzel et al):

1. MVMC 17.111 addresses amendments and reclassifications. The requirements of 17.111.060 Public Hearing notification has been satisfied by posting the property, and placing notice in the paper, and sending notice to all property owners within 300 feet of the requested action.
2. The requirements of SEPA have been met.
3. The applicant and City Staff met with the Gunn Road neighbors on June 11, 2007 to discuss a comprehensive rezone of the neighborhood. After the meeting all but two of the neighbors sent documentation to the City indicating that they wanted to be included in the proposal. The two neighbors that did not send in documentation were contacted and indicated that while they did not oppose the rezone, they were choosing not to participate.
4. As a result of the applicants' efforts to assemble properties in the neighborhood, the checker board of residential and commercial/industrial uses has been largely eliminated and the proposal is consistent with the intent of the Comprehensive Plan.
5. The neighborhood is adjacent to the Burlington Northern Railway. There are a number of parcels in the area that have been developed or are developing for commercial/industrial purposes. The area currently is an isolated pocket of residential uses surrounded by developing commercial/industrial uses.
6. Proximity to the railroad results in potential conflicts for residential uses and opportunities for commercial/industrial uses.
7. The proposed Comprehensive Plan mapping amendment and associated rezone are compatible with the existing goals of the Comprehensive Plan designations.
8. The existing and proposed use of the property is compatible with the surrounding neighborhood and development. The proposed rezones will help to ensure that this site functions cohesively with the goals of this neighborhood.
9. Development on the rezoned area will be consistent with the zoning, subdivision, stormwater drainage, critical areas and transportation requirements of the City of Mount Vernon.
10. The parcels are located in an area where other development has already and is currently occurring. City services and infrastructure have been extended or will be extended by the developers to the property.
11. The traffic generated by the rezoned areas will be adequately served by the existing road system and any proposed improvements as may be required by the transportation concurrency ordinance.
12. Development that occurs after the rezoning of the site will not cause a significant impact on existing services or fire or police protection.
13. The City of Mount Vernon has adopted an impact fee ordinance that is designed to mitigate potential impact of future development on the property for Transportation, Fire, Parks, and Schools.

3. LU07-010 (Wallace/Hanson)

1. MVMC 17.111 addresses amendments and reclassifications. The requirements of 17.111.060 Public Hearing notification has been satisfied by posting the property, and placing notice in the paper, and sending notice to all property owners within 300 feet of the requested action.
2. The requirements of SEPA have been met.
3. The property is located on College Way the primary arterial in the City of Mount Vernon.
4. The uses along College Way in general and in this area in particular are a mix of commercial and multifamily with commercial dominating.
5. A mix of commercial and multifamily uses is desirable along College Way.
6. The proposed Comprehensive Plan mapping amendment and associated rezone are compatible with the existing goals of the Comprehensive Plan designations.
7. The existing and proposed use of the property is compatible with the surrounding neighborhood and development. The proposed rezone will help to ensure that this site functions cohesively with the goals of the neighborhood.
8. Development on the rezoned area will be consistent with the zoning, subdivision, stormwater drainage, critical areas and transportation requirements of the City of Mount Vernon.
9. The parcel is located in an area where other development has already and is currently occurring. City services and infrastructure have been extended or will be extended by the developers to the property.
10. The traffic generated by the rezoned area will be adequately served by the existing road system and any proposed improvements as may be required by the transportation concurrency ordinance.
11. Development that occurs after the rezoning of the site will not cause a significant impact on existing services or fire or police protection.
12. The City of Mount Vernon has adopted an impact fee ordinance that is designed to mitigate potential impact of future development on the property for Transportation, Fire, Parks, and Schools.

4. LU07-012 (Viewcrest Assembly of God):

1. MVMC 17.111 addresses amendments and reclassifications. The requirements of 17.111.060 Public Hearing notification has been satisfied by posting the property, and placing notice in the paper, and sending notice to all property owners within 300 feet of the requested action.
2. The requirements of SEPA have been met.
3. The southern portion of the property contains significant environmental constraints. The proposal is located adjacent to property that requested multifamily designation during the 2006 Comprehensive Plan Amendment process. During the 2006 process it was determined that multi- family zoning was not appropriate for that area of the City for a number of reasons including critical areas on the property location at the edge of the city and close proximity to agricultural lands in the County. Those factors are relevant for the Viewcrest Assembly of God request as well. As such, Staff does not support the applicant's request with regard to the multifamily zoning of the site. Staff recommends that the site have a Comprehensive Plan designation of Single-Family Medium Density (SF-MED) and an associated zoning of Single-Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0).
4. Redesignation to multifamily with a R-2 zoning designation would result in a "spot zone" that would provide a benefit to a single parcel different from all adjacent parcels. It is not in the greater public interest of the entire community. It is not consistent with the overall zoning scheme for the area. Such "spot zoning" undermines the purpose of comprehensive planning.
5. A comprehensive analysis of the City's land capacity completed in 2005 concluded that there is more than enough residentially designated property to meet its needs to the year 2025. A conscious decision was made after undertaking the land capacity analysis and reviewing its findings not to

designate additional areas of the City for multifamily uses. To approve the request for multifamily designation would be inconsistent with that decision.

6. The zoning for adjacent property is R-1 4.0. Densities associated with the single family designation are a minimum of 4 and a maximum of 4.54 units per acre. Densities associated with the multifamily R-2 designation are a minimum of 8 dwelling units per acre and a maximum of 10 dwelling units per acre. The minimum density for multifamily development is nearly twice the maximum density for the existing and adjacent zoning. The difference in density is significant.
7. The request is a non-project action proposing amendment to the City Comprehensive Plan Map and associated rezone with changes to the City Zoning Map it is not linked with any particular proposal.
8. To redesignate and rezone the property based on a potential development proposal would be precedent setting.
9. The proposed Comprehensive Plan mapping amendment (SF-MED) and associated rezone (R-1, 4.0) are compatible with the existing goals of the Comprehensive Plan designations.
10. The proposed use of the property as SF-MED with associated R-1 4.0 zoning is compatible with the surrounding neighborhood and development. The proposed rezones will help to ensure that this site functions cohesively with the goals of the neighborhood.
11. Single family residential development on the rezoned area will be consistent with the zoning, subdivision, stormwater drainage, critical areas and transportation requirements of the City of Mount Vernon.
12. The parcel is located in an area where other development has already and is currently occurring. City services and infrastructure have been extended or will be extended by the developers to the property.
13. The traffic generated by the rezoned area will be adequately served by the existing road system and any proposed improvements as may be required by the transportation concurrency ordinance.
14. Development that occurs after the rezoning of the site will not cause a significant impact on existing services or fire or police protection.
15. The City of Mount Vernon has adopted an impact fee ordinance that is designed to mitigate potential impact of future development on the property for Transportation, Fire, Parks, and Schools.

5. LU07-014 (Skagit Council Housing):

1. MVMC 17.111 addresses amendments and reclassifications. The requirements of 17.111.060 Public Hearing notification has been satisfied by posting the property, and placing notice in the paper, and sending notice to all property owners within 300 feet of the requested action.
2. The requirements of SEPA have been met.
3. The request is not compatible with the single family zoning and character of adjacent lots and is not necessary to the overall zoning of the area.
4. The current zoning for the property is R-1 4.0. Densities associated with this single family designation are a minimum of 4 and a maximum of 4.54 units per acre. Densities associated with the multifamily designations are a minimum of 10 dwelling units per acre for both R-3 and R-4 and a maximum density of 12 and 15 dwelling units per acre for R-3 and R-4 respectively. The density for multifamily could be increased to 15 and 20 dwelling units per acre for R-3 and R-4 respectively if parking is included under the structures. The minimum density for multifamily development is over twice the maximum density for the existing and adjacent zoning. The maximum densities if parking were under the structure would be nearly four to five times the maximum density of the existing zoning. The difference in density is significant.
5. A comprehensive analysis of the City's land capacity completed in 2005 concluded that there is more than enough residentially designated property to meet its needs to the year 2025. A conscious decision was made after undertaking the land capacity analysis and reviewing its findings not to designate additional areas of the City for multifamily uses. To approve this request would be inconsistent with that decision.

6. Redesignation to Medium-High Density Multifamily with a R-4 zoning designation (the most dense residential designation allowed in the City) would result in a "spot zone" that would provide a benefit to a single parcel different from all adjacent parcels. It is not in the greater public interest of the entire community. It is not consistent with the overall zoning scheme for the area. Such "spot zoning" undermines the purpose of comprehensive planning.
7. The request is a non-project action proposing amendment to the City Comprehensive Plan Map and associated rezone with changes to the City Zoning Map it is not linked with any particular proposal.
8. To redesignate and rezone the property based on a potential development proposal would be precedent setting.

6. LU07-015 (Mount Vernon School District 1):

1. MVMC 17.111 addresses amendments and reclassifications. The requirements of 17.111.060 Public Hearing notification has been satisfied by posting the property, and placing notice in the paper, and sending notice to all property owners within 300 feet of the requested action.
2. The requirements of SEPA have been met.
3. The School District has determined that a new school is necessary in this area and has obtained the parcel for purposes of constructing a new facility.
4. Public Schools are appropriately designated as Public on the Comprehensive plan.
5. The proposed Comprehensive Plan mapping amendment and associated rezone are compatible with the existing goals of the Comprehensive Plan designations.
6. The existing and proposed use of the property is compatible with the surrounding neighborhood and development. The proposed rezones will help to ensure that this site functions cohesively with the goals of this neighborhood.
7. Development on the rezoned area will be consistent with the zoning, stormwater drainage, critical areas and transportation requirements of the City of Mount Vernon.
8. The parcels are located in an area where other development has already and is currently occurring. City services and infrastructure have been extended or will be extended by the School Distirct to the property.
9. The traffic generated by the rezoned areas will be adequately served by the existing road system and any proposed improvements as may be required by the transportation concurrency ordinance.
10. Development that occurs after the rezoning of the site will not cause a significant impact on existing services or fire or police protection.
11. The City of Mount Vernon has adopted an impact fee ordinance that is designed to appropriately mitigate potential impact of future development of the property.

7. LU07-016 (Mount Vernon School District2):

1. MVMC 17.111 addresses amendments and reclassifications. The requirements of 17.111.060 Public Hearing notification has been satisfied by posting the property, and placing notice in the paper, and sending notice to all property owners within 300 feet of the requested action.
2. The requirements of SEPA have been met.
3. The School District has determined that the property is not necessary for its needs in that location and would like to be able to surplus the excess property. This would generate revenues for other necessary facilities at different locations within the City.
4. The proposed Comprehensive Plan mapping amendment and associated rezone are compatible with the existing goals of the Comprehensive Plan designations.
5. The existing and proposed use of the property is compatible with the surrounding neighborhood and development. The proposed rezones will help to ensure that this site functions cohesively with the goals of this neighborhood.

6. Development on the rezoned area will be consistent with the zoning, subdivision, stormwater drainage, critical areas and transportation requirements of the City of Mount Vernon.
7. The parcels are located in an area where other development has already and is currently occurring. City services and infrastructure have been extended or will be extended by the developers to the property.
8. The traffic generated by the rezoned areas will be adequately served by the existing road system and any proposed improvements as may be required by the transportation concurrency ordinance.
9. Development that occurs after the rezoning of the site will not cause a significant impact on existing services or fire or police protection.
10. The City of Mount Vernon has adopted an impact fee ordinance that is designed to mitigate potential impact of future development on the property for Transportation, Fire, Parks, and Schools.

8. Capital Facilities, Public Services Element Amedment and Change to MVMC:

1. MVMC 14.05.210 B. 4. addresses public hearing notification requirements for legislative actions. Public hearing notification has been satisfied by placing notice in the paper.
2. The requirements of SEPA have been met.
3. On October 30, 2007 the Mount Vernon School District adopted a new Capital Facilities Plan.
4. The plan included changes to the impact fees charged for single family residential and multifamily units. The proposed fees are $6,903for single family units and $1,664 for multifamily units.

9. Transportation Element Amendment:

1. MVMC 14.05.210 B. 4. addresses public hearing notification requirements for legislative actions. Public hearing notification has been satisfied by placing notice in the paper.
2. The requirements of SEPA have been met.

Additional findings will be included in the supplemental staff report that will be provided prior to the December 18, 2007 meeting.

II. RECOMMENDATION

1. LU07-001 (Brim):

Based on the findings of fact the Planning Commission moves to **DENY** the Comprehensive Plan Amendment and associated rezoning of the property.

2. LU07-002 (Hansel Mitzel et al):

Based on the findings of fact the Planning Commission moves to **APPROVE** the Comprehensive Plan Amendment and associated rezoning of the properties to the designations outlined in Section A (2) of this Staff Report

3. LU07-010 (Wallace/Hanson)

Based on the findings of fact the Planning Commission moves to **APPROVE** the Comprehensive Plan Amendment and associated rezoning of the properties to the designations outlined in Section A (3) of this Staff Report

4. LU07-012 (Viewcrest Assembly of God):

Based on the findings of fact the Planning Commission moves to **APPROVE** the request for the site to be changed to Single Family Medium Density with a corresponding Zoning of R-1, 4.0.

5. LU07-014 (Skagit Council Housing):

Based on the findings of fact the Planning Commission moves to **DENY** the Comprehensive Plan Amendment and associated rezoning of the property.

6. LU06-016 (Mount Vernon School District 1)
Based on the findings of fact the Planning Commission moves to **APPROVE** the Comprehensive Plan Amendment and associated rezoning of the properties to the designations outlined in Section A (6) of this.

7. LU06-017 (Mount Vernon School District 2)
Based on the findings of fact the Planning Commission moves to **APPROVE** the Comprehensive Plan Amendment and associated rezoning of the properties to the designations outlined in Section A (7) of this Staff Report

8A. Capital Facilities, Public Services Element Comprehensive Plan Amendment:
Based on the findings of fact the Planning Commission moves to **APPROVE** the Comprehensive Plan Amendment to replace the 2005 Capital Facilities Plan in CF-3 with the newly adopted 2007 Capital Facilities Plan and change the reference in the Public Schools Section of the Element from 2005 to 2007

8B. Changes to MVMC Title 3 Chapter 3.36 Appendix A
Based on the findings of fact the Planning Commission moves to **APPROVE** the Change to Appendix A of MVMC Title 3 Chapter 3.36 to revise the impact fee schedule to $6,903for single family units and $1,664 for multifamily units.

9. Transportation Element Amendment:
A recommendation for a motion for this amendment will be provided in the supplemental staff report that will be provided prior to the December 18, 2007 meeting.

LU07-002

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

Land Use Permit Master Application

PROPERTY OWNER(s)
NOTE: If multiple owners, or contract purchasers, please attach an notarized "Consent to Land Use Application" for each owner.

NAME: Hansell Mitzel LLC

ADDRESS: 1111 Cleveland Ave Suite 203

CITY/STATE: Mount Vernon ZIP: WA 98273

TELEPHONE NUMBER: 360-424-2050

APPLICANT (if other than owner)

NAME:

COMPANY: (If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER:

CONTRACTOR
(Attach copy of L&I contractor's license information)

NAME:

COMPANY: (If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Project or development name: Gunn Rd Comprehensive Plan Amendments

Property/project address(s)/location

Skagit County Assessor's parcel number: P28892 P28893 P28882

Existing land use(s): Residential

Proposed land uses: Commercial Limited Industrial

Existing comprehensive plan map designation: Residential

Proposed comprehensive plan map designation: Commercial Limited Industrial

Existing Zoning: Residential

Proposed Zoning (if applicable): Commercial Limited Industrial

Site Area (Sq. Ft. or acreage):

Project value

Is the site located in any type of environmentally sensitive area?

I, Dan Mitzel, declare that I am (please check one) ✓ the owner of the property involved in this application; ____ the authorized representative to act for the property owner (please attach proof of authorization), and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

(Name of Owner/Representative)

(Signature of Owner/Representative)

Attest: Subscribed and sworn to before me, a Notary Public, in and for the State of WA residing at Burlington on the 31 day of January 2007

(Signature of Notary Public)

(This section to be completed by City Staff)
A/ BLA BSP CAM CUP ER FPD FR FSD NHP MP PP PRUD RI SPR S/P SMER SUB TUP VA VH W WP
TOTAL FEES $ ____ RECEIPT #

EXHIBIT 1A - DOCKETING RESOLUTION 2018

LU 07 - 002

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME: SARITA NAVIDAD

ADDRESS: 220 W. Blackburn

CITY/STATE: Mt. Vernon ZIP:

TELEPHONE NUMBER: 360 424 7426 421-8074

APPLICANT (if other than owner)

NAME:

COMPANY: (If applicable)

ADDRESS: Mailing address: 3022 Withers Pl.

CITY/STATE: Mt Vernon ZIP: 98274

TELEPHONE NUMBER:

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME:

COMPANY: (If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Project or development name: Rezone

Property/project address(s)/location: 220 W. Blackburn Mt. Vernon WA 98273

Skagit County Assessor's parcel number: # 28870

Existing land use(s): Residential

Proposed land uses: Commercial/Light Ind.

Existing comprehensive plan map designation: Single Family Medium Density (SF-MED)

Proposed comprehensive plan map designation: C/L

Existing Zoning: R-1 4.0

Proposed Zoning (if applicable): CL

Site Area (Sq. Ft. or acreage): .25 acre

Project value:

Is the site located in any type of environmentally sensitive area? NO

LU_____-_____

LEGAL DESCRIPTION OF PROPERTY (ATTACH SEPARATE SHEET IF NECESSARY)

TYPE OF APPLICATION & FEES

Check all application types that apply – City staff will determine fees.

	Annexation	$
✓	Comp. Plan Amendment	$
	Comp. Sign plan	
	Special Use Permit	$
	Conditional Use Permit	$
	Site Plan Approval	$
	Fill and Grade Permit	$
	# of cubic yards:_____	
	Variance	$
	Rezone	$
	Waiver	$
	Wetland Permit	$
	Binding Site Plan	$
	Temporary Use Permit	$
	Shoreline Reviews:	
	Substantial Development	$
	Conditional Use	$
	Variance	$
	Exemption	$
	Revision	$

	Subdivision:	
	Boundary line adjustment	$
	Short Plat	$
	Preliminary Plat	$
	Final Plat	$
	Master Plan	$
	Planned Unit Development:	
	Preliminary	$
	Final	$
	PUD public notification sign	$
	Mobile Home Parks (Special Use)	$
	Environmental Review (SEPA)	$
	Land Use Change Sign	$
	Postage	$

AFFIDAVIT OF OWNERSHIP

I, CLARITA NAVIDAD (Please print name), declare that I am (please check one) ✓ the owner of the property involved in this application, _____ the authorized representative to act for the property owner (please attach proof of authorization), and that the foregoing statements and answers herein contained and the infroamtion herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Clarita Navidad
(Name of Owner/Representative)

_____
(Signature of Owner/Representative)

Attest: Subscribed and sworn to before me, a Notary Public, in and for the State of WASHINGTON residing at MT. VERNON on the 3RD day of July 2007

(Signature of Notary Public)

JEFF ALAN WAGENBACH NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES 5-8-2011

(This section to be completed by City Staff.)

A BLA BSP CPA CUP ER FPUD FP F&G MHP MP PP PPUD R SPA S/P SME SUP TUP V-A V-H W WP

TOTAL FEES: $_____ RECEIPT #:

LU07-001

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

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JAN 31 2007
C.E.D. DEPARTMENT
BY

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME: TOWER PACIFIC PROPERTIES LLC

ADDRESS: 300 W. BLACKBURN ROAD

CITY/STATE: MT. VERNON WA ZIP: 98273

TELEPHONE NUMBER: 360-424-6871

APPLICANT (if other than owner)

NAME: TOM TOEPFER

COMPANY: (If applicable) TOWERPACIFIC PROPERTIES, LLC

ADDRESS: 302 W. BLACKBURN ROAD

CITY/STATE: MT. VERNON WA ZIP: 98273

TELEPHONE NUMBER: 360 424-6871
Email Tom@towerpacific.com

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME: N/A

COMPANY: (If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Project or development name:
Re-Zone

Property/project address(s)/location:
300 W. BLACKBURN Rd.
MOUNT VERNON, WA

Skagit County Assessor's parcel number:
P28868

Existing land use(s):
Residential

Proposed land uses:
Comml./Light Ind.

Existing comprehensive plan map designation:
SINGLE FAMILY MEDIUM DENITY (SF-MED)

Proposed comprehensive plan map designation:
C/L

Existing Zoning:
R-1, 4.0

Proposed Zoning (if applicable):
CL

Site Area (Sq. Ft. or acreage):
± 0.5 ACRE

Project value:

Is the site located in any type of environmentally sensitive area?
No

LU_____-_____

LEGAL DESCRIPTION OF PROPERTY (ATTACH SEPARATE SHEET IF NECESSARY)

TYPE OF APPLICATION & FEES

Check all application types that apply – City staff will determine fees.

	Annexation	$
X	Comp. Plan Amendment	$
	Comp. Sign plan	
	Special Use Permit	$
	Conditional Use Permit	$
	Site Plan Approval	$
	Fill and Grade Permit	$
	# of cubic yards:_____	
	Variance	$
	Rezone	$
	Waiver	$
	Wetland Permit	$
	Binding Site Plan	$
	Temporary Use Permit	$
	Shoreline Reviews:	
	Substantial Development	$
	Conditional Use	$
	Variance	$
	Exemption	$
	Revision	$

	Subdivision:	
	Boundary line adjustment	$
	Short Plat	$
	Preliminary Plat	$
	Final Plat	$
	Master Plan	$
	Planned Unit Development:	
	Preliminary	$
	Final	$
	PUD public notification sign	$
	Mobile Home Parks (Special Use)	$
	Environmental Review (SEPA)	$
	Land Use Change Sign	$
	Postage	$

AFFIDAVIT OF OWNERSHIP

I, THOMAS J. TOEPFER (Please print name), declare that I am (please check one) ✓ the owner of the property involved in this application, _____ the authorized representative to act for the property owner (please attach proof of authorization), and that the foregoing statements and answers herein contained and the infroamtion herewith submitted are in all respects true and correct to the best of my knowledge and belief.

THOMAS J. TOEPFER
(Name of Owner/Representative)

(Signature of Owner/Representative)

Attest: Subscribed and sworn to before me, a Notary Public, in and for the State of WASHINGTON

residing at MOUNT VERNON

on the 31st day of January 2007

(Signature of Notary Public)

JEFF VAN WAGENBARG NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES 3-1-2007

(This section to be completed by City Staff)

A BLA BSP CPA CUP ER FPUD FP F&G MHP MP PP PPUD R SPA SP SUB-SDP TUP VA V-H W WP

TOTAL FEES: $_____ RECEIPT #_____

LU_____-_____

RECEIVED
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JAN 31 2007
C.E.D. DEPARTMENT
BY_____

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME: TOM TOEPFER/ GARY TBROWN

ADDRESS: 2105 GUNN ROAD

CITY/STATE: MOUNT VERNON WA ZIP: 98273

TELEPHONE NUMBER:

APPLICANT (if other than owner)

NAME: TOM TOEPFER

COMPANY: (If applicable) TOWER PACIFIC PROPERTIES, LLC

ADDRESS: 302 W. BLACKBURN ROAD

CITY/STATE: MT. VERNON WA ZIP: 98273

TELEPHONE NUMBER: 360-424-6871

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME: N/A

COMPANY: (If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Project or development name: RE-ZONE

Property/project address(s)/location: 2105 GUNN RD. MT. VERNON, WA

Skagit County Assessor's parcel number: P28885

Existing land use(s): Residential

Proposed land uses: COMMERCIAL/LIGHT IND.

Existing comprehensive plan map designation: SINGLE FAMILY MEDIUM DENSITY (SF-MED)

Proposed comprehensive plan map designation: C/L

Existing Zoning: R-1, 4.0

Proposed Zoning (if applicable): CL

Site Area (Sq. Ft. or acreage): ± 0.6 ACRE

Project value:

Is the site located in any type of environmentally sensitive area? NO

LU_____-_____

LEGAL DESCRIPTION OF PROPERTY (ATTACH SEPARATE SHEET IF NECESSARY)

TYPE OF APPLICATION & FEES
Check all application types that apply – City staff will determine fees.

