

Lynnwood Planning Commission
Meeting of April 24, 2003

Staff Report

Agenda Item: E.1
Opiate Substitution Program
Ordinance

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Kevin Garrett (425) 670-6292

Recommendation:

After the public hearing, consider recommendations to the City Council as to the appropriate land use regulation of OTPs in the City of Lynnwood.

Background/Discussion:

The Planning Commission opened the public hearing on this ordinance on April 10 and, following public testimony and submission of written comments, continued the hearing to this meeting.

Since April 10, staff has received additional written materials; copies are attached.

Purpose of this Hearing:

The purpose of this Public Hearing is to allow the Commission to receive additional information and public input and to make a recommendation to the City Council as to the appropriate land use regulation of OTPs in Lynnwood.

Next Steps:

Following the public hearing, the Commission should review and discuss the testimony and materials received, then make a recommendation to the City Council.

Attachments:

1. Fax from Dr. Floyd (dated April 11, 2003).
2. Letter from Robert Crowe (dated April 7, 2003).
3. Fax from Traci Shallbetter, Davis Wright Tremaine, (dated April 11, 2003).¹

Lynnwood Planning Commission
Meeting of April 24, 2003

Staff Report

Agenda Item: H-1

**Signs in Public Right-of-Way Code
Amendment**

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Darryl Eastin, Senior Planner 

Recommendation:

No action at this work session. Following a public hearing on May 8, 2003, the Planning Commission will be asked to make a recommendation on this code amendment to the City Council.

Background:

On April 10, 2000, the City Council adopted Ordinance 2310 amending the Lynnwood Municipal Code (LMC) sign regulations. The new sign regulations allowed the following signs in public street right-of-way (subject to limitations) (Attachment A):

- Political signs.
- Civic banners.
- Portable real estate open house and directional signs.
- Garage and yard sale signs.

On January 1, 2002, provisions in the new sign regulations allowing the above signs in public street right-of-way "expired" as stated in the sunset clauses.

At a work session on April 7, 2003, the Council directed staff to initiate a code amendment regarding the regulation of signs in the public right-of-way. In particular, members of the Council talked about allowing civic banners and signs for a community event this summer.

Work Session:

allowed in public right-of-way. Former City Attorney Watts informed the Commission that there had been recent case law concerning political signs and real estate signs in public right-of-way and that the City should not discriminate on basis of sign content when it involved political speech.

Staff asked City Attorney Rubstello his opinion on this issue and if there have been recent court cases concerning signs in public right-of-way. He said that he is not aware of any new court cases and agreed with former City Attorney Watts that the City should not discriminate on the basis of sign content when it involves political speech.

Based on his advice, the City has the following options for regulating the four types of signs (listed above) in the right-of-way:

- If the City allows any signs in the right-of-way, we **MUST** allow political signs;
- If the City allows political signs in the right-of-way, we **MAY** (but are not required to) allow any or all of the three other types of signs.

The people interested in banners for a community event this summer have drafted proposed code language to allow civic banners and signs in the right of-way (Attachment B). This proposed language differs in some aspects with the code language in Ordinance 2310 that allowed civic banners and signs in the right-of-way (Attachment A).

Draft Code Amendment:

On April 21, 2003, the City Council will have a work session to also discuss the legal issues relating to signs in the right-of-way. Following the Council and Planning Commission work sessions, staff will prepare a draft code amendment ordinance for review by the City Attorney.

Environmental Review:

The Determination of Nonsignificance (DNS) issued January 22, 1997 for the original Signs Code Amendment (96CAM0001) covers this proposal.

What's Next:

Planning Commission is scheduled to hold a public hearing a draft code amendment ordinance on May 8, 2003. It is anticipated that a public hearing on the draft ordinance would be held by the City Council in late May or early June of this year.

Attachments:

Regulations Regarding Signs in Public Right-of-Way From Ordinance 2310

**(These regulations are no longer in effect
due to sunset clauses in the ordinance)**

21.16.260 CIVIC BANNERS AND SIGNS

...Civic banners may be displayed within and across public street right-of-way; however, placement of the banners shall be subject to approval of the Public Works Department. In addition, any person, organization or public agency wishing to place such a banner within public right-of-way shall have liability insurance in form acceptable to the City, naming the City as an additional insured, in an amount of at least one million dollars to cover any accidents that may have resulted from the placement of the banner.

Civic banners shall not be allowed on city park property or within public rights-of-way adjacent to city park property or on any street median.