	Annexation	$
X	Comp. Plan Amendment	$
	Comp. Sign plan	
	Special Use Permit	$
	Conditional Use Permit	$
	Site Plan Approval	$
	Fill and Grade Permit	$
	# of cubic yards:_____	
	Variance	$
	Rezone	$
	Waiver	$
	Wetland Permit	$
	Binding Site Plan	$
	Temporary Use Permit	$
	Shoreline Reviews:	
	Substantial Development	$
	Conditional Use	$
	Variance	$
	Exemption	$
	Revision	$

	Subdivision:	
	Boundary line adjustment	$
	Short Plat	$
	Preliminary Plat	$
	Final Plat	$
	Master Plan	$
	Planned Unit Development:	
	Preliminary	$
	Final	$
	PUD public notification sign	$
	Mobile Home Parks (Special Use)	$
	Environmental Review (SEPA)	$
	Land Use Change Sign	$
	Postage	$

AFFIDAVIT OF OWNERSHIP

I, THOMAS J. TOEPFER (Please print name), declare that I am (please check one) ✓ the owner of the property involved in this application, _____ the authorized representative to act for the property owner (please attach proof of authorization), and that the foregoing statements and answers herein contained and the infroamtion herewith submitted are in all respects true and correct to the best of my knowledge and belief.

THOMAS J. TOEPFER
(Name of Owner/Representative)

(Signature of Owner/Representative)

Attest: Subscribed and sworn to before me, a Notary Public, in and for the
State of WASHINGTON
residing at Mount Vernon
on the 31st day of January, 2007

(Signature of Notary Public)

JEFF ALAN WAGENBACH
COMMISSION EXPIRES
NOTARY
PUBLIC
5-8-2007
STATE OF WASHINGTON

(This section to be completed by City Staff)
A BLA BSP CPA CUP ER FPUD FP F&G MHP MP PP PPUD R SPA S/P SME SUP TUP V/A V-H W WP
TOTAL FEES: $_____ RECEIPT #:

EXHIBIT 1A - DOCKETING RESOLUTION 2018

LU # _____ - _____

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

RECEIVED
CITY OF MOUNT VERNON
JAN 31 2007
S.E.D. DEPARTMENT
BY _____

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME: Tom Toepfer / Gary Brown

ADDRESS: 2105 Gunn Road

CITY/STATE: Mount Vernon WA ZIP: 98273

TELEPHONE NUMBER: 360-424-6871

APPLICANT (if other than owner)

NAME: Tom Toepfer

COMPANY: (If applicable) Tower Pacific Properties LLC

ADDRESS: 302 W. Blackburn

CITY/STATE: Mount Vernon, WA ZIP: 98273

TELEPHONE NUMBER: 360-424-6871

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME: N/A

COMPANY: (If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Project or development name: Re-zone

Property/project address(s)/location: 2105 Gunn Road Mt. Vernon, WA

Skagit County Assessor's parcel number: P28885

Existing land use(s): Residential

Proposed land uses: Comm/Light Ind.

Existing comprehensive plan map designation: Single Family - Med

Proposed comprehensive plan map designation: CL

Existing Zoning: R-1, 4.0

Proposed Zoning (if applicable): CL

Site Area (Sq. Ft. or acreage): ± 0.6 Acre

Project value:

Is the site located in any type of environmentally sensitive area? No

LU_____-_____

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME: Kurt & Tracy Crossman

ADDRESS: 2125 Gunn Rd

CITY/STATE: Mt. Vernon ZIP: WA 98273

TELEPHONE NUMBER:

APPLICANT (If other than owner)

NAME: Same

COMPANY: (If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER:

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME:

COMPANY: (If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Mitzel Comp Plan Amendment Rezone

Project or development name:

2125 Gunn Rd
Mount Vernon

Property/project address(s)/location:

2125 Gunn Rd

Skagit County Assessor's parcel number:

P 28887

Existing land use(s):

N/A

Proposed land uses:

N/A

Existing comprehensive plan map designation:

Single Family Residential

Proposed comprehensive plan map designation:

Commercial/Light Industrial

Existing Zoning:

Single family Residential

Proposed Zoning (if applicable):

Commercial/Light Industrial

Site Area (Sq. Ft. or acreage): .25 acre

Project value: N/A

Is the site located in any type of environmentally sensitive area? no

EXHIBIT 1A - DOCKETING RESOLUTION 2018

LU_____-_____

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME:
Lois & Robert Young

ADDRESS:
2110 Gunn Road

CITY/STATE: ZIP:
Mount Vernon, WA 98273

TELEPHONE NUMBER:
360-424-9578

APPLICANT (if other than owner)

NAME:
same

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER:

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME:

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Mitzel Comp Plan Amendment Rezone
Project or development name:

2110 Gunn Road
Mount Vernon

Property/project address(s)/location:
2110 Gunn ROAD

Skagit County Assessor's parcel number:
P 28888

Existing land use(s):
N/A

Proposed land uses:
N/A

Existing comprehensive plan map designation:
Single Family Residential

Proposed comprehensive plan map designation:
Commercial/Light Industrial

Existing Zoning:
Single Family Residential

Proposed Zoning (if applicable):
Commercial/Light Industrial

Site Area (Sq. Ft. or acreage):
.23

Project value: N/A

Is the site located in any type of environmentally sensitive area?
NO

LU_____-_____

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME:
Jose de Jesus Sanchez

ADDRESS:
2015 Gunn Road

CITY/STATE: ZIP:
Mount Vernon, WA 98273

TELEPHONE NUMBER:
360-419-3183

APPLICANT (If other than owner)

NAME:
same

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER:

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME:

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Mitzel Comp Plan Amendment Rezone
Project or development name:

2015 Gunn Road
Mount Vernon
Property/project address(s)/location:

2015 Gunn Rd

Skagit County Assessor's parcel number:

P 28872

Existing land use(s):

N/A

Proposed land uses:

N/A

Existing comprehensive plan map designation:
Single Family Residential

Proposed comprehensive plan map designation:
Commercial/Light Industrial

Existing Zoning:

Single Family Residential

Proposed Zoning (if applicable):
Commercial/Light Industrial

Site Area (Sq. Ft. or acreage):
.26

Project value:
N/A

Is the site located in any type of environmentally sensitive area?
no

EXHIBIT 1A - DOCKETING RESOLUTION 2018

LU_____-_____

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME:
Charles Ray

ADDRESS:
2119 Gunn Road

CITY/STATE: ZIP:
Mount Vernon, WA 98273

TELEPHONE NUMBER:
360-424-1095

APPLICANT (if other than owner)

NAME:
same

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER:

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME:

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Mitzel Comp Plan Amendment Rezone
Project or development name:

2119 Gunn Road
Mount Vernon

Property/project address(s)/location:
2119 Gunn Road

Skagit County Assessor's parcel number:
P 28886

Existing land use(s):
N/A

Proposed land uses:
N/A

Existing comprehensive plan map designation:
Single Family Residential

Proposed comprehensive plan map designation:
Commercial/Light Industrial

Existing Zoning:
Single Family Residential

Proposed Zoning (if applicable):
Commercial/Light Industrial

Site Area (Sq. Ft. or acreage):
24

Project value:
N/A

Is the site located in any type of environmentally sensitive area?
no

LU_____-_____

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME:
Cathi Didier

ADDRESS:
2118 Gunn Road

CITY/STATE: ZIP:
Mount Vernon, WA 98273

TELEPHONE NUMBER:
360-848-0420

APPLICANT (If other than owner)

NAME:
same

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER:

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME:

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Mitzel Comp Plan Amendment Rezone
Project or development name:

2118 Gunn Road
Mount Vernon

Property/project address(s)/location:
2118 Gunn Rd

Skagit County Assessor's parcel number:
~~P28895~~ - P28895

Existing land use(s):
N/A

Proposed land uses:
N/A

Existing comprehensive plan map designation:
Single Family Residential

Proposed comprehensive plan map designation:
Commercial/Light Industrial

Existing Zoning:
Single Family Residential

Proposed Zoning (if applicable):
Commercial/Light Industrial

Site Area (Sq. Ft. or acreage):
.23

Project value:
N/A

Is the site located in any type of environmentally sensitive area?
No

EXHIBIT 1A - DOCKETING RESOLUTION 2018

LU_____-_____

CITY OF MOUNT VERNON

Development Services Department
910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA 98273
Phone: (360) 336-6214 • FAX: (360) 336-6283
website: www.ci.mount-vernon.wa.us

Land Use Permit Master Application

PROPERTY OWNER(S)

NOTE: If there is more than one legal owner, please attach an additional notarized Master Application for each owner.

NAME:
Tom Toepfer

ADDRESS:
2105 Gunn Road

CITY/STATE: ZIP:
Mount Vernon, WA 98273

TELEPHONE NUMBER:
360-424-6871

APPLICANT (If other than owner)

NAME:
same

COMPANY:
(If applicable) N/A

ADDRESS:
302 W. BLACKBURN Rd.

CITY/STATE: ZIP:
Mt. VERNON, WA 98273

TELEPHONE NUMBER:
(360) 424-6871

CONTRACTOR

(Attach copy of L&I contractor's license number)

NAME:

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

PROJECT INFORMATION

Mitzel Comp Plan Amendment Rezone
Project or development name:
2105 Gunn Road
Mount Vernon

Property/project address(s)/location:
2105 GUNN Road

Skagit County Assessor's parcel number:
P 28885

Existing land use(s):
N/A

Proposed land uses:
N/A

Existing comprehensive plan map designation:
Single Family Residential

Proposed comprehensive plan map designation:
Commercial/Light Industrial

Existing Zoning:
Single Family Residential

Proposed Zoning (if applicable):
Commercial/Light Industrial

Site Area (Sq. Ft. or acreage):
.6 ACRE

Project value:
N/A

Is the site located in any type of environmentally sensitive area?
NO

NAME:	Address	Phone
Louis Robert Young	2110 Gunn Rd	360-424-9578
Cathi Didier	2118 Gunn Rd.	360-848-0420
Jose de Jesus Sanchez	2015 Gunn Rd mail address 202 E Highland Ave.	mail 360 419-3183
Charles Ray	2114 Gunn Rd	360-424-1095
Tom Toepfer	2105 Gunn Rd.	360-424-6871

June 20, 2007 5:30 pm to 6:30 p.m.

REF: MEETING OF GUNN ROAD NEIGHBORHOOD PROPERTY OWNERS . . .

Per our Discussions:
The above named property owners, being undersigned below are in agreement to support the Rezone of Gunn Road from SFR to C/L (commercial/limited Industrial) which is consistent with the current application and the City of Mt Vernon land use.

Signatures

Louis Young

Charles Rossmund

José de Jesús Sanchez N.

Charles Ray

Thomas Toepfer

Catherine L. Didier

Rebecca Mangum

City of Mount Vernon
Community & Economic Development
Planning • Engineering • Building

910 Cleveland Avenue
P.O. Box 809
Mount Vernon, WA
98273

Phone: (360) 336-6214
Fax: (360) 336-6283
ds@ci.mount-vernon.wa.us
www.ci.mount-vernon.wa.us

January 12, 2007

Tom Toepher
Tower Pacific Construction
302 W Blackburn Road
Mount Vernon, WA 98273

RE: 2007 Comprehensive Plan Amendment

Dear Mr. Toepher:

Thank-you for calling today to discuss the 2007 Comprehensive Plan Amendment requests. As we discussed, your request will be part of the Hansel/Mitzel request that was carried over from the 2006 requests. In order to provide you with some background of what took place in 2006, we have attached a copy of an excerpt from the Staff Report that was prepared for the 2006 request. As you can see the primary reason that the proposal was carried over was due to concerns about conflicts between residential and commercial/industrial uses. In order for the proposal to be successful it is important that the residential properties on Gunn Road be brought into the proposal to avoid the conflicts outlined in the Staff Report. If the 2007 proposal again includes a checkerboard of residential and commercial/industrial properties it would be difficult for the proposal to be approved. It is in your best interest to discuss this with your neighbors and assemble as many of the lots on Gunn Road as possible to reduce the conflicts between residential and commercial/industrial uses.

To process your request we will need for you to complete the attached Land Use Master Application and return it to our office. There will be no charge for the application since it is included within a request carried over from the 2006 docket. We will need the completed application form to be submitted to our office by the 31st of January.

If you have any questions regarding the process please give us a call.

Sincerely,

Marianne Manville-Ailles

Marianne Manville-Ailles
Community & Economic Development
City of Mount Vernon
910 Cleveland Avenue, Mount Vernon WA 98273
Phone -- 360-336-6214; fax – 360-336-6283

Excerpts from the Staff Report for the 20006 Comprehensive Plan Amendments Request for the Hansel/Mitzel Proposal

9. LU06-019 (Hansel Mitzel):

Proposal: The following tracts located south of Blackburn Road and west of Old Highway 99 South that have the parcel numbers: P29194, P28892, P28893 and P28882 are proposed to be re-designated **FROM** Single-Family Medium Density (SF-MED) on the approximate south ½ of parcel P29194 and the remaining parcels and a zoning designation of Single-Family Residential with a maximum density of 4.54 du/acre (R-1,4.0) on all of the parcels **TO** a Comprehensive Plan designation Commercial/Limited Industrial (C/L) and a zoning designation of Commercial/Limited Industrial (C/L) for all the parcels.

Existing Site Use: Residential.

Neighborhood characteristics:

North: Residential and vacant.
East: Burlington Northern Railway and Gunn Road.
South: Residential and vacant.
West: Gunn Road and vacant.

Access: Gunn Road

Site Area: +/- 4.22 acres

Additional Comments: The area is suited to the requested change of designation based on the existing development character of the area and its proximity to the railroad. However, as proposed the request would result in a checker board of commercial/industrial and residential designations. This creates conflicts with the existing residential uses that are consistent with the current designation. Specifically, the conflicts would be associated with traffic from commercial/industrial uses on a residential street. Light and noise could also pose problems. In a future docketing cycle, the City should reconsider the overall zoning for this area and determine if it would be in the best interest of the community as a whole to redesignate all of the properties in the area for Commercial/Limited Industrial use.

The property lies within the 100 year floodplain.

1. MVMC 17.111 addresses amendments and reclassifications. The requirements of 17.111.060 Public Hearing notification has been satisfied by posting the property, and placing notice in the paper, and sending notice to all property owners within 300 feet of the requested action.
2. The requirements of SEPA have been met.
3. As proposed the request results in a checker board of residential and commercial/industrial uses that would be incompatible with the intent of the Comprehensive Plan.
4. The proposed uses would be incompatible with those existing residential uses that they are immediately adjacent to and surrounding in regards to traffic, noise, light and glare.

5. Commercial/industrial traffic would be incompatible with the current residential designation of Gunn Road.
6. The neighborhood is adjacent to the Burlington Northern Railway. There are a number of parcels in the area that have been developed or are developing for commercial/industrial purposes. The area currently is an isolated pocket of residential uses surrounded by developing commercial/industrial uses.
7. Proximity to the railroad results in potential conflicts for residential uses and opportunities for commercial/industrial uses.
8. Parcel P29194 is only accessible from West Blackburn Road. West Blackburn is designated as a Minor Collector/Urban Collector and is appropriate for commercial/industrial traffic.
9. The zoning on parcel P29194 is split. From a planning perspective this is an undesirable situation that should be corrected. The correction to fix the split zoning situation should reflect the most appropriate use of the area.
10. Parcel P28882 fronts on Gunn Road but is also adjacent to property in the same ownership that has access to Cleveland Street.
11. The Cleveland Street property is subject to an agreement to provide an additional 30 feet of right-of-way for the improvement of Cleveland Street. Commercial/industrial traffic would be compatible with existing uses on Cleveland Avenue.
12. Staff recommends that the property be conditioned to require access from Cleveland Avenue.
13. The proposal could be made more compatible with the existing goals of the Comprehensive Plan and with the surrounding neighborhood by assembling adjacent residential parcels along Gunn Road.

Based on the findings of fact and in conformance with the Planning Commission's motions to approve, the City Council moves to APPROVE the request for the southern portion of parcel P29194 and all of P28882 to be changed to a Comprehensive Plan designation of Commercial/Limited Industrial (C/L) and a zoning designation of Commercial/Limited Industrial (C/L) with the condition that access to P29194 be from West Blackburn Road and that access to P28882 be from the extension of Cleveland Avenue and access from Gunn Road be restricted unless during a future docketing cycle the properties on Gunn Road are redesignated to commercial/industrial uses then access could be provided from Gunn Road and to DEFER TO A FUTURE DOCKETING CYCLE the Comprehensive Plan Amendment and associated rezoning of parcels P28892 and 28893. This will allow additional time to assemble properties that would allow the proposal to be compatible with the Comprehensive Plan.

EXHIBIT 1B - DEPT. OF COMMERCE ACKNOWLEDGEMENT

STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

July 9, 2018

Marianne Manville-Ailles
Planning Consultant
Community & Economic Development Department
910 Cleveland Avenue
Mount Vernon, Washington 98273

Dear Ms. Manville-Ailles:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Mount Vernon - Proposed 2018 Comprehensive Plan Amendment Requests. These materials were received on July 05, 2018 and processed with the Material ID # 25084.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services

City of MOUNT VERNON
DEVELOPMENT SERVICES

NOTICE OF APPLICATION (NOA)
2018 NON-PROJECT SITE SPECIFIC COMPREHENSIVE PLAN AMENDMENT REQUESTS

APPLICATION ID:

PL18-034 Barnet Comprehensive Plan Amendment
PL18-035 Corner 9 Properties LLC Comprehensive Plan Amendment

PROJECT DESCRIPTION:

PL18-034: The proposal is to amend the Comprehensive Plan designation for this 1.07 acre parcel from Single Family High Density (SF-HI) to General Commercial (GC). The proposal is located within Mount Vernon's unincorporated Urban Growth Area. The redesignation is required before the property can be annexed into the City.

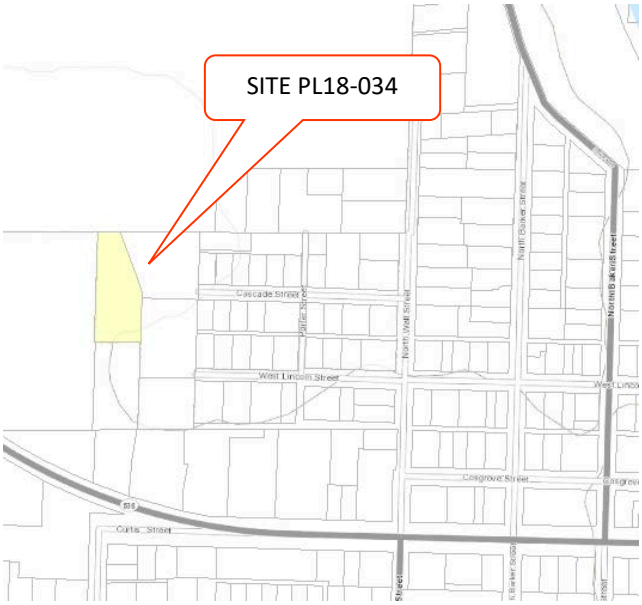
P18-035: The proposal is to amend the Comprehensive Plan designation for this 0.85 acre parcel from Single-Family Medium Density (SF-MED) to Multi-Family Low Density (MF-LO)

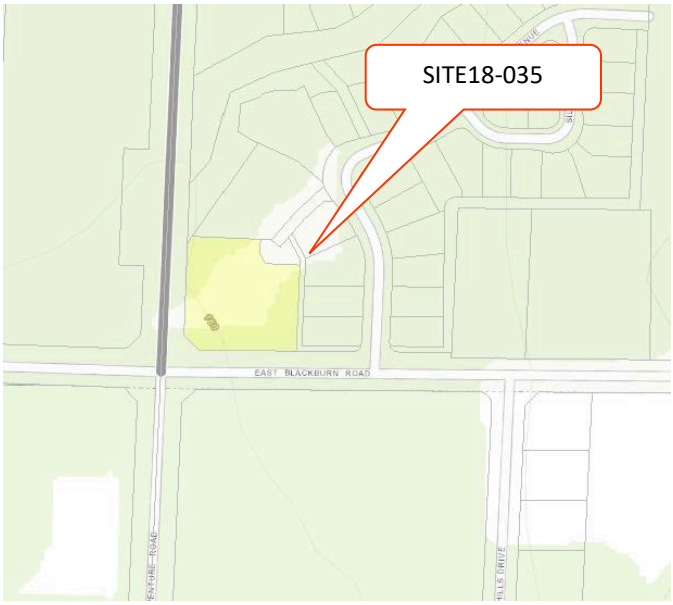
PROJECT LOCATION:

P18-034: The proposal is addressed as 18370 Cascade Street, is identified by the Skagit County Assessor as parcel P102004 and is located within a portion of Section 19, Township 34 North, Range 04 East, W.M. The proposal is located within Mount Vernon's unincorporated Urban Growth Area.

P18035: The proposal is located on Fraser Avenue near the intersection of Blackburn Road and South LaVenture Road. It is identified by the Skagit County Assessor as parcel P131991 and is located within a portion of Section 28, Township 34 North, Range 04 East, W.M

The exhibit maps below illustrate the location of the proposals.





OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS): As the Lead Agency, the City of Mount Vernon has determined that significant environmental impacts are unlikely to result from the proposed project. Therefore, as permitted under the RCW 43.21C.110, the City of Mount Vernon is using the Optional DNS process to give notice that a DNS is likely to be issued. Comment periods for the project and the proposed DNS are integrated into a single comment period. There will be no comment period following the issuance of the Threshold Determination of Non-Significance (DNS). A 10-day appeal period will follow the issuance of the DNS.

DETAILS:			
Permit Application Date:	PL18-034: January 30, 2018 P18-035: January 30, 2018	**Counter Complete Date**	PL18-034: January 30, 2018 P18-035: January 30, 2018
Technically Complete :	PL18-034: January 30,2018 P18-035: January 30, 2018	**2018 Comprehensive Plan Docket Date:**	Adopted: February 28, 2018 Signed: March 7, 2018
Permits/Review Requested:	Comprehensive Plan Amendment Request.		
Other City Permits that will be Required:	The proposals are non-project actions and if approved will require all relevant local, state and federal permits for any proposed development actions. In addition proposal PL18-034 is currently located in the City of Mount Vernon unincorporated Urban Growth Area. Before any additional permits can be considered for this property, it must go through the annexation process. Proposal PL18-035 will be required to go through a rezone process before the applicant/owner can apply for any other development permits.		
CONSISTENCY OVERVIEW:			
Environmental Documents that Evaluate the Proposed Project:	SEPA Checklists dated January 31, 2018 (PL18-034) & January 29-2018 (PL18-035)and Transportation Concurrency dated October 10, 2018		
Development Regulations Used for Project Mitigation:	The projects are non-project and are subject to the City's Comprehensive Plan, and Concurrency Requirements, Building Code and other applicable local, state and federal regulations as appropriate.		

Comments on the Notice of Application and Proposed Determination of Non-Significance (DNS) must be submitted, in writing, no later than **5:00 p.m. on November 2, 2018.** Comments should be as specific as possible. Any person may comment on the application, receive notice and request a copy of the decision once it is made. To receive additional information regarding this project contact the Development Services Department and ask to become a party of record.

City staff has created a page on the City's website where the site plans, technical reports, and other pertinent information can be viewed. This webpage can be viewed as follows: navigate to: www.mountvernonwa.gov; once here click on 'Departments' then 'Development Services' then then 'News Notices' then scroll down the page to find the project name/number.

ISSUED: October 16, 2018

PUBLISHED: October 19, 2018

SENT TO: SEPA REGISTER, DOE, COE, COMMERCE, CNG, WDFW, DNR, DIKE AND DRAINAGE DISTRICTS (as applicable), DOT, FRONTIER, FRONTIER NW, DAHP, NW CLEAN AIR AGENCY, PORT OF SKAGIT COUNTY, PSE, SAMISH TRIBE, SCOG, SKAGIT COUNTY PDS, PUD #1, SKAGIT RIVER SYSTEM COOPERATIVE, SKAGIT RIVER SYSTEMS, SVC, SKAT, SWINOMISH TRIBE, AND UPPER SKAGIT TRIBE

City of MOUNT VERNON DEVELOPMENT SERVICES

FINAL DETERMINATION OF NON-SIGNIFICANCE (DNS)
2018 NON-PROJECT SITE SPECIFIC
COMPREHENSIVE PLAN AMENDMENT REQUESTS

APPLICATION ID: PL18-034 Barnet Comprehensive Plan Amendment; PL18-035 Corner 9 Properties LLC Comprehensive Plan Amendment

PROJECT DESCRIPTION: PL18-034: The proposal is to amend the Comprehensive Plan designation for this 1.07 acre parcel from Single Family High Density (SF-HI) to General Commercial (GC). The proposal is located within Mount Vernon's unincorporated Urban Growth Area. The re-designation is required before the property can be annexed into the City. P18-035: The proposal is to amend the Comprehensive Plan designation for this 0.85 acre parcel from Single-Family Medium Density (SF-MED) to Multi-Family Low Density (MF-LO)

PROJECT LOCATION: P18-034: The proposal is addressed as 18370 Cascade Street, is identified by the Skagit County Assessor as parcel P102004 and is located within a portion of Section 19, Township 34 North, Range 04 East, W.M. The proposal is located within Mount Vernon's unincorporated Urban Growth Area. P18035: The proposal is located on Fraser Avenue near the intersection of Blackburn Road and South La Venture Road. It is identified by the Skagit County Assessor as parcel P131991 and is located within a portion of Section 28, Township 34 North, Range 04 East, W.M

APPLICANT--CONTACT:	**APPLICANT OWNER:**	**CITY STAFF CONTACT:**
PL18-034: John Semrau; 2118 Riverside Drive, Suite 208; Mount Vernon, WA 98273; PL18-035 Anna Nelson; 504 E Fairhaven; Burlington, WA 98233	PL18-034: Doug Barnet; 19395 Conway Hill Road; Mount Vernon WA, 98274; PL18-035: Corner 9 Properties LLC; 504 E Fairhaven; Burlington, WA 98233	Development Services Department Marianne Manville-Ailles, Planning Consultant 910 Cleveland Ave Mount Vernon, WA 98273 Telephone - 360-336-6214;

LEAD AGENCY: Mount Vernon Development Services Department, the lead agency for this proposal, has determined that this project does not have a probable adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency.

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158.

ENVIRONMENTAL DETERMINATION APPEAL PROCESS: Appeals of the environmental determination must be filed in writing on or before 5:00 PM on November 15, 2018 (10 days from the date of publication). Appeals must be filed in writing together with the required $100.00 application fee to: Hearing Examiner, City of Mount Vernon, 910 Cleveland Ave, Mount Vernon, WA 98273. Appeals to the Examiner are governed by City of Mount Vernon Municipal Code Section 15.06.215. Additional information regarding the appeal process may be obtained from the staff 'Contact Person' listed above.

City staff has created a page on the City's website where the site plans, technical reports, and other pertinent information can be viewed. This webpage can be viewed as follows: navigate to: www.mountvernonwa.gov; once here click on 'Departments' then 'Development Services' then then 'News Notices' then scroll down the page to find the project name/number.

RESPONSIBLE PERSON Rebecca Lowell, Senior Planner

RLowell

SIGNATURE

November 5, 2018
DATE

ISSUED: November 5, 2018
PUBLISHED: November 5, 2018
SENT TO: SEPA REGISTER, DOE, COE, COMMERCE, CNG, WDFW, DNR, DIKE AND DRAINAGE DISTRICTS (as applicable), DOT, FRONTIER, FRONTIER NW, DAHP, NW CLEAN AIR AGENCY, PORT OF SKAGIT COUNTY, PSE, SAMISH TRIBE, SCOG, SKAGIT COUNTY PDS, PUD #1, SKAGIT RIVER SYSTEM COOPERATIVE, SKAGIT RIVER SYSTEMS, SVC, SKAT, SWINOMISH TRIBE, AND UPPER SKAGIT TRIBE

City of MOUNT VERNON DEVELOPMENT SERVICES

CITY OF MOUNT VERNON NOTICE OF APPLICATION (NOA)

DATE: August 3, 2017

APPLICATION NAME/NUMBER: PL17-012 MV28 LLC; 2016-2017 Comprehensive Plan Amendment/Rezone Request

PROJECT DESCRIPTION: Proposed is a non-project action to change the land use designation of property that is described below (hereinafter called the 'subject site'). The existing Comprehensive Plan designation of the subject site is General Commercial (GC) with associated zoning of General Commercial (C-2). The applicant, MV28 LLC, has requested these designations be changed to a Comprehensive Plan designation of Public (P) with associated zoning of Public (P). The proposal is to redesignate property owned by the applicant to allow for development as an RV Resort.

PROJECT LOCATION: The proposed property is located at 1717 Freeway Drive. It is identified by the Skagit County Assessor as parcel numbers P26279 and P26054 and is located within a portion of the Southwest ¼ of the Northeast ¼ of Section 18, Township 34 north, Range 4 East, W.M.

APPLICANT/OWNER: MV28 LLC; 12708 Leatherwood Lane, Bow, WA 98232; 360-757-7806

APPLICANT/CONTACT: Christensen Design Management, Contact: David Christensen; P.O. Box 5068; Bellingham, WA; 98227

LEAD AGENCY: Mount Vernon Community & Economic Development Department

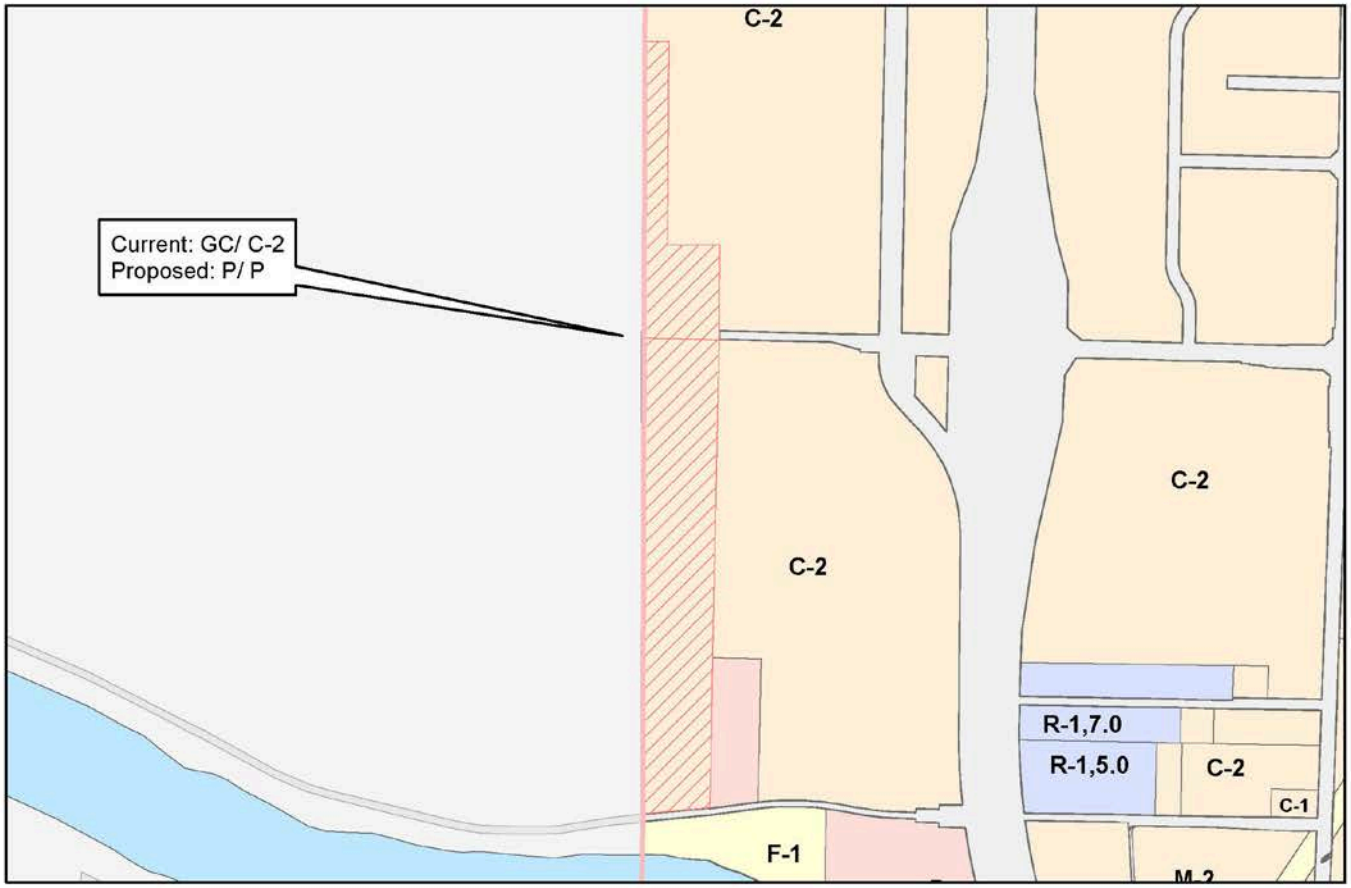
CONTACT PERSON FOR COMMENTS: Marianne Manville-Ailles; Planning Consultant for Community & Economic Development Department; City of Mount Vernon; 910 Cleveland Avenue; Mount Vernon, WA 98273; (360) 336-6214; mma@sseconsultants.com.

Comments on this Notice must be submitted, in writing, no later than **August 17, 2017.** Comments should be as specific as possible. Any person may comment on the application and request a copy of the decision once it is made. Questions about this proposal and requests for additional notification should be directed to the contact person listed herein. Any person who submits written comments will automatically become a 'party of record' and will be notified of any decision made regarding this proposal.

The application and supporting documentation are available for review at the Community & Economic Development Department located at City Hall. Copies will be provided upon request at the cost of reproduction.

Issued: August 3, 2017
Published: August 3, 2017

PLEASE INCLUDE THE PROJECT NUMBER WHEN CALLING FOR PROPER FILE IDENTIFICATION



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CITY OF MOUNT VERNON
NOTICE OF PUBLIC HEARINGS &
DETERMINATION OF NON-SIGNIFICANCE (DNS)

This Notice of Public Hearings and Determination of Non-Significance (DNS) is issued for the projects that are described below.

PUBLIC HEARINGS: A public hearing is scheduled before the Mount Vernon Planning Commission on **TUESDAY, DECEMBER 5TH, 2017** at 6 p.m. Another public hearing will be held before the Mount Vernon City Council on **WEDNESDAY, DECEMBER 13, 2017** at 7 p.m. Both hearings will be held at the City's Police and Court Campus located at 1805 Continental Place, Mount Vernon.

LEAD AGENCY: Mount Vernon Development Services Department. The lead agency for this proposal has determined that it does not have a probable adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to public on request.

DNS INFORMATION: This DNS is issued under WAC 197-11-340(2). The lead agency will not act on the proposal for 14 days from issuance of this DNS. Comments must be received by 5 p.m. on **November 30, 2017.**

Consistent with MVMC Chapter 15.06 appeals of the environmental determination must be filed in writing on or before 5:00 p.m. on **December 11, 2017**. Appeals must be filed in writing together with the required application fee to: City of Mount Vernon, P.O. Box 809, Mount Vernon, WA 98273. Additional information regarding the appeal process may be obtained from the City of Mount Vernon Development Services Department, (306) 336-6214.

RESPONSIBLE OFFICIAL: Rebecca Lowell, Senior Planner

CONTACT PERSON: Marianne Manville-Ailles; Planning Consultant for Development Services Department; City of Mount Vernon; 910 Cleveland Avenue; Mount Vernon, WA 98273; (360) 336-6214; mma@sseconsultants.com

The application and supporting documentation are available for review at the Development Services Department located at City Hall. Copies will be provided upon request at the cost of reproduction. If you wish to comment on the proposed amendments, you may provide verbal or written comment at the public hearings. You may also provide signed, written comments until 5 p.m. on the day before the hearing to the contact person listed above.

City staff has created a page on the City's website where additional information on this project can be viewed. This webpage can be viewed as follows: navigate to: www.mountvernonwa.gov; once here click on 'Departments' then 'Development Services' then 'News & Notices' once on this page find the project name/number and you will see hyperlinks to documents related to this project.

PROJECT 1:
Application Name: Summersun Greenhouse Company; 2016-2017 Comprehensive Plan Amendment/Rezone Request, City File No: PL15-124
Project Description: Proposed is a non-project action to change the land use designation of property that is described below (hereinafter called the 'subject site'). The existing Comprehensive Plan designation of the subject site is Agricultural (AG) with associated zoning of Residential Agricultural (R-A). The applicant, Summersun Greenhouse Company, has requested these designations be changed to a Comprehensive Plan designation of Medium High Density Multi Family (MF-MH) with associated zoning of Multi Family Residential (R-4). The proposal is on the property that was previously operating as Summersun Nursery. That use is now closed and the applicant is requesting a land use designation change to be more consistent with the uses surrounding it.
Project Location: The proposed is located at 4100 College Way. The proposal is identified by the Skagit County Assessor as parcel numbers P24832 and P113507 and is located within a portion of the Southwest ¼ of the Northeast ¼ of Section 15, Township 34 north, Range 4 East, W.M.
Applicant/Owner: Summersun Greenhouse Company, Contact: Carl Loeb, 4100 College Way, Mount Vernon, WA 98273; 360-661-4947

PROJECT 2:
Application Name: St. Luke's Lutheran Church; 2016-2017 Comprehensive Plan Amendment/Rezone Request, City File No: PL16-009
Project Description: Proposed is a non-project action to change the land use designation of property that is described below (hereinafter called the 'subject site'). The existing Comprehensive Plan designation of the subject site is Medium Density Single Family (SF-MED) with associated zoning of Residential Agricultural (R-1 7.0). The applicant, St. Luke's Lutheran Church, has requested these designations be changed to a Comprehensive Plan designation of Churches (CH) with associated zoning of Public (P). The proposal is to redesignate property owned by the Church to allow for expansion of Church related uses on the property.
Project Location: The proposed property has not yet been addresses but is identified by the Skagit County Assessor as parcel numbers P113150 and P113153 and is located within a portion of the Northwest ¼ of the Southeast ¼ of Section 29, Township 34 north, Range 4 East, W.M.
Applicant/Owner: St. Luke's Lutheran Church, Contact: Pastor Jerrold Dalke, 1524 E. Blackburn, Mount Vernon, WA 98274; 360-428-1750

PROJECT 3:
Application Name: Richard & Deborah Thurman; 2016-2017 Comprehensive Plan Amendment/Rezone Request, City File No: PL16-011
Project Description: Proposed is a non-project action to change the land use designation of property that is described below (hereinafter called the 'subject site'). The existing Comprehensive Plan designation of the subject site is Low Density Multi Family (MF-LO) with associated zoning of Two Family Residential (R-2). The applicant, Richard & Deborah Thurman, have requested these designations be changed to a Comprehensive Plan designation of High Density Multi Family (MF-MH)) with associated zoning of Multi Family Residential District (R-3). The proposal is to redesignate property owned by the Thurman's to allow for better planning of structure and greenbelt placement and allow for the development of the property to be economically feasible.
Project Location: The proposed property is located at 2210 N Laventure Road. It is identified by the Skagit County Assessor as parcel numbers P25029 and P25030 and is located within a portion of the Northwest ¼ of the Northwest ¼ of Section 16, Township 34 north, Range 4 East, W.M.
Applicant/Owner: Richard & Deborah Thurman, 2288 Austin Lane, Mount Vernon, WA 98273; 360-424-5717

PROJECT 4:
Application Name: MV28 LLC; 2016-2017 Comprehensive Plan Amendment/Rezone Request, City File No: PL17-012
Project Description: Proposed is a non-project action to change the land use designation of property that is described below (hereinafter called the 'subject site'). The existing Comprehensive Plan designation of the subject site is General Commercial (GC) with associated zoning of General Commercial (C-2). The applicant, MV28 LLC, has requested these designations be changed to a Comprehensive Plan designation of Public (P) with associated zoning of Public (P). The proposal is to redesignate property owned by the applicant to allow for development as an RV Resort.
Project Location: The proposed property is located at 1717 Freeway Drive. It is identified by the Skagit County Assessor as parcel numbers P26279 and P26054 and is located within a portion of the Southwest ¼ of the Northeast ¼ of Section 18, Township 34 north, Range 4 East, W.M.
Applicant/Owner: MV28 LLC (Timothy White the Governor of the LLC) 12708 Leatherwood Lane, Bow, WA 98232; 360-757-7806

PROJECT 5
Application Name: Mount Vernon School District No 320; 2016-2017 Comprehensive Plan Amendment/Rezone Request, City File No: PL17-011
Project Description: Proposed is a non-project action to change the land use designation of property that is described below (hereinafter called the 'subject site'). The existing Comprehensive Plan designation of the subject site is Single Family High Density (SF-HI) with associated zoning of Single Family Residential (R-1 7.0). The applicant, Mount Vernon School District, has requested these designations be changed to a Comprehensive Plan designation of School (SCH) with associated zoning of Public (P). The proposal is to redesignate property owned by the School District to be consistent with its school related uses.
Project Location: The proposed property is located at 1200 9th Street. It is identified by the Skagit County Assessor as parcel number P113446 and is located within a portion of the Northwest ¼ of the Northwest ¼ of Section 16, Township 34 north, Range 4 East, W.M.
Applicant/Owner: Mount Vernon School District 320, Contact: Suzanne Gilbert; 124 E Lawrence Street, Mount Vernon, WA 98273; 360-428-6181

PROJECT 6

Application Name: Comprehensive Plan Amendments to the Transportation Element, City File No: PL17-027

Project Description: Proposed amendments to the Transportation Element of the Comprehensive Plan and a new Chapter named 12.44 Complete Streets is proposed to be added to the Mount Vernon Municipal Code (MVMC). The Transportation Element amendments include adding one new capital project named the Kincaid Corridor Improvements Project, and making the necessary changes to estimated expenses and revenues from this new project. New policies regarding complete streets are proposed to be added within the Transportation Element and to a new chapter of the MVMC to be named 12.44, Complete Streets.

Project Location: The proposed amendments are non-project actions that apply City-wide. The new Kincaid Corridor project is located along Kincaid Street between its intersections with South 3rd and the Interstate-5 (I-5) on/off ramps on the east side of I-5.

Applicant/Owner: City of Mount Vernon

Transportation Concurrency Review

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October 10, 2018

TO: Rebecca Lowell, Senior Planner
Planning Coordinator
City of Mount Vernon

FROM: Andrew Bratlien, PE
Senior Transportation Engineer

SUBJECT: 2018 Comprehensive Plan Amendments
Non-Project Transportation Concurrency Review

INTRODUCTION

This memorandum describes the findings and recommendations associated with the non-project transportation concurrency review for the proposed 2018 Mount Vernon Comprehensive Plan amendments.

PROJECT DESCRIPTION

The review contained herein is a non-project concurrency analysis for two Comprehensive Plan amendment requests that require a cumulative analysis of traffic impacts per SEPA regulations. Likely development scenarios for each of the amendment requests were provided by the City and are summarized in **Table 1**. Vicinity maps for each of the amendment requests are attached.

Land use number PL18-034 will rezone parcel P102004, located to the north of West Division Street (SR 536) in Mount Vernon, to support a recreational vehicle park with up to 30 spaces.

Land use number PL18-035 will rezone parcel P131991, located at the northeast corner of East Blackburn Road and South Laventure Road, to support up to 8 townhouse units.

Table 1. Comprehensive Plan Amendment Request Summary

Land Use Number	Parcel	Comprehensive Plan		Zoning		Description
		Existing	Proposed	Existing	Proposed	
PL18-034	P102004	Single-Family High Density (SF-HI)	General Commercial (C-2)	Urban Growth Area		30-space RV park
PL18-035	P131991	Single-Family Med-Density (SF-MED)	Multi-Family Low Density (MF-LO)	Single-Family 4 DU/acre w/ PUD overlay (R-1, 4.0 PUD)	Duplex & Townhouse (R2)	8 duplex/ townhouse units

PROJECT TRIP GENERATION

PM peak hour trip generation forecasts were calculated for each of the proposed land uses identified above, using data published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition.* Trip generation rates and results are summarized in **Table 2.**

PL18-034 is consistent with ITE land use number 416 "Campground/Recreational Vehicle Park." The proposed use will generate up to 8.1 PM peak hour trips.

PL18-035 is consistent with ITE land use number 220 "Multifamily housing (low-rise)." The proposed use will generate up to 4.5 PM peak hour trips.

Table 2. Trip Generation

Land Use Number	Description	ITE LUC	Quantity[1]		Trip Rate	% In	% Out	PM Peak Hr Trips		
								In	Out	Total
PL18-034	RV Park	416	30	occ.spaces	0.27	65%	35%	5.3	2.8	8.1
PL18-035	Multifamily housing (low-rise)	220	8	DU	0.56	63%	37%	2.8	1.7	4.5
							New PM Peak Hour Trips, Total	**8.1**	**4.5**	**12.6**

[1]DU = dwelling units; occ.spaces = occupied spaces

PROJECT TRIP DISTRIBUTION AND ASSIGNMENT

Project-generated trips were input to the Mount Vernon citywide travel demand model, where they were distributed to Transportation Analysis Zones in and around the City. They were then assigned to the transportation network using a travel time equilibrium algorithm. The resulting project trip assignment is shown in **Figure 1.**

Assigned trips were added to the citywide intersection operations model for traffic capacity LOS evaluation, as described below.

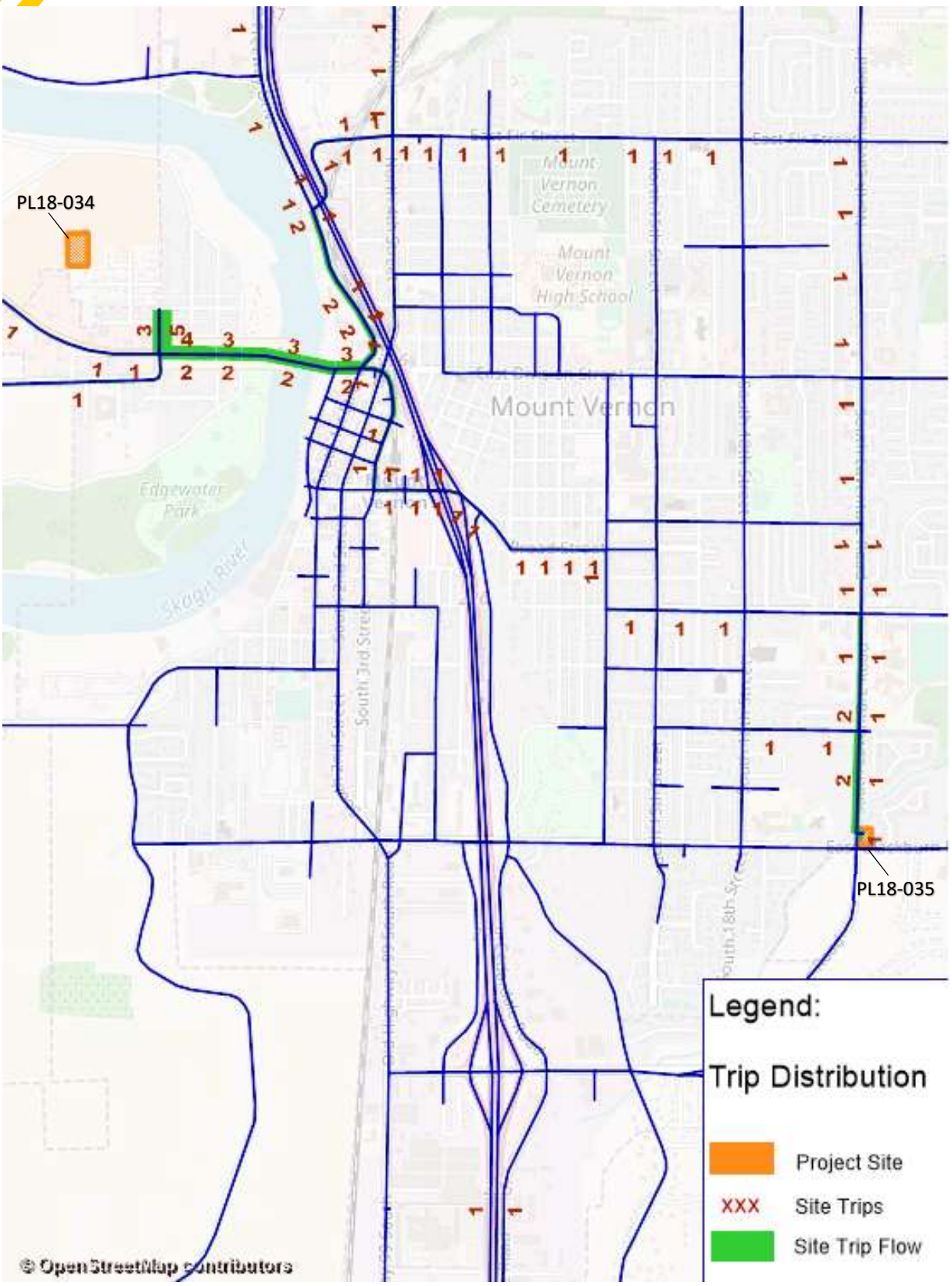

Figure 1. Project Trip Assignment

TRANSPORTATION CONCURRENCY STANDARDS

This transportation concurrency review is based on Mount Vernon Municipal Code (MVMC) concurrency and Level of Service (LOS) standards, including:

- Level of service standards stated in MVMC 14.10.080
- Level of service exemptions stated in MVMC 14.10.060
- Concurrency requirements for "Category A: Less Than 10 Peak Hour Trips" stated in MVMC 14.10.090

Traffic Capacity LOS

Trips generated by the proposed land use changes will impact two intersections with existing LOS deficiencies, as shown in **Table 3**. The intersection of S 1st Street/Freeway Drive and W Division Street operates at LOS F before and after the addition of 5 project-generated trips. The intersection is programmed for signal phasing improvements in Mount Vernon Capital Improvement Plan project T-09-01, which will mitigate the LOS deficiency.