21.16.270 POLITICAL SIGNS

...Political signs no more than four (4) square feet per side may be located along the edge of public right-of-way; however, they shall not be located on or overhang pavement, street medians, sidewalks, or any area where people walk, ride bicycles, drive or park vehicles. No political signs shall be located on City park property or within public right-of-way adjacent to City park property or on any street median. The owners of such signs and the owners of the property on which the signs are located, shall be responsible for removal within seven (7) days after the election, except in the case of a primary election where successful candidates will appear in a general election, such signs shall be removed within seven (7) days after the general election. Signs that display...

21.16.290 RESIDENTIAL SIGNS

On-Site Sale of Household Goods

Portable off-premises sale of household goods signs are allowed providing such signs:

No more than three off-premises signs for sale of household goods are allowed. These signs may be located along the edge of street rights-of-way; however, they shall not be located on or overhang street pavement, street medians, sidewalks or any area where people walk, ride bicycles, drive or park vehicles;

Shall not be located on city park property or within public rights-of-way adjacent to city park property.

Real Estate Signs

Portable off-premises real estate open house and directional signs are allowed providing such signs:

- a. Shall only be used for sale, lease or rental of real property and shall not be used for home occupations or any other residential or commercial purpose;
- b. May be within the public right-of-way located along the edge; however, they shall not be located on or overhang street pavement, street medians, sidewalks or any area where people walk, ride bicycles, drive or park vehicles;
- c. In number are no more than the minimum necessary to direct the public from principal and minor arterials in the city to property for sale, lease or rent and no more than one sign per agent, property manager or seller shall be placed per street intersection;
- d. May be located on property other than that for sale, lease or rent with permission of property owner where the sign is located. These signs shall not be fastened to any telephone or utility pole, street light, traffic control device, public structure, fence, rock, tree or shrub;
- e. Shall not exceed four square feet per side;

Proposed Code Language Allowing Civic Banners and Signs in Right-of-way

21.16.260 Civic banners and signs.

Banners and other signs displaying civic messages and non-profit events are allowed on property owned by the city, event organizers and sponsors. Such civic banners and signs shall display messages that promote events of a general civic interest and the logo and name of event organizers and sponsors. Such banners and signs shall not be attached or placed in a way that might block visibility or create a safety hazard.

Banners announcing a civic or non-profit event shall be placed no more than 30 days prior to the event and shall be removed within one week following the event. Signs on city-owned property, other than public right-of-way, shall comply with the sign regulations of the zone in which they are located. All signs and banners on public rights-of-way shall be approved by the Public Works Department. In addition, any person, non-profit or public agency wishing to place such a banner within a public right-of-way shall have liability insurance in form acceptable to the city, naming the city as an additional insured, in an amount of at least \$1,000,000 to cover any accidents that may result from the placement of the banner.

Ground signs displaying civic messages and non-profit events may be located within easements for such a purpose on privately owned property as long as ground signs are allowed in the zone where they are to be located. Such ground signs displaying civic messages and non-

Lynnwood Planning Commission
Meeting of April 24, 2003

Staff Report

Agenda Item: H-2

**Comprehensive Plan Amendment
Proposals – Group #1**

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Ron Hough (425) 670-6655

Introduction:

On April 10, the Planning Commission conducted a public hearing and forwarded its recommended Study List for the City Council's consideration.

While the City Council considers the Study List, the Planning Commission will begin the review process. Group #1 includes the three formal applications and one of the suggested amendments. Although Opalka is a "suggested" amendment, it was included because of its location and relationship to one of the other three.

Schedule:

The following schedule should be considered flexible and may change to accommodate the City Center Plan or unexpected disruptions.

April 24 – Planning Commission Work Session – Group #1

- Raskin Map Amendment
- Opalka Map Amendment
- Christian Church Map Amendment
- Steves Map Amendment

May 5 – City Council Work Session on Study List

May 8 – Planning Commission Work Session – Group #2

- City Center Plan
- Mobile Home Park Study
- Lytton Map Amendment

May 12 – City Council Approval of Final Study List

Formal Applications:

Three formal applications were submitted, requesting site-specific Comprehensive Plan Map Amendments. Formal applications will be processed to a final decision and are not subject to Study List approval. The Opalka property, owned by the City, will also be processed with this group.

If approved by the City Council, consistent zoning will be applied to maintain Plan/Zone consistency.

The following is a general description of the four Group #1 proposals. A more detailed description will follow:

1. Raskin Map Amendment: (formal application)

Location: Between Interurban Trail and 204th St., east of Scriber Lake Alternative H.S.
Request: Map change from **BTP** (Business/Technical Park) to **MF-3** (High-density Multi-family). This site was previously approved for Center 5000, a business/office Planned Unit Development. The requested change would clear the way for a new multi-family development to be known as **Creekside Plaza**.