The intersection of Broad Street and Blodgett Road will operate at LOS F before and after the addition of one project-generated PM peak hour trip. The intersection is identified in the 2016 Mount Vernon Comprehensive Plan as a long-term improvement project to include left-turn lanes. The planned improvement project will mitigate the LOS deficiency.

PL18-035 site accesses will operate at LOS C or better through 2036.

Table 3. Project-Impacted Long-Range (2036) Intersection LOS Deficiencies

ID	Intersection	Before Mitigation			Pipeline Trips	Recommended Mitigation	After Mitigation		
		Control Type[1]	Delay[2] (s/veh)	LOS			Control Type[1]	Delay[2] (s/veh)	LOS
789	S 1st St/Freeway Dr & W Division St	Signal	123	F	5	Modify left turn treatments (T-09-01)	Signal	20.6	C
1058	Broad St & Blodgett Rd	TWSC	53.7	F	1	Add LT lanes (Comp Plan #4)	TWSC	22.6	C

[1]TWSC = Two-way stop control; AWSC = All-way stop control; RAB = Roundabout; Signal = Signalized
[2]Two-way stop controlled intersection delay is expressed as average worst (i.e. highest delay) movement delay

PL18-034: Single-Family High-Density to General Commercial

The project is located outside Mount Vernon city limits but within the Mount Vernon Urban Growth Area (UGA). The following non-capacity Mount Vernon concurrency comments are provided for reference.

Pedestrian Safety LOS

Minimum pedestrian safety LOS requirements apply to any City streets fronting a future project. All new or modified sidewalks, curb ramps and driveway pads must comply with current Americans with Disabilities Act (ADA) standards.

Street Design LOS

West Division Street (SR 536) consists of a 36-foot paved section with 6-foot paved shoulders in the project vicinity. Minimum street design LOS is satisfied.

On-Site LOS
On-site LOS should be evaluated upon submittal of a project site plan.

All new and modified sidewalks, curb ramps, and driveway aprons must satisfy Americans with Disabilities Act (ADA) Standards.

Transit LOS
The land use change will not significantly impact transit routes or ridershiop in the area. Transit LOS is satisfied.

Nonmotorized Transportation LOS
W Division Street currently includes 6-foot paved shoulders on both sides in the project vicinity. Nonmotorized transportation LOS is satisfied.

Pavement Condition LOS
Pavement on W Division Street is in fair to good condition and should be maintained.

<u>PL18-035: Single-Family Medium-Density to Multi-Family Low-Density</u>

Pedestrian Safety LOS
Six-foot sidewalks currently exist on the north side of E Blackburn Road and on both sides of S Laventure Road at the project frontage. Pedestrian safety LOS is satisfied.

Street Design LOS
E Blackburn Road consists of a 50-foot paved width with 12-foot travel lanes and seven-foot bike lanes in both directions at the project frontage. Minimum minor arterial street design LOS is satisfied.

S Laventure Road consists of a 44-foot paved width with 11-foot travel lanes, a 12-foot left-turn lane, and two five-foot bike lanes. Six-foot sidewalks exist on both sides at the project frontage. Minimum principal arterial street design LOS is satisfied.

On-Site LOS
On-site LOS should be evaluated upon submittal of a project site plan.

All new and modified sidewalks, curb ramps, and driveway aprons must satisfy Americans with Disabilities Act (ADA) Standards.

Transit LOS
Skagit Transit Route 206 includes a stop on S 18th Street at Jefferson High School, approximately 1,400 feet from the project. The project will not significantly impact Skagit Transit ridership or routes.

Nonmotorized Transportation LOS
Sidewalks and bike lanes currently exist on E Blackburn Road and S Laventure Road at the project frontage. Nonmotorized transportation LOS is satisfied.

Pavement Condition LOS
Pavement on E Blackburn Road and S Laventure Street at the project frontage is in good condition and should be maintained.

TRANSPORTATION IMPACT FEES

Impact fees are generally adjusted annually by the City of Mount Vernon to account for inflation. The current adopted transportation impact fee rates (effective June 2018) are attached. Preliminary transportation impact fee calculations are shown in **Table 3** for each of the proposed land uses.

PL18-034 is located outside City limits but within the Mount Vernon UGA. Its equivalent transportation impact fee responsibility has been scaled by a factor of 0.75 to reflect the proportion of project-generated trips which will use the City street network.

Table 3. Preliminary Transportation Impact Fee Calculations

Land Use Number	Description	Quantity	Units	PM Trips	Transportation Impact Fee Rate		Transportation Impact Fee
PL18-034	RV Park	30	spaces	6.1[1]	$1,065	/ trip	$6,495
PL18-035	Townhouse	8	units	4.5	$4,951	/ unit	$22,280

[1]Development is located in UGA; total trips are scaled by 0.75 to reflect trips which will use the City street network.

FINDINGS AND RECOMMENDATIONS

Findings and recommendations of this transportation concurrency review are summarized below.

- The Comprehensive Plan amendments will each generate fewer than 10 new PM peak hour trips, which will not result in any new street or intersection LOS deficiencies.
- On-site LOS should be re-evaluated after submittal of project site plan/s.
- All new and modified sidewalks, curb ramps, and driveway aprons must satisfy Americans with Disabilities Act (ADA) Standards.
- PL18-034 will be responsible for a transportation impact fee of $6,495.
- PL18-035 will be responsible for a transportation impact fee of $22,280.

Attachment: Impact and Sewer Connection Fee Summary - 2018

City of MOUNT VERNON DEVELOPMENT SERVICES

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IMPACT & SEWER CONNECTION FEE SUMMARY - 2018

IMPACT FEES: Impact fees are one-time charges imposed by the City for development projects that are impacting the City's transportation systems, parks, or fire protection facilities. Impact fees collected by the City are used to help pay for new or expanded public facilities (i.e. roads, fire protection or parks). The fees collected directly and proportionally address the increased demand for these facilities created by the new development.

IMPACT FEES			
	SINGLE FAMILY & DUPLEX (Per Unit)	**MULTI-FAMILY (Per Unit)**	**NON-RESIDENTIAL[1]**
PARKS	$855.00	$789.00	N/A
FIRE	$152.00	$152.00	$0.22/sq. ft.
TRAFFIC	See Page 2	See Page 2	$1,065.00
SCHOOL	$6,658.00[2]	$ 875.00	N/A
ADMINISTRATION[3]	$140.00	$245.00	1% or $35 min.

[1] Transportation & Fire Impact Fees apply to all new non-residential buildings, and additions to existing buildings. Transportation impact fees will also be calculated for a change of use on an existing non-residential building. The number of average trips per peak P.M. hours are calculated by a traffic engineer which the city has contracted with to review all commercial projects for trip generation.
[2] The City does not calculate the amount of school impact fees paid. These fees are determined by the school district. The City collects these fees for the school district.
[3] Administration fee is $35.00, per fee, per single family residential unit, $70.00 per multi-family building permit or 1% of the total impact fee for non-residential permits ($35.00 minimum).

SEWER CONNTECTION FEES: Sewer connection fees are not impact fees. These fees are assessed to those connecting to the City's sanitary sewer system and are calculated to be a fair and equitable share of the cost of this system.

SEWER CONNECTION FEES				
	SINGLE FAMILY	**DUPLEX (Per Unit)**	**MULTI-FAMILY (Per Unit)**	**COMMERCIAL INDUSTRIAL**
SEWER CONNECTION	$7,002.00	$5,251.00	$3,500.00 *or* $199.00 per fixture unit[4]	$332.00 per fixture unit[4]
PERMIT FEE PER UNIT	$50.00	$75.00 (for both units)	$50.00 & $25.00 ea add	.01 per sf to 100,000 .005 per sf add'l $50.00 min-$1,500 max/ See 13.12.030 for mixed use

[4] Fixture unit counts are completed by the City's Building Official using the Uniform Plumbing Code.

The purpose of this handout is to assist the public in complying with detailed permit submittal requirements. It is NOT a complete list of permit or code requirements and should NOT be used as a substitute for applicable laws and regulations. It is the responsibility of the owner/design professional to review the submittal for completeness and applicability to other codes. Only complete applications can be accepted by the City for review.

TRAFFIC IMPACT FEES UPDATED JUNE 2018

LAND USE GROUP *(Definitions for these land use groups are provided following this table)*	IMPACT FEE
Residential Groups:	
Single Family Dwelling Units, Duplex, and Any Type of Multi-Family Structure with 50 Dwelling Units or Less	$4,951.00 per each dwelling unit
Multi-Family Dwelling Units With 51 Units or More	$3,038 per each dwelling unit
Multi-Family Dwelling Units constructed within the C-1(A) and (C) zones; and, Multi-Family Dwelling Units constructed in structures where at least 25% of the gross floor area is devoted to retail uses.	$1,884.00 per each dwelling unit
Single Family Dwelling Units, Duplex, and Any Type of Multi-Family Structure with 50 Dwelling Units or Less That are restricted to those individuals that are defined as senior citizens	$1,275.00 per each dwelling unit
Multi-Family Dwelling Units With 51 Units or More that are restricted to those individuals that are defined as senior citizens	$538.00 per each dwelling unit
Congregate Care Facility and Nursing Homes	$832.00 per bed
Assisted Living Facilities	$1,077.00 per bed
Commercial and Industrial Groups:	
All uses that are not identified within the Residential Groups above, but excluding private or public schools.	$1,065.00 per PM peak hour trip

A Single-Family Dwelling Unit is a detached building containing but one kitchen, designed for and occupied exclusively by one family and the household employees of that family.

A Dwelling Unit is defined as a building or portion thereof providing complete housekeeping facilities for one family.

A Duplex is a building that contains two (2) one-family dwellings attached by a common wall and designed to be occupied by two families living independently of each other.

A Multi-Family Structure means a building designed to house three or more families living independently of each other attached by common walls.

Restricting a residential group to those individuals that are defined as senior citizens means that an applicant shall file with the Skagit County Auditor a covenant that will run with the land that restricts the age of the occupants within a dwelling unit. The age restriction shall be no younger than 62.
Congregate Care Facilities and Nursing Homes are licensed facilities that provide constant nursing care of elderly or disabled individuals who do not require hospitalization, but who cannot be cared for at home.

Assisted Living Facilities are used by individuals living separately from others, in a structure designed for the needs of elderly people. These establishments provide services such as the supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of an elderly person. This generally includes the provision of personal care, supervision of self-administered medication, limited health facilities, communal dining facilities and services such as housekeeping, organized social and recreational activities and transportation services.

Having any of the residential groups condominimized shall have no bearing on how the structure is defined. The number of dwelling units and whether or not they are attached by common walls shall be the bases in defining the residential groups.

Commercial and Industrial Groups include all uses not specifically listed within the Residential Group, excluding public and private schools. Commercial and Industrial Groups include, but are not limited to: all commercial, retail, office, industrial, church, governmental, healthcare facilities, hotels and bed and breakfasts, recreational facilities, banks, and eating and drinking establishments.

Impact fees shall be adjusted each January to provide for inflation. The Engineering News Record Construction Cost index for 20 cities shall be used.

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Technical Memorandum

October 18, 2017

Ms. Rebecca Lowell, Senior Planner
City of Mount Vernon
Development Services Department
P.O. Box 809
Mount Vernon, WA 98273

SUBJECT: 2017 COMPREHENSIVE PLAN AMENDMENTS
NON-PROJECT SEPA TRANSPORTATION CONCURRENCY REVIEW (2017-09) (REVISED 10-18-2017)

Dear Mrs. Lowell:

The purpose of this technical memorandum is to review transportation concurrency requirements for the Mount Vernon 2017 Comprehensive Plan Amendments.

Project Description

The review contained herein is a non-project concurrency analysis for five Comprehensive Plan amendment requests that require a cumulative analysis of traffic impacts per SEPA regulations. Likely development scenarios for each of the amendment requests were provided by the City and are summarized in **Table 1.** Vicinity maps for each of the amendment requests are attached.

Land use numbers PL15-124 and PL16-011 will consist of up to 91 units and 36 units of multi-family housing, respectively.

Land use PL16-009 involves a church expansion to include three modular buildings (3,388 SF), pole frame building (8,160 SF), and office (400 SF) and kitchen (512 SF) expansions to the existing St. Luke's Church building. In total the expansion will enclose an additional 12,460 square feet.

The area included in PL17-011 will be used for utility crossings and play fields associated with the Madison Elementary redevelopment, which is located on an adjacent parcel. No buildings are proposed.

Land use number PL17-012 will allow the development of a 100-space short-stay Recreational Vehicle resort.

Table 1. Comprehensive Plan Amendment Request Summary

Land Use Number	Address	Parcel	Comprehensive Plan		Zoning		Description
			Existing	Proposed	Existing	Proposed	
PL15-124	4100 College Way	P24832 P113507	Agricultural (AG)	Medium High Multi Family (MF-MH)	Residential Agricultural (R-A)	Multi-Family Residential (R-4)	Multi-family (91 DU)
PL16-009	1524 E Blackburn Rd	P113150 P113153	Medium Density Single-Family (SF-Med)	Churches (CH)	Single Family Residential (R-1 7.0)	Public (P)	Church expansion (12.46 KSF)
PL16-011	2210 N Laventure Rd	P25029 P25030	Low Density Multi Family (MF-LO)	Medium High Multi Family (MF-MH)	Two Family Residential (R-2)	Multi Family Residential (R-3)	Multi-family (36 DU)
PL17-011	1200 N 9th St	P113446	Single Family High Density (SF-HI)	School (SCH)	Single Family Detached (R-1, 7.0)	Public (P)	Utility crossings and play fields
PL17-012	1717 Freeway Dr	P26279 P26054	General Commercial (GC)	Public (P)	General Commercial (C-2)	Public (P)	RV Resort (100-space)

Trip Generation

Trip generation for each of the proposed land uses was calculated for the PM peak hour of analysis using data published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition*.

PL15-124: The project will support up to 91 units of multi-family housing consistent with ITE land use #220 "Apartment." A total of 57 new PM peak hour trips will be generated.

PL16-009: The project will add 12,460 SF of gross floor area to the existing church site, consistent with ITE land use #560 "Church." The expansion will generate 7 new PM peak hour trips.

PL16-011: The project will support up to 36 units of multi-family housing consistent with ITE land use #220 "Apartment." A total of 23 new PM peak hour trips will be generated.

PL17-011: The area included in PL17-011 will be used for utility crossings and play fields for the Madison Elementary redevelopment, which is located on an adjacent parcel. No trips are generated and the land use will have no impacts on the public transportation network.

PL17-012: The proposed 100-space RV resort is consistent with ITE land use #416 "RV park" and will generate 27 new PM peak hour trips.

The amendments are forecasted to generate a total of 114 PM peak hour trips (73 in; 41 out) to the public street network. Trip generation calculations are summarized in **Table 2.**

Table 2. Trip Generation

Land Use Number	Description	ITE LUC	Quantity[1]		Trip Rate	% In	% Out	PM Peak Hr Trips		
								In	Out	Total
PL15-124	Apartment	220	91	DU	0.62	65%	35%	37	20	57
PL16-009	Church	560	12.46	KSF	0.55	48%	52%	3	4	7
PL16-011	Apartment	220	36	DU	0.62	65%	35%	15	8	23
PL17-012	RV Park	416	100	occ.spaces	0.27	65%	35%	18	9	27
					New PM Peak Hour Trips, Total			**73**	**41**	**114**

[1]KSF = 1,000 square feet; DU = dwelling units; occ.spaces = occupied spaces

Trip Distribution and Assignment

Project-generated trips were added to the Mount Vernon citywide concurrency travel demand model. Trips were distributed to origins and destinations in and around Mount Vernon based on a calibrated trip distribution gravity model, and trips were assigned to the public street network based on a travel time equilibrium procedure. The Mount Vernon concurrency model represents a PM peak hour analysis period and includes trips generated by all permitted ("pipeline") land use changes.

Forecasted traffic volumes were post-processed to remove differences between calibrated base year (2013) modeled volumes and observed base year 2013 PM peak hour traffic counts.

A plot showing growth-related pipeline PM peak hour trips is shown in **Figure 1.**

Concurrency Evaluation

This transportation concurrency review is based on the following Level of Service (LOS) standards and concurrency requirements, per Mount Vernon Municipal Code (MVMC):

- Level of service standards stated in MVMC 14.10.080
- Level of service exemptions stated in MVMC 14.10.060
- Concurrency requirements stated in MVMC 14.10.090
- South Mount Vernon subarea requirements stated in MVMC 14.10.180 *(PL16-009)*

<u>Pedestrian Safety LOS</u>

The following pedestrian safety LOS requirements apply for each of the proposed developments. All applicants will also ensure that all new or modified sidewalks, curb ramps, and driveway pads comply with current Americans with Disabilities Act (ADA) standards.

PL15-124: The project is located along a section of College Way with existing sidewalk along the project frontage and adjacent to the site. Pedestrian safety LOS is satisfied.

PL16-009: The project is located along a section of Blackburn Road with existing sidewalk along the project frontage and adjacent to the site. Pedestrian safety LOS is satisfied.

PL16-011: The applicant will construct sidewalk on the east side of N Laventure Road along the project frontage and connect with the existing sidewalk at 2120 N Laventure Road.

PL17-012: Minimum pedestrian safety LOS requirements apply to any streets fronted by the project, including River Bend Road and W College Way. The applicant should coordinate with the city engineer to determine the necessary scope of pedestrian safety LOS improvements along River Road, which is currently a two-lane facility with no shoulder or pedestrian facilities to its terminus at Freeway Drive. Per MVMC 14.10.090(B):

> *Minimum pedestrian safety LOS improvements must be in place along the project frontage and the adjacent street system to the point where they connect to or intersect with an arterial street that meets the three-quarter street LOS on the same side of the street as the development.*

Minimum pedestrian safety LOS improvements will include one of the following, at the discretion of the city engineer:

a. A six-foot wide paved path separated from the paved roadway surface by either an unpaved ditch or swale, three feet wide;

b. An eight-foot wide paved path constructed integral with paved roadway surface and including adequate delineation for safety; or

c. Other conditions may be considered equivalent to the minimum pedestrian safety facility at the sole discretion of the city engineer.

Traffic Capacity LOS

Intersection LOS and delay were evaluated using Synchro 9 software based on Highway Capacity Manual 2010 (HCM2010) methodologies, per MVMC 14.10.080(B). Street segment LOS was evaluated based on capacity policy defined in the 2016 Mount Vernon Comprehensive Plan

Pipeline intersection LOS deficiencies and recommended mitigation strategies are summarized in **Table 3**. Pipeline segment LOS deficiencies and recommended mitigation strategies are summarized in **Table 4.**

Table 3. Pipeline (2023) Intersection LOS Deficiencies

ID	Intersection	Before Mitigation			Pipeline Trips	Recommended Mitigation	After Mitigation		
		Control Type[1]	Delay[2] (s/veh)	LOS			Control Type[1]	Delay[2] (s/veh)	LOS
723	Hoag Rd & Continental Pl	TWSC	36.8	E	24	Add NB-to-WB LT receiving lane on west approach	TWSC	16.7	C
789	S 1st St/Freeway Dr & W Division St	Signal	104	F	12	Modify left turn treatments (T-09-01)	Signal	48.4	D
828	Broad St & S 13th St	TWSC	53.6	F	6	Tolerate due to low volume on NB approach	TWSC	53.6	F
1058	Broad St & Blodgett Rd	TWSC	59.8	F	6	Tolerate due to low volume on minor approaches	TWSC	59.8	F
1100	E College Way & N 30th St	TWSC	414	F	61	New signal or roundabout (T-07-04)	Signal	9.1	A

[1]TWSC = Two-way stop control; AWSC = All-way stop control; RAB = Roundabout; Signal = Signalized
[2]Two-way stop controlled intersection delay is expressed as average worst (i.e. highest delay) movement delay

Figure 1. PM Peak Hour Project Trip Assignment

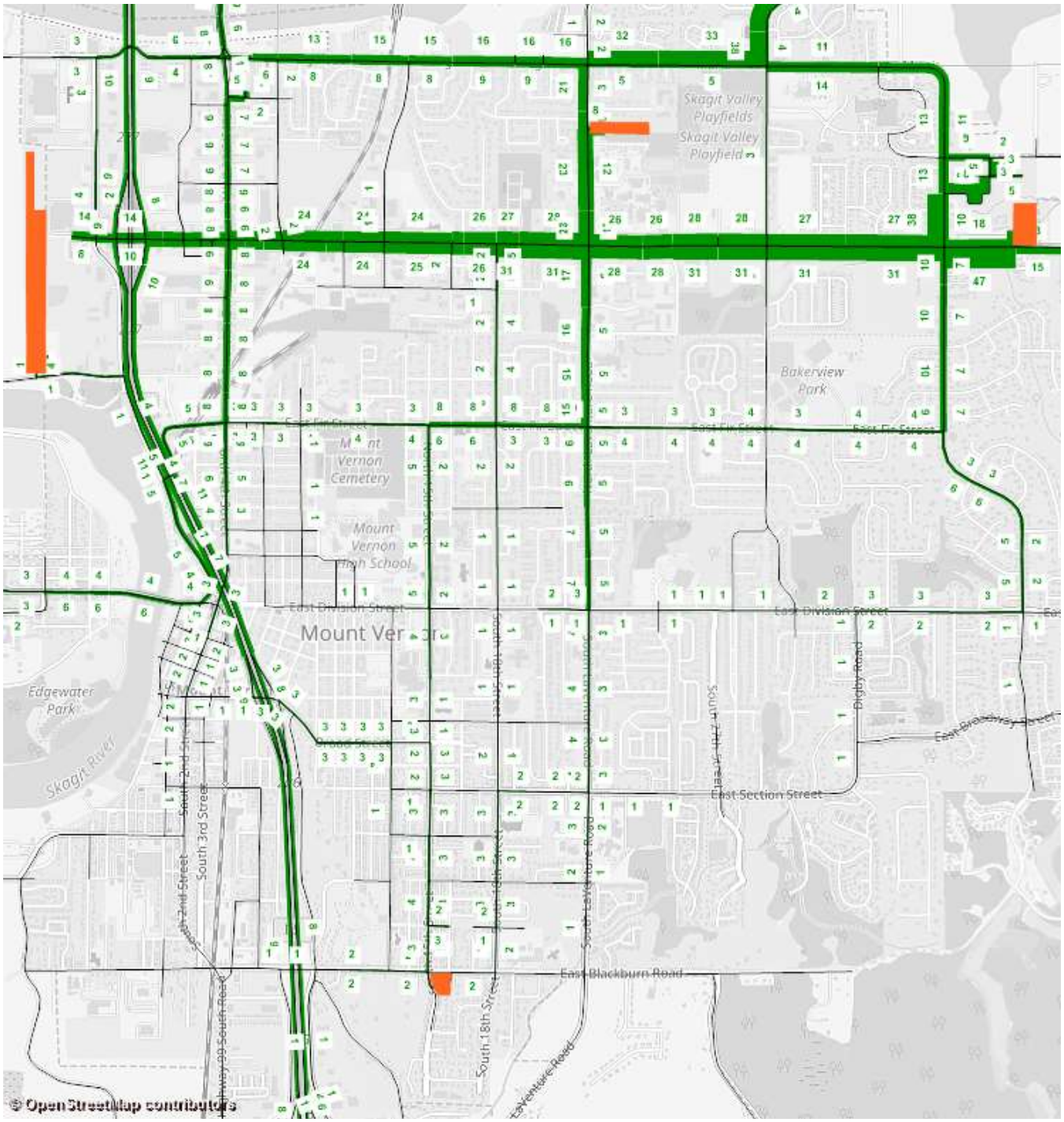


Table 3. Pipeline (2023) Segment LOS Deficiencies

ID	Segment	Limits	V/C	LOS	Pipeline Trips	Proposed Mitigation
2001	Division St	Freeway Dr to Ball St	1.00	E	10	Tolerate; LOS exempt per MVMC 14.10.060

Five intersections within city limits will operate below minimum LOS standards in the pipeline (2023) condition. The 2018-2023 Transportation Improvement Program identifies capacity improvement projects which will mitigate LOS deficiencies at the intersections of E College Way & N 30th Street and at Freeway Drive/S 1st Street & W Division Street.

Three stop-controlled intersections will operate below minimum LOS standards in the pipeline "without-Projects" condition. These deficiencies will continue in the "with Projects" condition. The following three intersections will not satisfy signalization warrants defined in the 2009 Edition of the Manual on Uniform Traffic Control Devices (MUTCD), but should be monitored and may be considered for improvement in the future as PM peak hour demand continues to grow:

- Hoag Road & Continental Place
- Broad Street & S 13th Street
- Broad Street & Blodgett Road

One arterial segment, Division Street from Freeway Drive to Ball Street, will operate at LOS E in the pipeline condition. This segment is exempt from minimum LOS standards per MVMC 14.10.060 and mitigation is not required.

Street Design Standard LOS

The following street design standard LOS requirements apply for each of the proposed developments:

PL15-124: The site is located along a section of College Way with three-quarter street design LOS standards already in place along the project frontage. Street design LOS is satisfied.

PL16-009: The site is located along a section of Blackburn Road with three-quarter street design LOS standards already in place along the project frontage. Street design LOS is satisfied.

PL16-011: Minimum street LOS improvements must be constructed at the project frontage on Laventure Road. Curb, gutter, and sidewalk are not required, however pedestrian safety facilities are required to satisfy pedestrian safety LOS requirements.

PL17-012: Minimum street LOS improvements are required on River Bend Road at the project frontage and continuing east to the Freeway Drive intersection. Minimum street LOS improvements include a minimum 30-foot wide paved street section centered on the ultimate design cross section. Curb, gutter, and sidewalk are not required, however pedestrian safety facilities are required to satisfy pedestrian safety LOS requirements.

On-Site LOS

Any internal circulating roadways or access roads are subject to City design standards for nonarterial streets per MVMC 16.16. On-site roadways and any nonmotorized transportation facilities are also subject to ADA requirements.

Transit LOS

PL15-124: Skagit Transit Routes 305 and 717 stop at E College Way west of the N Waugh Road / Martin Road intersection, 0.25 miles from the project site. Skagit Transit Route 305 provides access to Skagit Valley College, Clear Lake Post Office, and Sedro-Woolley. Route 305 operates on 45-minute headways weekdays from 8:15 AM to 5:40 PM and weekends from 8:15 AM to 5:15 PM. Route 717 provides express service westbound only to Skagit Valley College and Skagit Station weekdays and operates weekdays only.

PL16-009: Skagit Transit Route 206 stops at Jefferson Elementary School approximately 900 feet to the east of the project. Route 206 serves Mount Baker Middle School, Skagit Station, and Skagit Regional Medical Clinic. It operates on 30 minute headways weekdays from 6:30 AM to 8:30 PM and weekends from 8:00 AM to 6:00 PM.

PL16-011: Skagit Transit Route 207 stops on the west side of Laventure Road across from the project frontage. Route 207 serves Skagit Valley College, Bakerview Park, Skagit Valley Hospital, Skagit Station, and Walmart. It operates on 45-minute headways weekdays from 6:30 AM to 8:30 PM and weekends from 8:00 AM to 5:30 PM.

PL17-012: Skagit Transit Route 207 stops on the east side of Freeway Drive north of W College Way, approximately 1,000 feet from the project. Route 207 serves Skagit Valley College, Bakerview Park, Skagit Valley Hospital, Skagit Station, and Walmart. It operates on 45-minute headways weekdays from 6:30 AM to 8:30 PM and weekends from 8:00 AM to 5:30 PM.

Nonmotorized Transportation LOS

The following nonmotorized transportation LOS requirements apply for each of the proposed developments:

PL15-124: Sidewalk currently exists along College Way at the project frontage. Nonmotorized transportation LOS is satisfied.

PL16-009: Blackburn Road is designated a planned bicycle route in the 2016 Comprehensive Plan. Sidewalk currently exists along the project frontage. Pedestrian safety LOS is satisfied.

PL16-011: N Laventure Road is designated a planned bicycle route in the 2016 Comprehensive Plan. Minimum street design LOS standards will provide width for a future bicycle lane along the project frontage. Pedestrian facilities will be provided per pedestrian safety LOS requirements.

PL17-012: Freeway Drive is designated a planned bicycle route in the 2016 Comprehensive Plan. Nonmotorized transportation LOS will be satisfied, assuming minimum pedestrian safety improvements are constructed on W College Way and on River Bend Road.

Pavement Condition LOS

Pavement condition will be evaluated by the City Engineer on a project-specific basis. Pavement overlay and/or reconstruction may be required to provide adequate pavement condition.

Findings and Recommendations

The land uses proposed in the Comprehensive Plan amendment requests will generate an estimated 114 new PM peak hour trips, which will not result in any new street or intersection capacity LOS deficiencies.

Roadway network improvements for land use number PL16-011 should include construction of sidewalk or pedestrian pathway on the east side of Laventure Road from the project frontage to 2210 N Laventure Road to the south of the project to satisfy minimum pedestrian LOS requirements.

Roadway network improvements for land use number PL17-012 may include widening of River Bend Road to satisfy minimum street design LOS standards and construction of sidewalk or pedestrian pathway to satisfy minimum pedestrian LOS standards. Approval of roadway network LOS and pedestrian safety LOS improvements will be the discretion of the city engineer.

All new and modified sidewalks, curb ramps, driveway pads, and on-site transportation facilities must comply with current Americans with Disabilities Act (ADA) standards.

Impact fees are generally adjusted by the City each year to account for inflation. The City's latest adopted transportation impact fee rate (effective January 1, 2017) is listed below per PM peak hour vehicle trip. Accompanying this review is a summary of the 2017 impact fees that includes additional use details. The transportation impact fee for the proposed projects are calculated as shown in **Table 3.**

Table 3. Preliminary Transportation Impact Fee Calculations

Land Use Number	Description	Quantity	Units	PM Peak Hour Trips	Transportation Impact Fee Rate		Transportation Impact Fee
PL15-124	Apartment	91	Units	57	$4,475	/ unit	$407,225
PL16-009	Church	12.46	KSF	7	$2,052	/ trip	$14,364
PL16-011	Apartment	36	Units	23	$7,291	/ unit	$262,476
PL17-012	RV Park	100	spaces	27	$2,052	/ trip	$55,404
				Total Transportation Impact Fees			**$739,469**

Sincerely,

Transportation Solutions, Inc.

Andrew L. Bratlien, PE
Senior Transportation Engineer

Attachment 1: 2016-2017 Comprehensive Plan Amendments Summary
Attachment 2: Impact Fees and Sewer Connection Fees Summary 2017

2016-2017 Comprehensive Plan Amendments
Summary

2016 Comprehensive Plan Amendment Requests and Associated Zoning

Land Use Number: PL15-124

Proponent: Summersun Greenhouse Co

Address: 4100 College Way, Mount Vernon WA 98273

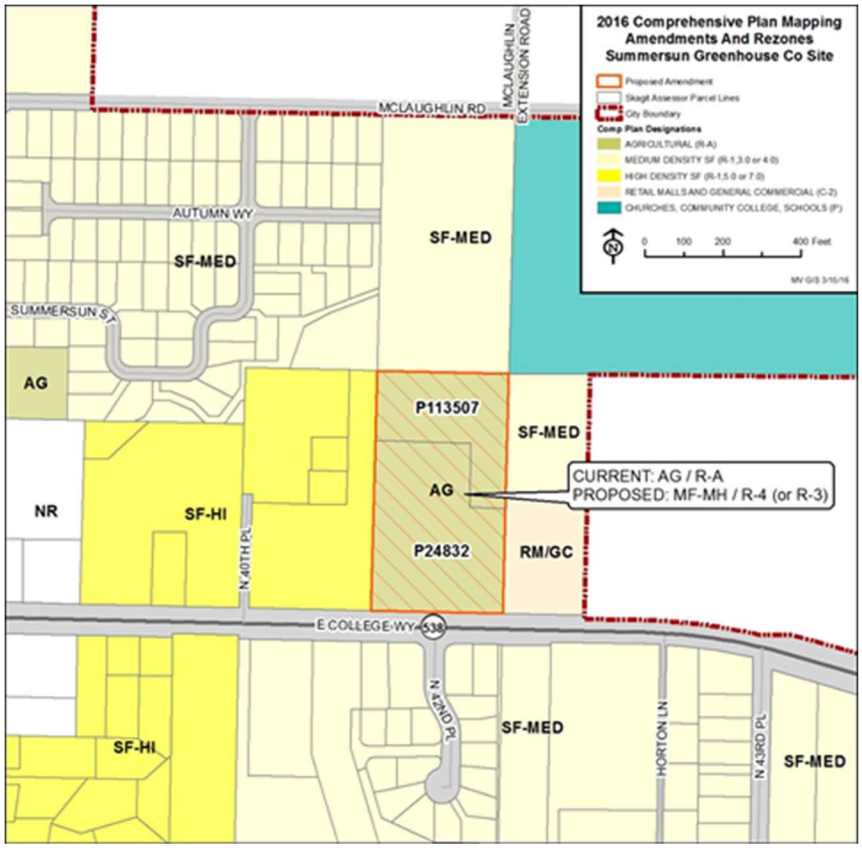
Parcels: P24832 & P113507

Area: 4.58 acres

Comprehensive Plan: **FROM** Agricultural (AG) **TO** Medium High Multi Family (MF-MH)

Zoning: FROM Residential Agricultural District (R-A) TO Multi Family Residential District (R-4) with a fall back to (R-3)—Council Docketed the proposal with the R-3 designation.

Existing/Proposed Uses: The use was the former Summersun Nursery under the R-A zoning. The proposal Under the R-4 the minimum density is 10 du/acre with 15 du/acre being standard and 20 du/acre if specific parking criteria are met. Under a most intense use possible the site could yield 91 multifamily units. The previous concurrency review that was complete for this site assumed that the nursery generated roughly 37 pm peak trips per day. Copies of the previous information are attached.



Land Use Number: PL16-009

Proponent: St. Luke's

Address:

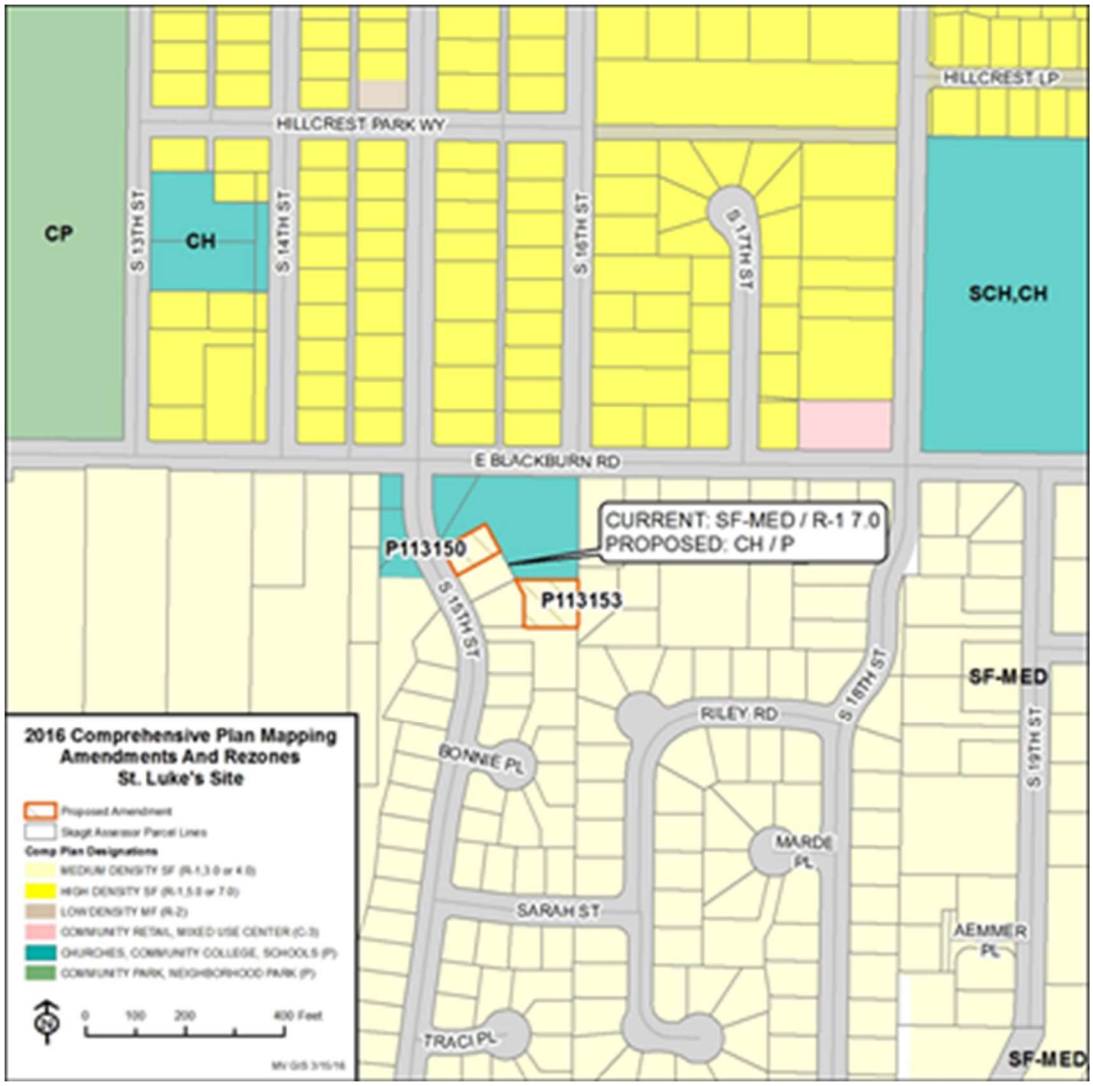
Parcels: P113150 & P113153

Area: 0.39 acres

Comprehensive Plan: **FROM** Medium Density Single Family (SF-Med) **TO** Churches (CH)

Zoning: **FROM** Single Family Residential (R-1 7.0) **TO** Public (P)

Existing/Proposed Uses: The proposal is for two single family platted lots that are adjacent to the existing St. Luke's Church to be redesignated to Churches for use as parking and classrooms for the existing church. One lot has an existing mobile home and the other is vacant. Under existing zoning the two lots could have one single family home on each lot. The proposal is to use the lots for parking for the church and for classrooms for the children's church to use for Sunday School.



Land Use Number: PL16-011

Proponent: Richard & Deborah Thurman

Address 2210 N Laventure Road

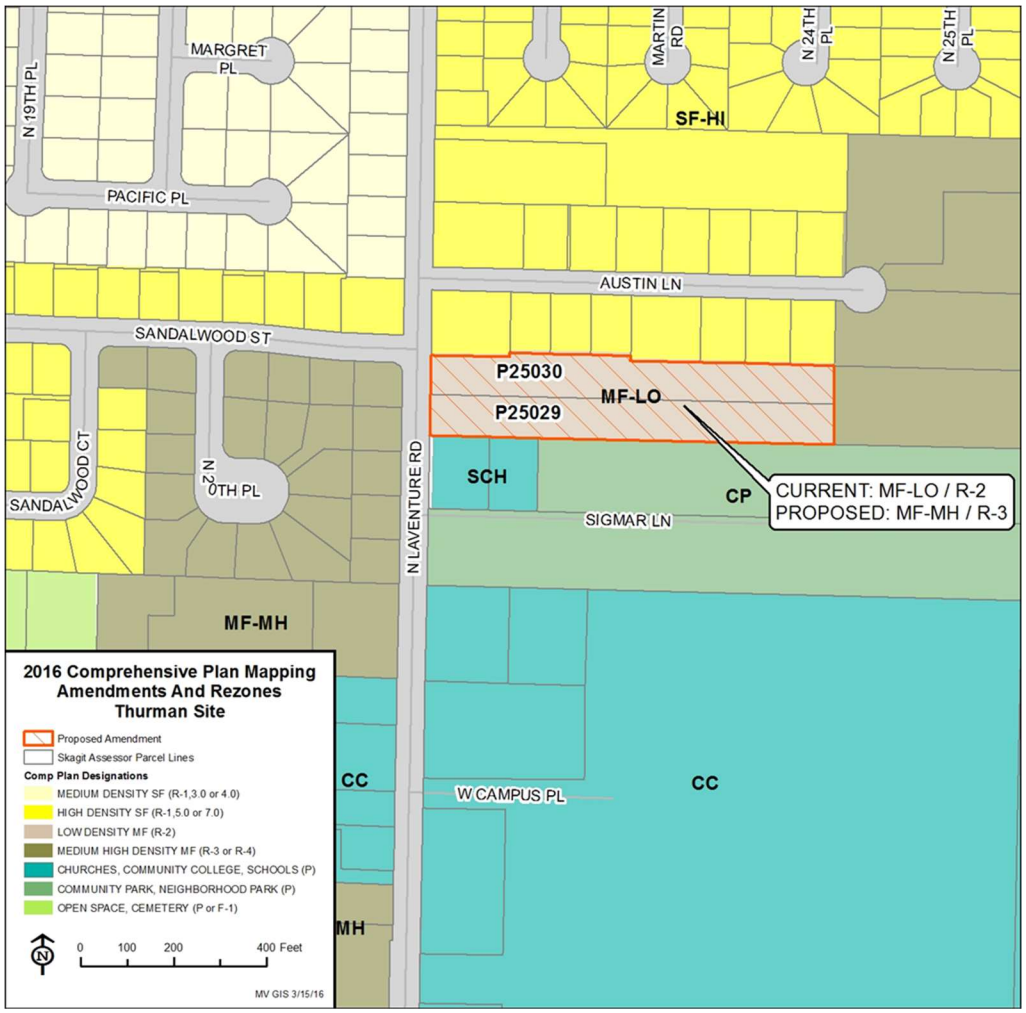
Parcels: P25029 & P25030

Area: 2.45 acres

Comprehensive Plan: From Low Density Multi Family (MF-LO) TO Medium High Density Multi Family MF-MH)

Zoning: **FROM** Two family Residential District (R-2) **TO** Multi Family Residential District (R-3)

Existing/Proposed Uses: The property is currently vacant. Under the Existing R-2 zoning the minimum density is 8.0 du/acre and the maximum density is 10 du/ acre. Under a most intense use possible using the Existing zoning the site could yield 19 single family units. Under the Proposed R-3 zoning the minimum density is 10 du/acre with 12 du/acre being standard and 15 du/acre if specific parking criteria are met. . Under a most intense use possible using the Proposed zoning the site could yield 36 multifamily units.



2017 Comprehensive Plan Amendment Requests and Associated Zoning

Land Use Number: PL17-011

Proponent: Mount Vernon School District Madison School

Address: 1200 N 9th St

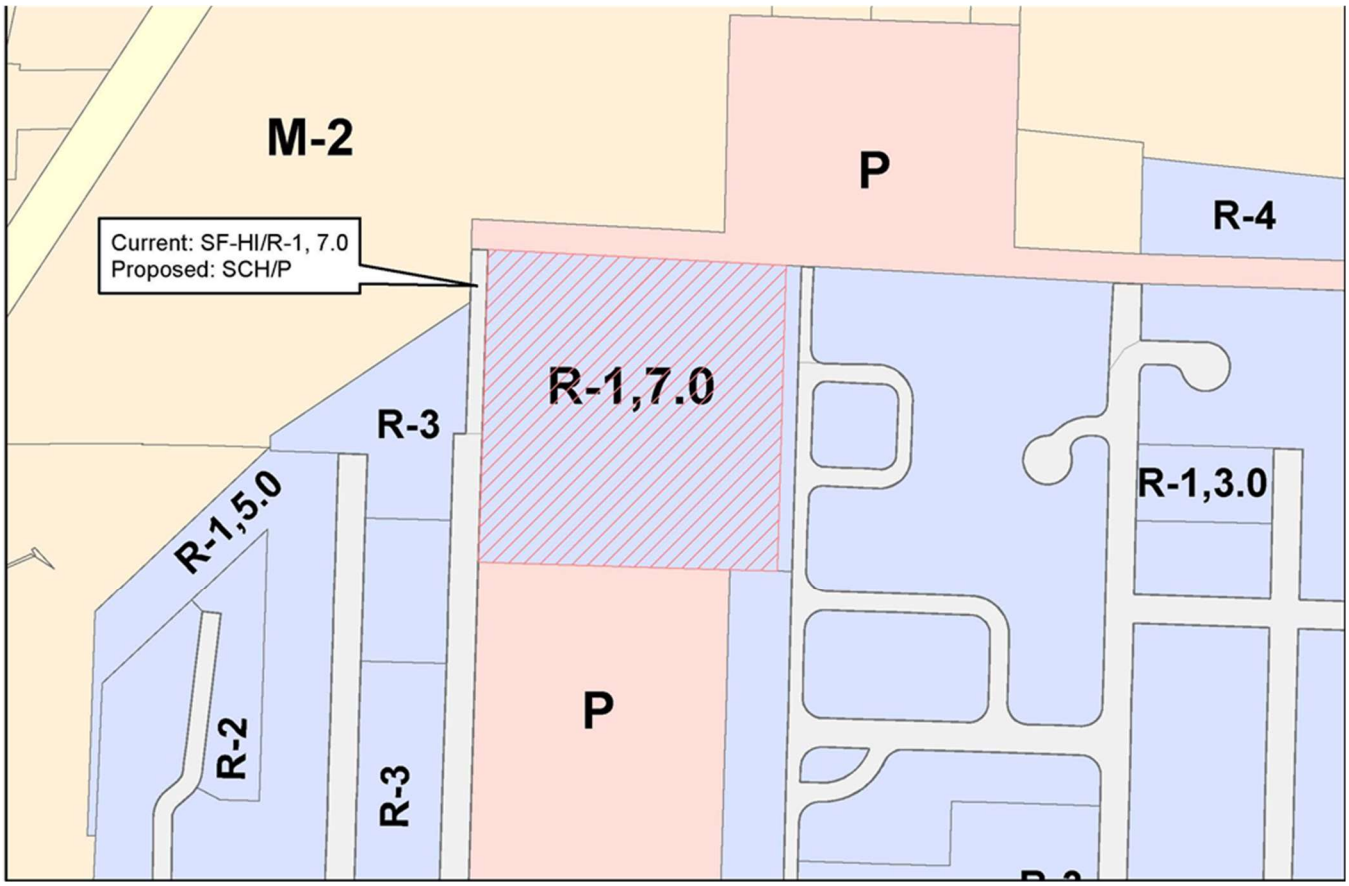
Parcels: P113446

Area: 8.42 acres

Comprehensive Plan: **FROM** Single Family High Density (SF-HI) **TO** School (SCH)

Zoning: **FROM** Single Family Detached Residential District (R-1, 7.0) **TO** Public (P)

Existing/Proposed Uses: Under the Existing R-1, 7.0 zoning docketed by Council, the minimum density is 4.0 du/acre and the maximum density is 7.26 du/ acre. Under a most intense use possible using the Existing zoning, the site could yield 61 single family units. Under the proposed zoning the school district is proposing to replace the existing Madison School with a new school. The area included in the proposed redesignation will be used for utility crossings and possibly play fields. The bulk of the property is critical area and cannot be developed. The new school would be built on adjacent property. The City has requested that the school district redesignate the subject property to Public since schools are not an allowed use on residentially designated property and the proposal would use the subject parcel for school related uses.