2. Alderwood Manor Community Church Map Amendment: (formal application)

Location: Alderwood Mall Boulevard, east of 36th Street and north of 196th St.
Request: Map change from **MF-2** (Medium-density Multi-family) to **RC** (Regional Comc'l)

3. Steves Map Amendment: (formal application)

Location: 194th Street, east of 64th Avenue
Request: Map change from **MF-1** (Low-density Multi-family) to **MF-2** (Medium-density Multi-family) for four lots. Adjacent properties may also be included.

4. Opalka Map Amendment: (suggested amendment)

Location: South side of the Interurban Trail – west of 48th Avenue.
Request: Map change from **PRO** (Parks, Recreation and Open Space) to **BTP** (Business/Technical Park) on a 2.3 acre City-owned surplus property to be sold.

1. Raskin Map Amendment: (formal application)

Applicant: MJR Development, Inc. (Michael Raskin, President) & Polygon Northwest

Contact: Larry Calvin (206) 715-6932

Location: Between Interurban Trail and Scriber Creek, east of Scriber Lake Alternative H.S.

The Site: Known as the **Center 5000 Office Park**, or the Raskin PUD, this 4-parcel site consists of approximately 14.7 acres in the following tax parcels:

00608400400400 – 4.86 ac.

00619500000700 – 4.16 ac.

00619500000800 – 2.76 ac.

27042100400800 – 2.91 ac.

14.69 ac. (not including public ROW)



History: Through the City's PUD process, this site was approved in February, 2001 for the **Center 5000 Office Park**, a 200,000 sq. ft. office development. The zoning was changed from **LI** (Light Industrial) to **PUD**. Clearing, grading, construction of detention facilities and wetland restoration/enhancement began that summer and were completed in the fall of 2001.

The project was not built because the market for office space in the Puget Sound region went into a tailspin, office rental rates plummeted and vacancies increased dramatically. This combination of events made the project unfeasible and it was estimated that it could take seven years or longer before the market would stabilize and improve. The owner looked for other development opportunities for the site.

After reviewing the characteristics of the site and its location at the fringe of the future Lynnwood City Center, Mr. Raskin concluded that this would be a suitable location for high-density residential. He formed a partnership with Polygon Northwest, a local housing provider with 25 years of experience in King and Snohomish Counties, and a conceptual plan was developed for a new residential community on the site. Implementation of that plan will require changes to both the Comprehensive Plan and zoning.

- Surrounding Uses:** Scriber Creek Wetland area to the north and Interurban Trail to the south. Scriber Lake Alternative High School is at the west end. Opalka (vacant) property lies between the Interurban Trail and I-5 to the south.
- Long-range Plan:** If this Plan Amendment and consistent high-density zoning are approved, the applicant and Polygon Northwest intend to build Creekside Plaza, a multi-family residential community of approximately 350 dwellings.
- Request:** Change the Comprehensive Plan designation from **BTP** (Business/Technical Park) to **MF-3** (High-density Multi-family).
- Zoning:** Since the site was previously approved for a business/office Planned Unit Development, approval of the requested Plan Amendment will be accompanied by a change in Zoning from **PUD** to **RMH** (High-density Multi-family) to maintain Plan/Zone consistency.

Approval Criteria:

The approval criteria are contained in the Implementation Element of the Lynnwood Comprehensive Plan and should be used by the Planning Commission and City Council when processing the proposals. These criteria are listed below. See the Written Statement of Justification in Attachment #1 for the applicant's more detailed assessment of how the proposal meets these criteria.

Additional evaluation criteria are contained in LMC 18.04.070 and have been addressed by the applicant in Creekside Plaza – Comp. Plan Amendment Evaluation Criteria, also

- The proposal is consistent with GMA in its location of a high-density development in an urban environment where adequate roads, utilities and other municipal infrastructure exist.
- The proposal is consistent with urban density and housing objectives of GMA.

B. The proposal will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents.

- The proposal will be a significant change in the type of development on this site (office to residential) but not a significant change in the intensity of development.
- The previously approved office park was designed to minimize adverse impacts to Scriber Creek and other adjacent areas. A residential development on the same site will also have potential impacts, which will be avoided or minimized through its design.
- Any future project will be subject to environmental and design review to ensure that environmental impacts are avoided or minimized and that the development is both functional and attractive.

C. The proposed amendment can be accommodated by all applicable public services and facilities, including transportation.

- All needed utilities and services are either at the site or can be provided.
- Vehicle access will be primarily from 52nd Avenue on the west side.
- A stormwater detention facility has been constructed and sized to accommodate the needs of other properties.
- Other transportation advantages are the adjacent Interurban Trail (bicycle and pedestrian) and close proximity to the Lynnwood Park-n-Ride, which is a regional transportation hub.