Land Use Number: PL17-012

Proponent: MV28 LLC

Address: 1717 Freeway Drive & Riverbend Road

Parcels: P26279 & P26054

Area: 20.30 acres

Comprehensive Plan: **FROM** General Commercial (GC) **TO** Public (P)

Zoning: **FROM** General Commercial (C-2) **TO** Public District (P)

Existing/Proposed Uses: Existing zoning is General Commercial that would allow for any number of Commercial uses ranging from retail stores to hotels to banks to skating rinks to adult entertainment establishments. The C-2 district requires 10 percent of the site to be landscaped and any commercial use would require area for parking and access. The site is challenging due to its shape. For purposes of this analysis we will assume that the area available for development into buildings is 181,000 square feet. This was calculated by eliminating the long panhandle that will only serve as access and assuming that only 30 percent of the remaining area would be used for commercial uses (the remaining area would be necessary to accommodate landscaping, access, parking, and utilities). We will assume that the uses are Retail Box Store (Department Store) 100,000 square feet, Fast Food Store 3,500 square feet, and Specialty Retail Store(s) (up to 8 tenant spaces) 12,000 square feet, grocery store 50,000 square feet. Given the shape of the site this is probably realistically more than could go there. The proposal would be to redesignate to public to allow for the development of a 100 hook up, high end, short stay, RV Resort.

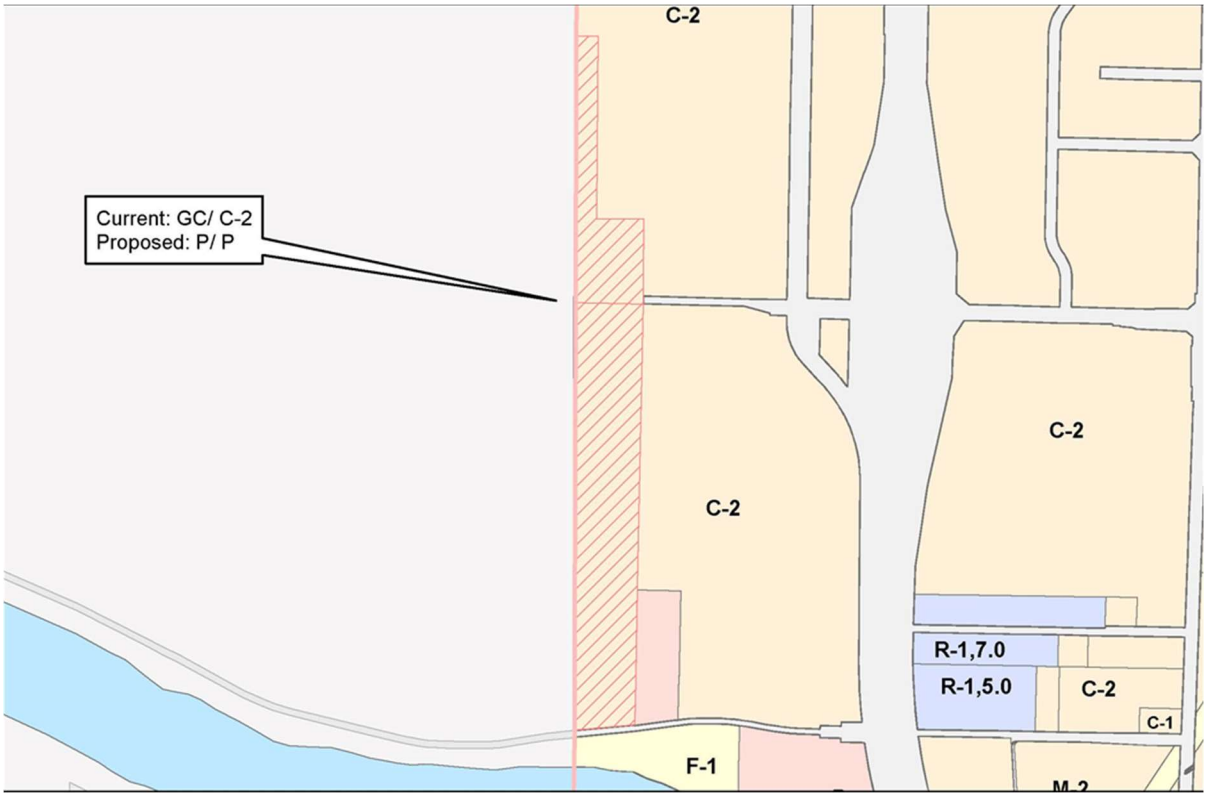


EXHIBIT 1D - TRAFFIC CONCURRENCY

City of MOUNT VERNON

IMPACT FEES AND SEWER CONNECTION FEE SUMMARY 2017

	SINGLE FAMILY & DUPLEX (Per Unit)	MULTI-FAMILY (Per Unit)	NON-RESIDENTIAL**
PARKS	$855.00	$789.00	N/A
FIRE	$152.00	$152.00	$0.22/sq. ft.
TRAFFIC	See Page 2	See Page 2	See Page 2
SCHOOL	$6658.00	$ 875.00	N/A
ADMINISTRATION*	$140.00	$245.00	1% or $35 min.

Traffic Concurrency Review fee may be required. Contact Permit Tech's prior to application submittal, for calculation of fees based on the specific project .

*Administration fee is $35.00, per fee, per single family residential unit, $70.00 per multi-family building permit or 1% of the total impact fee for non-residential permits ($35.00 minimum).

**Transportation & Fire Impact Fees apply to all new non-residential buildings, and additions to existing buildings. Transportation impact fees will also be calculated for a change of use on an existing non-residential building. The number of average trips per peak P.M. hours are calculated by a traffic engineer which the city has contracted with to review all commercial projects for trip generation.

SEWER FEES:

DWELLING SIZE	SINGLE FAMILY	DUPLEX	MULTI-FAMILY	COMMERCIAL INDUSTRIAL
Permit fee per unit	$50.00	$75.00	$50.00 & $25.00 ea add	.01 per sf to 100,000 .005 per sf add'l $50.00 min-$1,500 max/ See 13.12.030 for mixed use
Sewer Connection	$6,499.00	$4,873.00	$3,249.00 or $185.00 per fixture unit *	$308.00 per fixture unit*

Traffic Impact Fees Updated February 2017

Land Use Group **(Definitions for these land use groups are provided following this table)**	**Impact Fee**
Residential Groups:	
Single Family Dwelling Units, Duplex, and Any Type of Multi-Family Structure with 50 Dwelling Units or Less	**$7,291.00 per each dwelling unit**
Multi-Family Dwelling Units With 51 Units or More	$4,475.00 per each dwelling unit
Single Family Dwelling Units, Duplex, and Any Type of Multi-Family Structure with 50 Dwelling Units or Less That are restricted to those individuals that are defined as senior citizens	$1,878.00 per each dwelling unit
Multi-Family Dwelling Units With 51 Units or More that are restricted to those individuals that are defined as senior citizens	$794.00 per each dwelling unit
Congregate Care Facility and Nursing Homes	$1,226.00 per bed
Assisted Living Facilities	$1,578.00 per bed
Commercial and Industrial Groups:	
All uses that are not identified within the Residential Groups above, but excluding private or public schools.	$2,052.00 per PM peak hour trip

A Single-Family Dwelling Unit is a detached building containing but one kitchen, designed for and occupied exclusively by one family and the household employees of that family.

A Dwelling Unit is defined as a building or portion thereof providing complete housekeeping facilities for one family.

A Duplex is a building that contains two (2) one-family dwellings attached by a common wall and designed to be occupied by two families living independently of each other.

A Multi-Family Structure means a building designed to house three or more families living independently of each other attached by common walls.

Restricting a residential group to those individuals that are defined as senior citizens means that an applicant shall file with the Skagit County Auditor a covenant that will run with the land that restricts the age of the occupants within a dwelling unit. The age restriction shall be no younger than 62.
Congregate Care Facilities and Nursing Homes are licensed facilities that provide constant nursing care of elderly or disabled individuals who do not require hospitalization, but who cannot be cared for at home.

Assisted Living Facilities are used by individuals living separately from others, in a structure designed for the needs of elderly people. These establishments provide services such as the supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of an elderly person. This generally includes the provision of personal care, supervision of self-administered medication, limited health facilities, communal dining facilities and services such as housekeeping, organized social and recreational activities and transportation services.

Having any of the residential groups condominimized shall have no bearing on how the structure is defined. The number of dwelling units and whether or not they are attached by common walls shall be the bases in defining the residential groups.

Commercial and Industrial Groups include all uses not specifically listed within the Residential Group, excluding public and private schools. Commercial and Industrial Groups include, but are not limited to: all commercial, retail, office, industrial, church, governmental, healthcare facilities, hotels and bed and breakfasts, recreational facilities, banks, and eating and drinking establishments.

Impact fees shall be adjusted each January to provide for inflation. The Engineering News Record Construction Cost index for 20 cities shall be used.

EXHIBIT 2A - MATERIALS SUBMITTED BY MV28, LLC

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BY_____

17-012

City of MOUNT VERNON

MASTER LAND USE APPLICATION FORM

FILE NUMBER: PL17-012

PROPERTY OWNER(S): (If there is more than one legal owner, please attach an additional notarized Master Application for each owner)
NAME: MV28 LLC
ADDRESS: 12708 Leatherwood Lane
CITY/STATE: Bow/WA ZIP: 98232
TELEPHONE NUMBER and EMAIL ADDRESS: 360-757-7806
APPLICANT (if other than owner):
NAME: David E. Christensen AIA
COMPANY: (If applicable) Christensen Design Management
ADDRESS: P.O. Box 5068
CITY/STATE: Bellingham / WA ZIP: 98227
TELEPHONE NUMBER and EMAIL ADDRESS: 360-676-4800, cdm@masterplanning.com
CONTACT (If this section is completed, correspondence will only be sent to this individual, if left blank, materials will only be sent to the property owner):
NAME: David E. Christensen AIA
ADDRESS: P.O. Box 5068
CITY/STATE: Bellingham / WA ZIP: 98227
TELEPHONE NUMBER and EMAIL ADDRESS: 360-676-4800 cdm@masterplanning.com

PROJECT INFORMATION
Project or development name: MV28
Property/project address(s)/location: Unassigned. Legal attached. A copy of the site legal description from either: 1) a recent title report; or 2)a description written and/or reviewed by a P.L.S., must be attached.
Skagit County Assessor's parcel number(s): P26279 and P26054
Existing land use(s): Unimproved, Temp Agriculture use.
Proposed land uses: Non Project Rezone from C-2 to P.
Existing Comprehensive Plan designation: General Commercial
Proposed Comprehensive Plan designation (if applicable): Public District (RV Resort Park CUP)
Existing Zoning designation: C-2
Proposed Zoning designation (if applicable): P (RV Park as a Cond. use)
Site Area (sq. ft. or acreage): 20.8 acres
Project value: N/A
Is the site located in any type of environmentally sensitive area? No.

PROJECT CONTACTS

It is imperative that the members of the City Council, Planning Commission and that the Hearing Examiner know all of the people involved with your application so that they can act without any conflict of interest charges or violations of the appearance of fairness doctrine. Therefore, the following information MUST be complete and MUST be updated when new companies or individuals become involved with your project. **The following persons are associated with this project. Attach additional pages as necessary to ensure complete disclosure:**

Developers:	Address:	Phone and Email Address:
MV28 LLC	12708 Leatherwood Lane, Bow	360-757-7806
Architect:	Address:	Phone and Email Address:
David E. Christensen AIA	P.O. Box 5068, Bellingham, WA	676-4800, cdm@masterplanning.com
Engineer:	Address:	Phone and Email Address:
Pat Severin PE	1111 Cleveland Ave., MV.98273	360-404-2010, pat@sdg-llc.com
Surveyor:	Address:	Phone and Email Address:
Title Company:	Address:	Phone and Email Address:
R. Nelson, Chicago Title	425 Commercial St.	424-1700, Rebecca.Nelson@ctt.com
Lender/Loan Officer:	Address:	Phone and Email Address:
N/A		
Attorney:	Address:	Phone and Email Address:
N/A		
Contractors:	Address:	Phone and Email Address:
N/A		
Real Estate Agents:	Address:	Phone and Email Address:
N/A		
Investors:	Address:	Phone and Email Address:
N/A		
Other parties providing similar, significant services:	Address:	Phone and Email Address:

ACKNOWLEDGEMENTS

The following statements MUST be read and initialed by the property owner. Land Use applications involve many steps and processes; and most applications are conditioned through the process. The following disclosure statements involve items that the Community & Economic Development Department wishes to bring to your attention at the beginning of a project. The following statements in no way contain all of the conditions that could be applied to your project, but rather, are conditions that could seem out of the ordinary to an applicant who does not regularly work with land use codes.

OWNER'S INITIALS:	LAND USE PERMITTING DISCLOSURE STATEMENTS:
TW by	I understand that land use permits do not authorize earth disturbing activities, the removal of vegetation, or the construction of buildings. I understand that additional permits will be required after my land use permitting process is completed. I understand that no earth disturbing activities (including the removal vegetation) may take place until after my land use process is complete, and only after I have received additional permits such as Fill & Grade, Utility, or Right-of-Way permit(s). Additionally, I understand that structures can not be constructed until after my land use permitting processes are complete and I receive a Building Permit(s).
TW by	I understand that if critical areas (wetlands, streams, steep slopes, et cetera) are found on or near my property I will be required to leave an undisturbed buffer area around the critical area. I also understand that depending upon the size and scope of my project that I may be required to enhance a critical area buffer.
TW by	I understand that depending upon the size and scope of my project, I may be required to provide maintenance and/or performance bonds for items such as landscaping, public roads and/or public utilities that I construct or install.
TW by	I understand that depending on the type of critical areas on or near my property I may be required to provide both monitoring and maintenance bonds for work within a critical area buffer. I also understand that if I choose to utilize the ecosystem alternative within the City's Critical Areas Ordinance I will be required to "buy down" the buffer and to enhance the buffer areas left on my property.
TW by	I understand that I am solely responsible for providing complete and accurate information to the City. I understand that if my application is missing information or if inaccurate materials are submitted, my land use process will be delayed. I understand that depending on how inaccurate and how incomplete my application is or becomes, the Community & Economic Development Department could require an entirely new application to be submitted. I understand that when and if conditions change from that which my application originally represented, I am responsible for letting the planner assigned to my project know.
TW by	I understand that I am applying for permits from the City of Mount Vernon only; and that additional permits from other Federal and State agencies will likely be required. I understand that the City of Mount Vernon can not advise me of permits that are required from other agencies, and that I must contact these agencies to make sure I comply with their requirements. These agencies include (but are in no way limited to): Corps of Engineers, Department of Natural Resources, Department of Ecology, and Northwest Clean Air Agency.
TW by	I understand that I may be required to properly and timely post a pink land use sign on my property during my land use permitting process. I understand that I am responsible for making sure that this sign continues to be posted on my property until my land use process is completed; and I understand that I am responsible for removing and disposing of this sign once my land use process is completed.
TW by	I understand that I will be responsible for paying consultants that the City may deem necessary to review certain aspects of my application. I understand that these consultant reviews could include traffic concurrency, critical area, landscaping, et cetera.

Fee Calculations

Please note that CEDD staff uses this area to calculate the application fees for all submittals.

Annexation	$ _____
Binding Site Plan	$ _____
Boundary Line Adjustment	$ _____
Comprehensive Plan Amendment	$ _____
Conditional Use Permit, Administrative	$ _____
Conditional Use Permit	$ _____
Critical Area Permit	$ _____
Design Review	$ _____
Environmental Review (SEPA)	$ _____
Environmental Review with critical areas	$ _____
Fill and Grade Permit	$ _____
Landscape Modifications	$ _____
Major Modification	$ _____
Master Plan	$ _____
Non-Conforming	$ _____
Other Permit Write in Below:	$ _____

Plat, Preliminary	$ _____
Planned Unit Development	$ _____
Rezones	$ _____
Shoreline Permits:	
Conditional Use	$ _____
Substantial Development	$ _____
Variance	$ _____
Short Plat, Preliminary	$ _____
Site Plan Approval	$ _____
Special Use Permit	$ _____
Special Use Permit for ADU	$ _____
Temporary Use Permit	$ _____
Transportation Concurrency	$ _____
Variances, Administrative	$ _____
Variances	$ _____
Postage	$ _____
Land Use Signs:	$ _____

AFFIDAVIT OF OWNERSHIP

Only the property owner or an authorized representative may sign this form. If your title report lists a company, partnership or other owners you must submit evidence that you are authorized to sign on behalf of the entity or others that are listed. If you are an authorized representative you must provide a signed and notarized statement from the property owner(s) that you are authorized to sign on their behalf. Please attached additional signature sheets if there are more than one owner.

I, David E. Christensen, declare that I am (please check one) _____ the owner of the property involved in this application, _____ the authorized representative to act for the property owner (proof of authorization must be attached), and that the statements and answers herein contained and the infroamtion herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Applicant Signature: [signature]

On this, the 25 day of JANUARY, 20 19 before me personally appeared David E. Christensen known to me to be the same person whose name is subscribed to the within instrument and acknowledged that he/she voluntarily executed the same for the purpose therein contained.

MARTIN E. LEHR
NOTARY PUBLIC
COMMISSION EXPIRES 02-09-19
STATE OF WASHINGTON

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[signature]

Notary Public in and for the State of Washington

Residing at La Conner

My Appointment Expires 2-9-19

17-012

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BY_____

PROOF OF AUTHORIZATION

January 25, 2017

David E. Christensen is an authorized representative to act on behalf of the property owner, for all documentation and submittals required for a "Comprehensive Plan Map & Text Amendment & Associated Rezone" for property known as MV28, Tax Parcels P26279 & P26054.

01/25/2017

Timothy White,
MV28 LLC, Governing Person

Date

MV28 Legal Description (From Skagit County Assessor)
Re: COMPREHENSIVE PLAN MAP & TEXT AMENDMENTS & ASSOCIATED REZONE

Owner: MV 28 LLC

P26054:

OPEN SPACE #572 #762925 1973: DK 3: That portion of Government Lot 6 and of the Northeast Quarter of the Southwest Quarter of Section 18, Township 34 North, Range 4 East of the W.M., described as follows: Beginning at center of said Section 18; Thence West 32 rods; Thence South 1,980 feet, more or less, to North line of the county road running through government Lot 6 of said section; Thence Easterly to North and South Quarter section line through said section; Thence North to point of beginning; EXCEPT dike and ditch rights of way; AND EXCEPT the West 10 acres thereof.

P26279:

OPEN SPACE #572 #762925 1973: DK 17: Part of the Southeast Quarter of the Northwest Quarter of Section 18, Township 34 North, Range 4 East of the W.M., described as follows: Beginning at a point on the South line of said Southeast Quarter of the Northwest Quarter, 680 feet, 11 inches East of the Southwest corner thereof Thence East 680 feet, 11 inches, more or less, to the Southeast corner of said Southeast Quarter of the Northwest Quarter Thence North 1,271 feet, 7 inches, more or less Thence West on the North line of said Southeast Quarter of the Northwest Quarter 689 feet, 4 inches Thence South 1,271 feet, 7 inches, more or less, to the point of beginning. EXCEPT the South 870.00 feet of the North 918 feet 5 inches of the Fast 225.00 feet of the Southeast Quarter of the Northwest Quarter of Section 18, Township 34 North, Range 4 East of the W.M. and except the west 351 feet

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EXHIBIT 2A - MATERIALS SUBMITTED BY MV28, LLC

Christensen
DESIGN MANAGEMENT

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BY_____

CDM

January 23, 2017

17-012

PROJECT NARRATIVE

a. Rezone C-2 area to P, for an eventual Riverwalk RV Resort Conditional use. Site Area: Approximate 315′ x 2600′ and 100′ x 870′ (20.8 Acres) with a small parcel on south side of Dike Road (River Bend) within the City Limits. There is another adjacent parcel of approx. 1250′ x 350′ parcel that is in County Jurisdiction area zoned as Agricultural Natural Resource Lands (AG-NRL), not included in this re zone proposal. The very south end of Parcel 26054, south of River Bend Road, is currently Zoned F-1, and will remain unchanged.

a. Current Zoning at subject site and adjacent properties: C-2. Updated Comprehensive Plan Designation: General Commercial.

b. Current Use of site is a temporary Agricultural use, with no existing improvements.

c. Special site features: Existing finish grade is below FEMA food elevations. Generally flat topography.

d. Soil Type and Drainage conditions:

e. Non-Project Rezone proposal. However, the intent is to apply for an allowed Conditional Use for an RV Resort land use.

f. Off -Site Improvements: N/A for a Non-Project Rezone proposal. However, off site road access improvements will occur if an RV Resort CUP is granted after a Rezone.

g. Total Estimated Construction Cost: N/A for a Non-Project Rezone proposal.

h. Excavation and Fill: N/A for a Non-Project Rezone proposal.

i. Tree Removal: N/A for a Non-Project Rezone proposal.

j. Land dedicated to City: N/A for a Non-Project Rezone proposal.

k. Shoreline: N/A. (C-2 Zoned Property is just over 200′ north of Skagit River OHWM. F-1 zoned property south of Riverbend Road within Shoreline jurisdiction is not included in rezone application.) There will be no development proposed within the 200′ shoreline jurisdiction area.

l. Subdivision: N/A.

EXHIBIT 2A - MATERIALS SUBMITTED BY MV28, LLC

Christensen
DESIGN MANAGEMENT

CDM

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JAN 26 2017
C.E.D. DEPARTMENT
BY_____

January 23, 2017

MV28 Rezone Justification of Proposal
(Future Riverbend RV Resort)

Re: COMPREHENSIVE PLAN MAP & TEXT AMENDMENTS & ASSOCIATED REZONE

This Application will change the existing Zoning from C2 to P for the sole intent of submitting a subsequent Conditional Use proposal for an RV Resort land use. It is only allowed as a CUP in the P zone, versus the current C2 zone. The proposed land use was allowed as a Conditional Use in the C2 zone in prior regulations, but was subsequently removed by previous administrations. Due to sequencing requirements, this is a non-project proposal for a zone change only, because concurrent applications are not allowed at this time. If a zone change is successful, a Conditional Use application will be submitted for an RV Resort, meeting all regulatory requirements.

The justification rationale includes the following two main criteria:
1. Economic viability of this specific site for other uses.
2. Compatibility with Goals of the new Mount Vernon Comprehensive Plan.

This particular, and unusual land parcel layout, cannot be otherwise utilized for any current allowed use, to meet economic goals for the C-2 commercial zone in Mount Vernon.
The intent is to meet the goals of the Mount Vernon Comprehensive Plan, and the Overall Economic Development Plan to everyone's benefit.

This is an undesirable site location for potential commercial users. The existing site grade is significantly below 100 Year FEMA Flood Elevation and the cost of improving the site to be "development ready" renders the project economically infeasible, when compared to other available properties. This will be explained below.

The dilemma for the property owner, was to find a development land use that was compatible for Comprehensive Plan goals, while still making financial sense for development and to contribute to the Goals for Mount Vernon. After exploring all land use possibilities, a short stay, tourist-oriented RV Resort seemed to make the most sense, because only part of the site that would need to be elevated above FEMA flood plain elevations; a small Commons Building. Not the Resort RV spaces. A preliminary economic feasibility analysis made sense. As explained above, the only way to accomplish the development, was to go through this particular process.

The key, would be to allow for a use that meets planning & environmental goals, while providing economic gain for the community. It is also important to make sure that any project does not allow undesirable development. Seems clear that unique land parcels require special conditions to assure the community gets what is right.

Below is a more thorough explanation and justification.

As an Architect and Planner, for numerous projects throughout the northwest, I see frustration by Planning staff, and my clients, who want to…*do the right thing*. But…regulatory language may not allow a creative and ideal land use, because the current rules do not allow a way to get there. It may be the right thing to do, but…the rules don't allow it. In helping create regulatory language for some cities, I find it always good to add a paragraph at the beginning of all codified chapters about…*the intent*. It is very difficult to know all the unique land parcel situations, neighborhoods, changing markets, and economic drivers that affect land use development. But...if you know the *intent*…the property owner is given the freedom to propose a unique solution that meets personal and Community goals. And everyone is happy.

This property fits this situation. So, the intent here is to find a way to do the right thing, by allowing for a land use zone to get us where we all want to go…to meet *the intent*.

Economic Viability

C-2 Zoning should preserve Commercial uses, in areas that could be developed for those uses. In order to enhance commercial type uses that add economic value, with minimal impact costs to the City of Mount Vernon, Zoning should be allowed, that meet the goals of the Overall Economic Development Plan.

The subject land parcel is extremely long, narrow and very expensive to upgrade. It is unsuitable for large commercial retail-type uses, according to local Commercial Real Estate Brokers for several reasons:

a. The subject land is in a Flood Zone. To get to above FEMA flood elevation, approx. 10-12′ of compacted structural fill would be required. It is not ready to develop. It is expensive to improve. The landfill costs could add approximately $6,377,272 for 18.73 usable acres or 7.81$/sf.
b. A full perimeter retaining wall would have to be built to contain all of this fill with Ultrablock or similar. 4430 lineal ft x 12′ ht x +/-$22/sf = $1,169,520. Or approx. $1.47/sf of usable land area
c. All utilities and access road would have to be brought to the site at a cost of approx. $200,000
d. ***The total cost to bring the site up to "Development Ready" would be approximately $7,746,792, + soft costs of 20%, or $11.66/sf at a minimum.***
e. There is no frontage, or visibility, on a commercial arterial or street of any kind, required by any commercial business for easy customer access.
f. This Land parcel varies from 700′-1000′ from the retail road (Freeway Drive), it is not visible by normal commercial traffic & customers. It is behind other frontage businesses.
g. Most all commercial retailers desire a land parcel that is more "square" in shape, to allow for customer parking to be near front entry of store and the access. This land parcel is long and skinny, which does not allow for any viable uses desired by any commercial enterprise allowed in C-2 Zone, currently.
h. These issues were verified by local Commercial Brokers and Appraisers. If this site was "Development-Ready" with fill and and infrastructure brought to the site, there would be a premium of an additional $11-12 /sf added to the base land value. ***This would be significantly more than any commercial developer or user would pay for similar land...if it even had a "usable" or desirable land shape, visibility and accessibility.***

EXHIBIT 2A - MATERIALS SUBMITTED BY MV28, LLC

i. This site is not economically feasible to use for any Retail type commercial uses as intended by the C-2 Zone. It is very difficult to imagine ANY commercial use that could be developed here. Except one. RV Resorts. They can be built on a low-lying grade, because there are few permanent structures. They include tourists that are generally staying in Mount Vernon area 1 to 7 nights. If flooding conditions occur (usually in low tourist season), it will be easy to clear them out, well in advance. Any permanent guest structure on site (office, commons area, etc.) would be designed to be above required FEMA floor elevations. But, not the rest of the site. It can flood over. This rezone would allow this type of Conditional Use.

Comprehensive Plan Issues :
Compatibility with Goals of the new Mount Vernon Comprehensive Plan.

C-2 Zoning should preserve Commercial uses, in areas that could be developed for those uses. In order to enhance commercial type uses that add economic value, with minimal impacts costs to the City of Mount Vernon, Zoning with Conditional Uses should be allowed that meet the goals of the Overall Economic Development Plan, such as:

In the Mount Vernon Comprehensive Plan, under *Development Goals, Objectives and Policies, and the Overall Economic Development Plan (Ord. 2990)* approved by Council; (Paraphrased below)

*Land use ordinances and zoning codes should be reviewed to remove roadblocks to development.

* Create competitive Tax base

* Position Mount Vernon to capture year-round visitor-related businesses...

*Encourage continued private investment and improvement of a more appealing, accessible and expanded Freeway Drive commercial corridor.

* Coordinated Visitor & local Shopper marketing

* Tourism Attractor Development

The new Mount Vernon Comprehensive Plan document starts with an appropriate "Land Use Vision";

"...Emphasis will be placed on creating and promoting land uses that will help to balance land uses where people live, work, and play."

EXHIBIT 2A - MATERIALS SUBMITTED BY MV28, LLC

Subject property allows connectivity to existing P zoned land at the south end of the parcel and the area south of Riverbend Road, (Riverbend walkway and Lion's Park) adjacent to land that is part of this proposal. The land area directly south of Riverbend Road is part of the same ownership as the proposal, and it currently zoned F-1 Open Space, which would allow a trail connection and that zoning would remain unchanged.

Under General Land Use Goals, Policies & Objectives in the New Comprehensive Plan, this proposal meets the following summarized policies;

LU-1.1.6 Encourage infill development on vacant properties with existing public services and utilities.

LU-1.3.1 Provide adequate land for...development that provides jobs & augments the City's tax base

LU-1.3.2 Ensure zoning regulations accommodate a range of allowable businesses...in appropriate locations...

LU-1.3.3 review...development regulations to remove unnecessary requirements that unnecessarily hinder the development process.

LU-2.1.1 Designate land for...commerce, recreation...on the Land use map.

This specific parcel area is *NOT* included In the Comprehensive Plan Appendix A Exhibit (Map 7.0) for Commercial/Industrial Parcels with Development potential.

This land parcel is also *NOT* included in the Comprehensive Plan Appendix A Table 3 Commercial/Industrial Developments with infrastructure.

Additionally, Skagit County Planning policies, dated 10/10/07 under Economic Development policy 5.7 calls for: Tourism, recreation...shall be promoted ..

Rezone Conditional Use issues

As stated above, this proposal is for a Comprehensive Plan Map & Text Amendment & Associated rezone, as recommended by Staff. Again, the only reason for this process is to apply for a Conditional Use for an RV Resort land use if this Rezone is approved.

This is a non-project proposal at this time.

However, it may be important for the review of this proposal, to understand the intent for a subsequent Conditional Use application for an RV Resort. Below is some discussion about the future use. This is not intended to be as a comprehensive CUP application, but it may be informative for the Rezone justification.

January 23, 2017
MV28 Rezone Justification of Proposal
Re: COMPREHENSIVE PLAN MAP & TEXT AMENDMENTS & ASSOCIATED REZONE

The subject property, known as MV28 *(Hopefully named Riverwalk RV Resort)*, would be a quality Motor Coach/RV Resort, not a permanent trailer park, catering to visitors to Mount Vernon, that could add approx. $30,000,000* to the local economy in the first year of operation alone.

** Independent studies indicating amount spent per night and stnd. economic multipliers.*

This certainly meets the "intent" of the C-2 Zone.

As an Architect, I have been working with clients who have developed these "RV Resorts". They are quite popular. High-end, quality Recreational Vehicles (RV's) continue to sell well throughout the country, locally and Canada. The big problem these owners have, is there are very few quality RV resorts to stay at. There are NONE in Washington State. None. The demand is there, according to a National RV Consultant, Rich Stockwell. These projects are very high quality, and they have higher income clientele, that want to visit our region. It should be noted that the BERK Consulting report done for the City of Mount Vernon, for employment projections, lists the Leisure and hospitality sector at an annual growth rate 0.6% vs 0.2% for Retail trade. An approximate 300% increase. It would be a very desirable land use.

A future Conditional Use application would meet all development criteria for Recreational Vehicle Parks in MVMC 17.30.040, allowed in the P zone. The regulations will clearly limit amount days RV's can stay and will clearly not be a permanent resident "trailer park". As stated above, It will cater to very High-end, quality Recreational Vehicles. Tourists to add value to our local economy with sales tax dollars.

An approval of this proposed Comprehensive Plan Map & Text Amendment to change this Parcel from C-2 to P will help maintain other viable commercially zoned properties, and allows for development to meet other Goals of the City and Comprehensive Plan.

Sincerely,

David E. Christensen AIA, LEED *AP*
Architect and Planner

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EXHIBIT 2B - MATERIALS SUBMITTED BY BARNET

City of MOUNT VERNON

MASTER LAND USE APPLICATION FORM

FILE NUMBER: _____

PROPERTY OWNER(S):

(If there is more than one legal owner, please attach an additional notarized Master Application for each owner)

NAME:
Douglas J. Barnet

ADDRESS:
19395 Conway Hill Rd.

CITY/STATE: ZIP:
Mount Vernon, WA 98274

TELEPHONE NUMBER and EMAIL ADDRESS:
(360) 941-3804; dbarnet@wavecable.com

APPLICANT (if other than owner):

NAME:
Same

COMPANY:
(If applicable)

ADDRESS:

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:

CONTACT (If this section is completed, correspondence will only be sent to this individual, if left blank, materials will only be sent to the property owner):

NAME:
John B. Semrau, P.E. & P.L.S.

ADDRESS:
2118 Riverside Dr., Suite 208

CITY/STATE: ZIP:
Mount Vernon, WA 98273

TELEPHONE NUMBER and EMAIL ADDRESS:
(360) 424-9566; john@semrau.com

PROJECT INFORMATION

Project or development name:
Comprehensive Plan Amendment

Property/project address(s)/location:
18370 Cascade St., Mount Vernon, WA 98273

A copy of the site legal description from either: 1) a recent title report; or 2)a description written and/or reviewed by a P.L.S., must be attached.

Skagit County Assessor's parcel number(s):
P102004

Existing land use(s):
URR, Urban Reserve Residential

Proposed land uses:
Commercial, Trailer/RV Park

Existing Comprehensive Plan designation:
SF-HI, High Density SF (R-1, 5.0 or 7.0)

Proposed Comprehensive Plan designation (if applicable):
General Commercial

Existing Zoning designation:
URR, Urban Reserve Residential

Proposed Zoning designation (if applicable):
C-2, General Commercial District

Site Area (sq. ft. or acreage):
1.07 Acres

Project value:

Is the site located in any type of environmentally sensitive area?
No

COPY

EXHIBIT 2B - MATERIALS SUBMITTED BY BARNET

PROJECT CONTACTS

It is imperative that the members of the City Council, Planning Commission and that the Hearing Examiner know all of the people involved with your application so that they can act without any conflict of interest charges or violations of the appearance of fairness doctrine. Therefore, the following information MUST be complete and MUST be updated when new companies or individuals become involved with your project. **The following persons are associated with this project. Attach additional pages as necessary to ensure complete disclosure:**

Developers:	Address:	Phone and Email Address:
Douglas J. Barnet	19395 Conway Hill Rd. Mount Vernon, WA 98274	(360) 941-3804 dbarnet@waveccable.com
Architect:	Address:	Phone and Email Address:
Engineer:	Address:	Phone and Email Address:
Douglas J. Barnet	same as above	same as above
Surveyor:	Address:	Phone and Email Address:
Semrau Engineering & Surveying	2118 Riverside Dr. Suite 208 Mount Vernon, WA 98273	(360) 424-9566 john@semrau.com
Title Company:	Address:	Phone and Email Address:
Land Title & Escrow	111 E. George Hopper Rd. Burlington, WA 98233	(360) 707-2158 Kerry@ltco.com
Lender/Loan Officer:	Address:	Phone and Email Address:
Attorney:	Address:	Phone and Email Address:
Contractors:	Address:	Phone and Email Address:
Real Estate Agents:	Address:	Phone and Email Address:
Investors:	Address:	Phone and Email Address:
Other parties providing similar, significant services:	Address:	Phone and Email Address:

COPY

EXHIBIT 2B - MATERIALS SUBMITTED BY BARNET

ACKNOWLEDGEMENTS

The following statements MUST be read and initialed by the property owner. Land Use applications involve many steps and processes; and most applications are conditioned through the process. The following disclosure statements involve items that the Community & Economic Development Department wishes to bring to your attention at the beginning of a project. The following statements in no way contain all of the conditions that could be applied to your project, but rather, are conditions that could seem out of the ordinary to an applicant who does not regularly work with land use codes.

OWNER'S INITIALS:	LAND USE PERMITTING DISCLOSURE STATEMENTS:
DJB	I understand that land use permits do not authorize earth disturbing activities, the removal of vegetation, or the construction of buildings. I understand that additional permits will be required after my land use permitting process is completed. I understand that no earth disturbing activities (including the removal vegetation) may take place until after my land use process is complete, and only after I have received additional permits such as Fill & Grade, Utility, or Right-of-Way permit(s). Additionally, I understand that structures can not be constructed until after my land use permitting processes are complete and I receive a Building Permit(s).
DJB	I understand that if critical areas (wetlands, streams, steep slopes, et cetera) are found on or near my property I will be required to leave an undisturbed buffer area around the critical area. I also understand that depending upon the size and scope of my project that I may be required to enhance a critical area buffer.
DJB	I understand that depending upon the size and scope of my project, I may be required to provide maintenance and/or performance bonds for items such as landscaping, public roads and/or public utilities that I construct or install.
DJB	I understand that depending on the type of critical areas on or near my property I may be required to provide both monitoring and maintenance bonds for work within a critical area buffer. I also understand that if I choose to utilize the ecosystem alternative within the City's Critical Areas Ordinance I will be required to "buy down" the buffer and to enhance the buffer areas left on my property.
DJB	I understand that I am solely responsible for providing complete and accurate information to the City. I understand that if my application is missing information or if inaccurate materials are submitted, my land use process will be delayed. I understand that depending on how inaccurate and how incomplete my application is or becomes, the Community & Economic Development Department could require an entirely new application to be submitted. I understand that when and if conditions change from that which my application originally represented, I am responsible for letting the planner assigned to my project know.
DJB	I understand that I am applying for permits from the City of Mount Vernon only; and that additional permits from other Federal and State agencies will likely be required. I understand that the City of Mount Vernon can not advise me of permits that are required from other agencies, and that I must contact these agencies to make sure I comply with their requirements. These agencies include (but are in no way limited to): Corps of Engineers, Department of Natural Resources, Department of Ecology, and Northwest Clean Air Agency.
DJB	I understand that I may be required to properly and timely post a pink land use sign on my property during my land use permitting process. I understand that I am responsible for making sure that this sign continues to be posted on my property until my land use process is completed; and I understand that I am responsible for removing and disposing of this sign once my land use process is completed.
DJB	I understand that I will be responsible for paying consultants that the City may deem necessary to review certain aspects of my application. I understand that these consultant reviews could include traffic concurrency, critical area, landscaping, et cetera.

COPY

EXHIBIT 2B - MATERIALS SUBMITTED BY BARNET

Fee Calculations

Please note that CEDD staff uses this area to calculate the application fees for all submittals.

Annexation	$ _____	Plat, Preliminary	$ _____
Binding Site Plan	$ _____	Planned Unit Development	$ _____
Boundary Line Adjustment	$ _____	Rezones	$ _____
Comprehensive Plan Amendment	$ _____	Shoreline Permits:	
Conditional Use Permit, Administrative	$ _____	Conditional Use	$ _____
Conditional Use Permit	$ _____	Substantial Development	$ _____
Critical Area Permit	$ _____	Variance	$ _____
Design Review	$ _____	Short Plat, Preliminary	$ _____
Environmental Review (SEPA)	$ _____	Site Plan Approval	$ _____
Environmental Review with critical areas	$ _____	Special Use Permit	$ _____
Fill and Grade Permit	$ _____	Special Use Permit for ADU	$ _____
Landscape Modifications	$ _____	Temporary Use Permit	$ _____
Major Modification	$ _____	Transportation Concurrency	$ _____
Master Plan	$ _____	Variances, Administrative	$ _____
Non-Conforming	$ _____	Variances	$ _____
Other Permit Write in Below:		Postage	$ _____
	$ _____	Land Use Signs:	$ _____

AFFIDAVIT OF OWNERSHIP

Only the property owner or an authorized representative may sign this form. If your title report lists a company, partnership or other owners you must submit evidence that you are authorized to sign on behalf of the entity or others that are listed. If you are an authorized representative you must provide a signed and notarized statement from the property owner(s) that you are authorized to sign on their behalf. Please attached additional signature sheets if there are more than one owner.

I, Douglas J. Barnet, declare that I am (please check one) ✓ the owner of the property involved in this application, _____ the authorized representative to act for the property owner (proof of authorization must be attached), and that the statements and answers herein contained and the infroamtion herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Applicant Signature: Douglas J Barnet

On this, the 2nd day of JANUARY, 20 18 before me personally appeared DOUGLAS J BARNET known to me to be the same person whose name is subscribed to the within instrument and acknowledged that he/she voluntarily executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public in and for the State of Washington

Residing at MOUNT VERNON

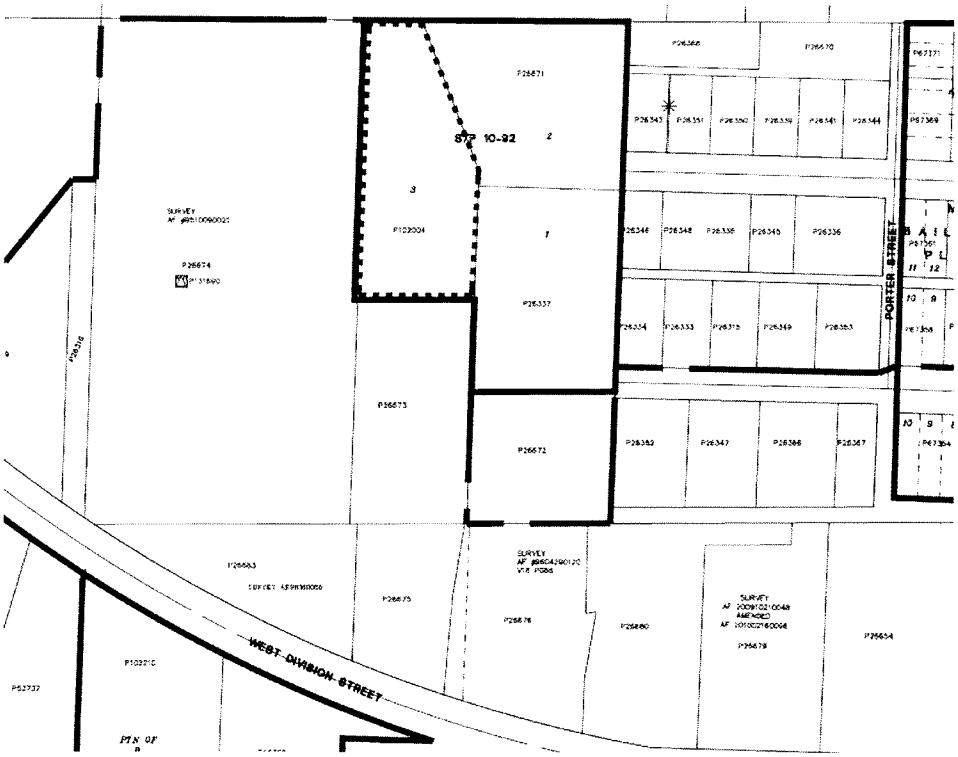
My Appointment Expires 10-31-2018

Project Narrative and Justification for Proposal

MOUNT VERNON RV PARK EXPANSION

18370 Cascade Street
Mount Vernon, WA 98273
Applicant: Douglas Barnet

Parcel P102004



Prepared for City of Mount Vernon
Community & Economic Development Department

By Semrau Engineering & Surveying

SEMRAU ENGINEERING & SURVEYING

Project Narrative and Justification for Proposal: Mount Vernon RV Park Expansion

The Mount Vernon RV Park Expansion is approximately 1.02 acres, located at 18370 Cascade Street, Mt. Vernon, WA 98273, Parcel P102004, Section 19, Township 34, Range 4.

a) Zoning and Comprehensive Plan designations of the site and adjacent properties.

Site:
Skagit County: Urban Reserve Residential; in the Mount Vernon UGA;
Comprehensive Plan: High Density SF R-1. 5.0, or 7.0

Adjacent Properties:
City of Mt. Vernon: C-2, western boundary;
Skagit County: Agricultural-Natural Resource Lands, northern boundary;
Comprehensive Plan: GC, Retail Malls & General Commercial (C-2)

b) Current use of the site and any existing improvements.

The site is currently not in use as residential but was formerly used as residential. Improvements to the site consist of a 1993 modular home that is in poor condition, deemed uninhabitable, and will be removed.

c) Special site features (i.e., wetlands, water bodies, steep slopes, or other critical areas); and a description of the buffers that will be required for each feature.

The site has no wetlands, water bodies, steep slopes, or other special site features.

d) Statement addressing soil type and drainage condition.

The property is flat and consists of farm type soil generally found in West Mount Vernon. September 1989 SCS Soil Survey of Skagit County Area, Washington maps the soil type as Sedrowoolley silt loam.

e) Proposed use of the property and scope of the proposed development.

Proposed use of the property is General Commercial C-2 for an RV Park, compatible with the surrounding use and within the UGA. The project consists of an extension of the use of the existing adjacent RV Park, Parcel P26674 & P131690, which was approved (CUP 95-6) and rezoned from R-A to C-2 (REZ 95-9) in August 1995. The proposed project on Parcel P102004 is no different, also proposing a conversion to General Commercial C-2, consistent with the permitted use on the existing RV Park.

See the attached documents of Barnet Rezone (REZ 95-9) and Conditional Use Permit (CUP 95-6) of 1995 in "**Attachment A**" (6 pages total). The Planning Commission approved the development by a 6-0 vote on 8/1/1995. In the notes of the City Council meeting of 8/23/1995, it is stated, "Councilmember Cass moved to approve Ordinance 2690, Barnet rezone from R-A to C-2, and the Barnet conditional use permit for the recreational vehicle park, based on staff recommendation and adopting the findings and conclusions of the Planning Commission. Seconded by Councilmember Walker. Carried 7-0." Staff recommendations and comments are included in "**Attachment A**",

including the comment, "The proposed rezone would be compatible with the surrounding neighborhood."

The scope of the project is the extension of the current private roads and installation of utilities and water system to service the new RV Sites. All new sites will be full service consisting of water, sewer, electrical, cable tv and garbage service. Existing managers quarters and club house, with bathrooms, showers and laundry facility (on the existing RV site), will serve the new addition. No new buildings will be constructed.

The project's location within the UGA would support protection from urban sprawl and suburban development patterns.

Proposed off-site improvements

No off-site improvements will be required.

f) Total estimated construction costs

Total estimated construction costs will be under $150,000.00. Fair market value after construction will be approximately $250,000.00. Neither estimate includes the value of the land.

g) Materials

No export of material will be required. Import of gravel for sites and asphalt for roadway will be required.

h) Trees to be removed

There are three or four poor quality fir trees and small ornamental trees along the edge of the property. All will be removed as part of improvements. New landscaping associated with small trees and landscaping will be constructed.

i) Land dedicated

No land will be dedicated to the City.

j) Shoreline applications (n/a)

No shorelines.

k) Subdivision applications (n/a)

No subdivision.

CITY COUNCIL MEETING
August 23, 1995

The meeting was called to order by Mayor Reep at 7:30 p.m.

Present: Mayor Reep, Councilmember Best, Bottles, Cass, Cheney, Fiedler, Parker, Walker

Also Present: City Attorney Smith, Finance Director Knowles, Fire Chief Hofstad, Planning Director Cisar, City Engineer Wiseman, Assistant Engineer Buckenmeyer

APPROVAL OF MINUTES: Councilmember Fiedler moved to approve the minutes of the August 2, 1995, Study Session and the August 9, 1995 Regular City Council meeting as distributed. Seconded by Councilmember Parker. Carried 7-0.

COMMUNITY COMMENTS: Time was given to individuals in the audience who wanted to address the Council. Pat McLatchy, 3288 E. Division Street, requested that someone define to him the difference between a public hearing and a public meeting. Mr. Smith explained that a public meeting is a meeting that is open for anyone's attendance. A public hearing is when input is accepted from the audience so that data can be collected in helping the Council make a determination on a particular project. Mayor Reep briefly discussed the different Council meetings and also informed everyone that there would be a public hearing for the Haggen's Annexation and Master Plan on September 13, 1995 at the Skagit County Hearing Rooms B & C. Peter Urban, 2700 Comanche Drive, urged the Council to study all of the factors involved in the proposed Haggen Market. Bob Moors, 4012 Pueblo Heights, wanted to know if input would be taken from everyone. Mayor Reep answered that yes, input would be taken, but that each person was limited to 3 minutes. There were no further comments from the audience.

BARNET REZONE (REZ 95-9) AND CONDITIONAL USE PERMIT (CUP 95-6): Mr. Cisar explained that this request is from Douglas Barnet to rezone approximately 4.6 acres located at 1229 Memorial Highway from R-A to C-2. The proponent would like to construct a recreational vehicle (RV) park for approximately 76 units, which also requires a conditional use permit at this time. The development may occur in two phases, with the northern-most lots being constructed at a later date. The proposed rezone would be compatible with the surrounding neighborhood.

The RV park will have an overall average within the 1,500 square foot lot size requirement and will also contain a play and picnic area and a new laundry/restroom/shower facility. The entrance will be from Memorial Highway. There has been one letter received in support of the project. He also noted that fire and traffic impact fees will be paid as part of the development. At their August 1, 1995 meeting, the Planning Commission approved the development by a 6-0 vote.

Councilmember Cass questioned how the sewer hook-up fees would be determined. Mr. Buckenmeyer stated that they would be figured similar to those of a motel. The monthly billing would be calculated as if the park was full at all times. A brief discussion followed regarding the sewer system and also the length of time a person is allowed to stay in the RV park. Council discussed how the schools and parks would be impacted if someone was to "permanently" stay in the RV park. If this was the case then impact fees should be paid for the schools and parks. Mr. Cisar stated that he has spoken with the City of Anacortes, as they are currently revising their ordinance to determine how long a person may stay and how it will be monitored.

Douglas Barnet, proponent, briefly addressed the Council on how the lots will be set up and how the RV park will look. Councilmember Bottles reiterated to Mr. Barnet and staff that he is very concerned with the length of stay people will be allowed. Mr. Barnet requested that, if Council decides to place restrictions on the length of time a person is able to stay, it be done by ordinance so that all RV parks will have the same laws to obey. He felt that it would be unfair to impose restrictions on his conditional use permit and not on any other park. Council suggested to Mr. Cisar that some type of ordinance be written that creates a standard of living for these parks. Councilmember Cass moved to approve Ordinance 2690, Barnet rezone from R-A to C-2, and the Barnet conditional use permit for the recreational vehicle park, based on staff recommendation and adopting the findings and conclusions of the Planning Commission. Seconded by Councilmember Walker. Carried 7-0.

AMENDMENT TO THE 1995 SALARY ORDINANCE FOR POLICE, FIRE AND 9-1-1 EMPLOYEES: Mr. Knowles explained that the Collective Bargaining Units for Firefighters, Emergency Communications Specialists, Police Officers and Police Administrative Personnel have been ratified and the wages set. This amendment will incorporate those salaries into the 1995 salary structure. The amendment also includes a salary for the Emergency Communications Operations Supervisor, formerly a member of the IAFF Local 1983 (Fire Department). Councilmember Parker moved to approve Ordinance 2691, amendment to the 1995 salary ordinance. Seconded by Councilmember Cheney. Carried 7-0.

BUDGET AMENDMENT - QUINT APPARATUS AND EQUIPMENT PURCHASE: Mr. Knowles explained that this budget amendment, for $31,000, is intended to provide funding for the loose equipment purchases that go along with the purchase of the fire truck. The funds are from impact fees paid by developers. Councilmember Cass moved to approve Ordinance 2692, budget amendment for the purchase of loose equipment for the Fire Department. Seconded by Councilmember Best. Carried 7-0.

QUINT BID AWARD - FIRE DEPARTMENT: Chief Hofstad explained that the Quint Fire Truck was previously bid, however, only 1 bid was received and that was over the estimated cost. The specifications were then revised and sent out for bid again. This time 3 bids were received, all under the estimated cost of $489,089. He stated that a committee of firemen (Chairman Mike Thompson, Mike Voss, Steve Skilbeck, Wayne

BARNET REZONE
PROPOSED FINDINGS

1. The improvements to be constructed by the proponent will be consistent with zoning, street, and storm drainage requirements of the City.

2. Permitted uses in the C-2 zone include recreational vehicle parks.

3. The City's comprehensive plan identifies this area as being commercial/light industrial.

4. The proposed use would create a minimal amount of additional traffic.

5. The proposed development is located in an area where other development has already occurred or is occurring. All City services are available to this location.

6. The predominant land uses in this area are commercial/light industrial, agricultural and single family residential. These uses are consistent with the rezone being requested.

7. The City of Mount Vernon has adopted an impact fees ordinance in accordance with Chapter 82.02 RCW.

PROPOSED CONCLUSIONS

1. The proposal is in compliance with the City's comprehensive plan.

2. This proposed development will not cause any significant impact upon existing services or fire and police protection.

3. The traffic generated by this proposal will be adequately served by the existing street system and will not create any adverse traffic impact to the surrounding neighborhood.

4. The proposed use of the property is compatible with the surrounding neighborhood and the proposed zoning.

5. The proposed use is a logical extension of the C-2 zoning and will be compatible with surrounding neighborhood.

6. Development of this property will be subject to impact fees pursuant to the terms of the applicable impact fees ordinance.

7/13/95
REZ NO. 95-9

11/89

FORM "R"

REZONE/CONDITIONAL USE PERMIT
STAFF REVIEW SHEET

PROPONENT: Douglas Barnet

REQUIREMENTS:
X SEPA Compliance (Specify): DNS 95-31 issued
X Landscape Plan
___ Other (Specify)

STAFF RECOMMENDATION AND COMMENTS:

This is a request from Douglas Barnet for a rezone from R-A to C-2 for approximately 4.6 acres of property located at 1229 Memorial Highway. The proponent would like to construct and operate a recreational vehicle (RV) park for approximately 76 units on this property, for which a conditional use permit is requested at this time also. The proponent has indicated that the RV park may be developed in two phases, with the northern-most lots being constructed at a later date.

REZONE: The City's comprehensive plan shows this area along Memorial Highway as commercial/light industrial. The surrounding area is currently zoned C-2 to the south, R-A to the southwest (Skagit State Bank) and southeast, County residential to the northeast, and County agricultural to the north and northwest. The proposed rezone would be compatible with the surrounding neighborhood. At some time in the future it is anticipated that the whole area to the west will have commercial/light industrial zoning and uses.

RECOMMENDATIONS:

Based on the attached proposed findings and conclusions, it is recommended that a rezone to C-2 be approved with the condition that the requirements of other departments be met as applicable.

CONDITIONAL USE PERMIT: The C-2 zone allows recreational vehicle parks as a conditional use with a lot size of 1,500 square feet. The RV park will have a variety of lot sizes available, ranging in length from 40 feet to 80 feet. All of the lots have a gravel area for the RV and a private grass area; and most of the lots will also have a gravel auto parking area. The proponent has submitted drawings of typical RV lots for 70 foot and 40 foot RV lots. The former has approximately 2,100 square feet and the latter 1,000 square feet, with the overall average within the 1,500 square foot lot size requirement. Staff has reviewed the range of lot sizes and, based on personal experience and regulations of similar RV parks, supports the variation in lot size.

The RV park will have a play and picnic area and a new laundry/restroom/shower facility. The existing home will be used by the

resident manager. A 6-foot sight-obscuring cedar fence will be constructed as required to supplement the existing landscaping screen adjacent to the residential areas to the east, and the existing trees and bushes around the remainder of the property will be retained and supplemented to create a landscaped buffer. The remainder of the site, except for the paved roads and gravel parking areas, will be landscaped with grass.

PROPOSED CONCLUSIONS:

The zoning code requires that a conditional use permit meet certain criteria to be approved.

1. This proposal is consistent with the commercial use shown in the comprehensive plan.

2. The proposal is compatible with the surrounding uses, which are commercial, single family residential, and agricultural.

3. The surrounding neighborhood will not be negatively impacted by the size, arrangement or architectural design of the proposal.

4. The existing street system should be able to handle any additional traffic.

5. Public facilities are available to service the proposed RV park.

6. The proposal has no materially detrimental effects on the neighborhood and has been designed to minimize any adverse effects on neighboring properties.

7. Landscaping materials have been provided in sufficient quantities and locations to create an attractive appearance.

RECOMMENDATIONS:

It is recommended that the conditional use permit be approved subject to the following conditions:

1. The application shall be subject to the applicable requirements contained in the Mount Vernon Municipal Code, Zoning Code, and Building and Fire Codes. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances.

2. The RV park shall conform to Zoning Code Definition 17.06.720, recreational vehicle, and 17.06.730, recreational vehicle park.

3. The RV park shall be maintained in a single ownership.

4. Health Department and other required permits shall be obtained for the use.

5. Mylar reproducibles (24"x36") of the approved site plan/landscape plan shall be provided to the Planning Department within 2 weeks of City Council approval.

6. The specific conditions contained in the reports from other City Departments must be included.

7. The conditional use permit shall become null and void if not exercised within 18 months from the date of this approval.

Yvonne Page
for Planning Director

Date: July 13, 1995

YJP

REZ NO. 95-9
CUP NO. 95-6

EXHIBIT 2C - MATERIALS SUBMITTED BY CORNER 9 PROPERTIES LLC

City of MOUNT VERNON

MASTER LAND USE APPLICATION FORM

FILE NUMBER: _____

PROPERTY OWNER(S):

(If there is more than one legal owner, please attach an additional notarized Master Application for each owner)

NAME: Corner 9 Properties, LLC

ADDRESS: 504 E. Fairhaven

CITY/STATE: , Burlington, WA ZIP: 98233

TELEPHONE NUMBER and EMAIL ADDRESS:
360-755-9021 X 13 brian@landedgentry.com

APPLICANT (if other than owner):

NAME: Brian Gentry

COMPANY: Landed Gentry Development, Inc.
(If applicable)

ADDRESS: Same as above

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:
360-755-9021 X 13 brian@landedgentry.com

CONTACT (If this section is completed, correspondence will only be sent to this individual, if left blank, materials will only be sent to the property owner):

NAME: Anna Nelson

ADDRESS: Same as avove

CITY/STATE: ZIP:

TELEPHONE NUMBER and EMAIL ADDRESS:
360-755-9021 X 26 anna@landedgentry.com

PROJECT INFORMATION

Project or development name:
Big Fir South Corner

Property/project address(s)/location:
Northeast corner of the intersection of E. Blackburn Road and S. LaVenture Road. Directly west of 1997 Fraser Avenue
See attached Subdivision Guarantee.
A copy of the site legal description from either: 1) a recent title report; or 2)a description written and/or reviewed by a P.L.S., must be attached.

Skagit County Assessor's parcel number(s):
P131991

Existing land use(s):
Vacant. Designated for retail with Big Fir South PUD (LU-06-089)t

Proposed land uses:
Residential - townhouse

Existing Comprehensive Plan designation:
SF-MED

Proposed Comprehensive Plan designation (if applicable):
MF-LO

Existing Zoning designation:
R-1, 4.0 PUD

Proposed Zoning designation (if applicable):
R2

Site Area (sq. ft. or acreage):
36,991 sf

Project value:
NA

Is the site located in any type of environmentally sensitive area?
No. Maddox Creek is off-site to the north.

PROJECT CONTACTS

It is imperative that the members of the City Council, Planning Commission and that the Hearing Examiner know all of the people involved with your application so that they can act without any conflict of interest charges or violations of the appearance of fairness doctrine. Therefore, the following information MUST be complete and MUST be updated when new companies or individuals become involved with your project. **The following persons are associated with this project. Attach additional pages as necessary to ensure complete disclosure:**

Developers:	Address:	Phone and Email Address:
Same as Applicant		
Architect:	Address:	Phone and Email Address:
Underwood & Associates, LLC	1005 4th Street Anacortes, WA 98221	360-588-0471
Engineer:	Address:	Phone and Email Address:
Ravnik & Associates	1633 Lindamood Lane PO Box 361 Burlington, WA 98233	360-707-2048
Surveyor:	Address:	Phone and Email Address:
Lisser & Associates	320 Milwaukee Street PO Box 1109 Mount Vernon, WA 98273	360-419-7442
Title Company:	Address:	Phone and Email Address:
Land Title and Escrow First American Title Insurance Company	111 East George Hopper Rd. PO Box 445 Burlington, WA 98233	360-707-2158
Lender/Loan Officer:	Address:	Phone and Email Address:
Attorney:	Address:	Phone and Email Address:
Contractors:	Address:	Phone and Email Address:
Real Estate Agents:	Address:	Phone and Email Address:
Investors:	Address:	Phone and Email Address:
Other parties providing similar, significant services:	Address:	Phone and Email Address:

ACKNOWLEDGEMENTS

The following statements MUST be read and initialed by the property owner. Land Use applications involve many steps and processes; and most applications are conditioned through the process. The following disclosure statements involve items that the Community & Economic Development Department wishes to bring to your attention at the beginning of a project. The following statements in no way contain all of the conditions that could be applied to your project, but rather, are conditions that could seem out of the ordinary to an applicant who does not regularly work with land use codes.

OWNER'S INITIALS:	LAND USE PERMITTING DISCLOSURE STATEMENTS:
	I understand that land use permits do not authorize earth disturbing activities, the removal of vegetation, or the construction of buildings. I understand that additional permits will be required after my land use permitting process is completed. I understand that no earth disturbing activities (including the removal vegetation) may take place until after my land use process is complete, and only after I have received additional permits such as Fill & Grade, Utility, or Right-of-Way permit(s). Additionally, I understand that structures can not be constructed until after my land use permitting processes are complete and I receive a Building Permit(s).
	I understand that if critical areas (wetlands, streams, steep slopes, et cetera) are found on or near my property I will be required to leave an undisturbed buffer area around the critical area. I also understand that depending upon the size and scope of my project that I may be required to enhance a critical area buffer.
	I understand that depending upon the size and scope of my project, I may be required to provide maintenance and/or performance bonds for items such as landscaping, public roads and/or public utilities that I construct or install.
	I understand that depending on the type of critical areas on or near my property I may be required to provide both monitoring and maintenance bonds for work within a critical area buffer. I also understand that if I choose to utilize the ecosystem alternative within the City's Critical Areas Ordinance I will be required to "buy down" the buffer and to enhance the buffer areas left on my property.
	I understand that I am solely responsible for providing complete and accurate information to the City. I understand that if my application is missing information or if inaccurate materials are submitted, my land use process will be delayed. I understand that depending on how inaccurate and how incomplete my application is or becomes, the Community & Economic Development Department could require an entirely new application to be submitted. I understand that when and if conditions change from that which my application originally represented, I am responsible for letting the planner assigned to my project know.
	I understand that I am applying for permits from the City of Mount Vernon only; and that additional permits from other Federal and State agencies will likely be required. I understand that the City of Mount Vernon can not advise me of permits that are required from other agencies, and that I must contact these agencies to make sure I comply with their requirements. These agencies include (but are in no way limited to): Corps of Engineers, Department of Natural Resources, Department of Ecology, and Northwest Clean Air Agency.
	I understand that I may be required to properly and timely post a pink land use sign on my property during my land use permitting process. I understand that I am responsible for making sure that this sign continues to be posted on my property until my land use process is completed; and I understand that I am responsible for removing and disposing of this sign once my land use process is completed.
	I understand that I will be responsible for paying consultants that the City may deem necessary to review certain aspects of my application. I understand that these consultant reviews could include traffic concurrency, critical area, landscaping, et cetera.

Fee Calculations

Please note that CEDD staff uses this area to calculate the application fees for all submittals.

Annexation	$ _____
Binding Site Plan	$ _____
Boundary Line Adjustment	$ _____
Comprehensive Plan Amendment	$ _____
Conditional Use Permit, Administrative	$ _____
Conditional Use Permit	$ _____
Critical Area Permit	$ _____
Design Review	$ _____
Environmental Review (SEPA)	$ _____
Environmental Review with critical areas	$ _____
Fill and Grade Permit	$ _____
Landscape Modifications	$ _____
Major Modification	$ _____
Master Plan	$ _____
Non-Conforming	$ _____
Other Permit Write in Below:	$ _____

Plat, Preliminary	$ _____
Planned Unit Development	$ _____
Rezones	$ _____
Shoreline Permits:	
Conditional Use	$ _____
Substantial Development	$ _____
Variance	$ _____
Short Plat, Preliminary	$ _____
Site Plan Approval	$ _____
Special Use Permit	$ _____
Special Use Permit for ADU	$ _____
Temporary Use Permit	$ _____
Transportation Concurrency	$ _____
Variances, Administrative	$ _____
Variances	$ _____
Postage	$ _____
Land Use Signs:	$ _____

AFFIDAVIT OF OWNERSHIP

Only the property owner or an authorized representative may sign this form. If your title report lists a company, partnership or other owners you must submit evidence that you are authorized to sign on behalf of the entity or others that are listed. If you are an authorized representative you must provide a signed and notarized statement from the property owner(s) that you are authorized to sign on their behalf. Please attached additional signature sheets if there are more than one owner.

I, Brian Gentry, declare that I am (please check one) ✓ the owner of the property involved in this application, _____ the authorized representative to act for the property owner (proof of authorization must be attached), and that the statements and answers herein contained and the infroamtion herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Applicant Signature: _____

On this, the 23RD day of January, 20 18 before me personally appeared Brian Gentry known to me to be the same person whose name is subscribed to the within instrument and acknowledged that he/she voluntarily executed the same for the purpose therein contained.

Notary Public
State of Washington
DIANA K WHITNEY
MY COMMISSION EXPIRES
May 15, 2021

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Diana K Whitney

Notary Public in and for the State of Washington

Residing at Bow

My Appointment Expires 15MAY2021

LANDED GENTRY
HOMES AND COMMUNITIES

Big Fir South Corner
2018 Comprehensive Plan Amendment and Associated Rezone
Justification for Proposal and Project Narrative

Landed Gentry has been building homes and neighborhoods in the Pacific Northwest since 1979, with a focus on lasting quality, extended customer service, and community involvement. Many of these communities are located in the City of Mount Vernon. The proposed Comprehensive Plan Amendment and associated Rezone described below will allow Landed Gentry to continue to offer additional housing choices in Mount Vernon.

Requested Action

Amendment to the Comprehensive Plan Map and Zoning Map as part of the City's 2018 annual plan review process.

- Comprehensive Plan Map amendment – From Medium Density Single Family (SF-MED) to Low Density Multi-Family (MF-LO).
- Zoning Map amendment (Non-Project Rezone) – From Single-Family Residential (R-1, 4.0 PUD) to Two-Family Residential (R-2).

Background

The site proposed for amendment is located directly northeast of the intersection of S. LaVenture Road and E. Blackburn Road (P131991). The site is part of the approved Big Fir South PUD and was approved and recorded for retail use (Tract F, Plat of Big Fir South PUD AFN 201405290037). Although multi-family uses are also allowed in a PUD (see notation on Comprehensive Plan map on next page), the approved retail use was proposed with the Big Fir South PUD due to the corner location on a high traffic street.

All of the PUD residential uses and common open space areas have been constructed. The retail corner has been graded and is vacant. Due to various changes in the retail market, the viability of the site for retail use has been diminished and there has been no interest in the property for retail use. With the continuing need for housing options in the City, an amendment to allow duplex and/or townhouse development would be appropriate for the site and would allow the property to become economically feasible.

Amendment Justification

The site is located in an area with various zoning districts and is characterized with a variety of uses, such as schools, a church, and high density single family residential (see next page). The proposed low density attached housing would be compatible with the surrounding uses and the adjacent higher density single family detached PUD, and would be separated from other adjacent uses by existing natural features (i.e., Maddox Creek, dense vegetation along the west side of S. LaVenture Road) and built features (i.e., roads, storm water pond to north).

Comprehensive Plan Map

Zoning Map

Surrounding Land Uses

Additionally, the requested amendments meet the below review criteria in MVMC 17.111.070.

"A. Is the request compatible with the city's comprehensive plan and development goals?"

Yes, the request is compatible with the City's Comprehensive Plan and development goals, particularly the Land Use Element and Housing Element. The following are Goals, Objectives and Policies that are specific to and support the requested amendments:

"Goal LU-51: Enhance and improve the quality of multi-family living environments throughout the City that provide areas that offer a larger range of housing options in the form of multi-family units. "

"Housing Goal 1: Achieve a mix of housing styles in Mount Vernon that are appealing and affordable to a diversity of ages, incomes and cultural backgrounds."

Additional housing options will be available with approval of the requested amendments. The low density of the R-2 zoning will ensure that future development is compatible with various surrounding uses. While the site would no longer be designated on the City mapping as part of the Big Fir South PUD, it would be directly adjacent and connected via common open space tracts. Furthermore, the City Comprehensive Plan acknowledges that scattered multifamily use is appropriate within single family areas when located with a PUD. The amendments will allow the development of a multi-family infill project, thereby assisting in achieving a mix of housing styles.

"Objective LU-51-1 Ensure that development in the multi-family residential designations are designed to provide quality homes and neighborhoods for residents and to mitigate impacts to existing neighborhoods as new ones develop."

"Objective HO-1.1 In City plans and zoning regulations, accommodate a variety of housing types, attractive and compatible in design, and available to all economic segments of the community."

"Objective HO-1.2 Promote infill housing that is compatible with abutting housing styles and with the character of the existing neighborhood."

The City's zoning standards (e.g., building height) and design standards will ensure that the future multi-family development will be constructed with quality site and home design that will reflect the strong existing Big Fir South character. The City's standards will ensure that the overall housing design is based on a consistent, compatible and aesthetic architecture. Amending the mapping to allow low density infill residential use vs. retail use, will ensure that additional housing options are available and will contribute to housing affordability.

"Policy LU-51.1.6 New multi-family residential projects should demonstrate provisions for an environment that contributes to a high quality of life for future residents, regardless of income level."

As a multi-family infill project subject to the City's design standards, the amendments will provide for more high quality housing options available to lower income levels.

"Policy HO-1.2.1 The City should encourage infill housing on vacant or underutilized parcels having adequate serves, and ensure that the infill development is compatible with surrounding neighborhoods."

The site is currently vacant and designated for retail use as part of the Big Fir South PUD. Due to various changes in the retail market, the viability of the site for retail use has been diminished and there has been no interest in the property for retail use. The site is underutilized, but has urban services and is served by transit. As a multi-family infill project subject to the City's design standards, the amendments will provide for high quality housing that is compatible with the surrounding neighborhood.

"B. Are public utilities, public facilities and other services currently adequate to serve the proposed district?"

Urban services are currently available to the site.

Project Narrative

The following description is provided for the Project Narrative items listed in the City's Comprehensive Plan Map and Associated Rezone application checklist:

a. Project name, size and location of site;

Big Fir South Corner
Property is 36,991 square feet
Property is vacant and located directly northeast of the intersection of S. LaVenture Road and E. Blackburn Road. Skagit County Parcel Number P131991, within SW ¼ of the NW ¼ of Section 28, Township 34 North, Range 4 East. W.M.

b. Zoning and Comprehensive Plan designation of the site and adjacent properties;

	Existing Zoning	Existing Comp Plan Designation	Existing Land Use
Site	R-1, 4.0 PUD	SF-MED	Vacant and cleared.
North			Storm pond & Big Fir South clubhouse
South	UGA	SF-MED	Vacant and partially cleared.
East	R-1, 4.0 PUD	SF-MED	Big Fir South single family detached homes
West	R-1, 4.0	SCH, CH	Church

c. Special site features (i.e., wetlands, water bodies,…); and a description of the buffers that will be required for each feature;

Maddox Creek is located to the north off of the property proposed for amendment. The buffer from the creek ordinary high water mark is 150 feet.

d. Statement addressing soil type and drainage conditions;

Per the NRCS maps, the site is classified as Bu (Bow loam, shallow, 0-3 percent slopes). This is a non-project proposal. Drainage conditions and a stormwater plan will be provided with future development.

e. Proposed use of the property and scope of the proposed development (i.e., heights…);

The amendment would allow residential use consistent with the R-2 zoning district. Future development would be required to meet the requirements of the R-2 zone, City design standards and other City regulations.

f. Proposed off-site improvements (i.e., installation of sidewalks, …);

Road frontage improvements (i.e., sidewalks) were constructed with the PUD. No off-site improvements necessary.

g. Total estimate construction cost and estimated fair market value of the proposed project;

There is no construction cost associated with the requested amendments.

h. Estimated quantities and type of materials involved if any fill or excavation is proposed;

The site is vacant and level. No fill or excavation is involved with the requested amendments.

i. Number, type and size of trees to be removed;

The site is vacant and includes only a few trees along the north side of E. Blackburn Road. No construction is involved with the requested amendments.

j. Explanation of any land to be dedicated to the City; and

Road frontage improvements (i.e., sidewalks) were constructed with the PUD. No dedication is involved with the requested amendments.

k. For shoreline applications…;

Not applicable. No shorelines are present on the property.

l. For subdivision applications: the number, size, and density of the new lots.

Not applicable. The application includes an amendment to the Comprehensive Plan Map and Zoning Map, to allow future residential development consistent with City regulations.