D. The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan.

- The applicant (see attachments) has addressed many of the goals and objectives of the Comprehensive Plan to show how the proposal will be consistent with the Plan and benefit the community.
- The most significant conflict is with the "Residential Balance" subgoal of the Land Use Element, which is to "Assure that there is a balance of housing types in a ratio of 60% single-family units and 40% multi-family units in the area of the City outside of the City Center (study area)." Although this Plan amendment and its subsequent multi-family development will not remove any single-family dwellings, it will push the residential balance toward multiple-family by adding approximately 350 multi-family units to Lynnwood's housing stock.

E. If the proposal could have significant impacts beyond the study area, the applicant shall provide a detailed analysis of those impacts.

Staff Conclusions and Recommendation:

- The site has adequate access, all necessary utilities and is suitable for a small community of multi-family housing. It is not adjacent to any single-family neighborhoods and will
- While the office market is weak, the housing market remains strong. There will be a growing need for additional housing in the Lynnwood area, particularly for lower to moderate income households who work in Lynnwood's retail sector.
- The site is on the fringe of Lynnwood's future City Center and within easy walking distance of a major park-n-ride facility. These qualities can provide City Center business support while reducing auto trips and downtown traffic.
- In making its recommendation, the Planning Commission should seriously consider the Residential Balance subgoal, but should also weigh it against other applicable goals, objectives and policies that may be more supportive of the requested change before deciding what would be better for the long-term development of the Lynnwood community.

Attachment #1: (at end of staff report)

- Transmittal Letter – March 31, 2003
- Written Statement of Justification (including LMC evaluation criteria)
- Comprehensive Plan Conformance Analysis
- Creekside Plaza – Rationale for the Comprehensive Plan Amendment
- Creekside Plaza – Comp. Plan Amendment Evaluation Criteria

2. Alderwood Manor Community Church Map Amendment:

(formal application)

Applicant: Alderwood Manor Community Church
3403 Alderwood Mall Boulevard, Lynnwood WA 98036

Contact: Larry Calvin – (425) 715-6932

Location: Alderwood Mall Boulevard, east of 36th Street and north of 196th St.

The Site: This site consists of the following parcels, all of which are church owned and currently designated MF-2 (Medium-density Multi-family) on the Comp. Plan.

00-3726-002-009-06	0.04 ac.
00-3726-002-018-01	1.79 ac.
00-3726-002-009-02	2.20 ac.
00-3726-002-018-02	0.84 ac.
	4.87 ac.



History: Alderwood Manor Community Church has been at its present location for many years. It has watched the City of Lynnwood grow around it until it was, in the words of administrator Savage, "left as an island of multi-family amidst a sea of commercial uses." He feels the multi-family designation is no longer appropriate for this site and the proposed amendment will resolve the existing conflict.

Surrounding

Uses: There is an apartment complex and a single-family residence located on the north and northeast sides of the property. The single-family residence is zoned Business/Technical Park. There is a church (former Masonic Hall) and commercial uses on the west side of the property. Alderwood Mall Boulevard forms the southern boundary of the site.

Long-range

Plan: The site is located within the Lynnwood Subregional Center and also within the study area of the City Center Plan. Adoption of the City Center Plan will result in changes to the church property's Plan and zoning designations. However, the designations requested by the church are not in conflict with the City Center proposals that are currently being considered.

The church has no major development plans at this time. However, having the property appropriately designated may mean relief from costly and time-consuming conditional use permits or other land use approvals related to a future expansion.

Request: Map change from **MF-2** (Medium-density Multi-family) to **RC** (Regional Comc'l)

Zoning: The consistent zoning for the **RC** Plan designation is **B-1** (Community Business).

Approval Criteria:

The following criteria are contained in the Implementation Element of the Lynnwood Comprehensive Plan and should be used by the Planning Commission and City Council when processing the proposals. The applicant has also reviewed and addressed the additional evaluation criteria contained in LMC 18.04.070. (See attachment #2)

A proposal can be approved only if it meets all of the following criteria:

A. The proposal is consistent with the provisions of the Growth Management Act and will not result in Plan or regulation conflicts.

- There are no apparent conflicts with GMA.
- The proposal does not indicate that the Plan and zoning change will result in any immediate change in use of the property.
- The additional allowed uses resulting from this change would be consistent with GMA by allowing high-density development in an urban environment where adequate roads, utilities and other municipal infrastructure exist.

C. The proposed amendment can be accommodated by all applicable public services and facilities, including transportation.

- All needed utilities and services are either at the site or can be provided.
- Vehicular access to the site from the east side is from Alderwood Mall Boulevard and from the west side from 195th Place SW.
- There could be a significant increase in vehicular traffic generated from the site if the property is developed to the full extent permissible by the **RC** Plan and **B-1** zoning designation. Staff consultation with the traffic consultants on the City Center project will be needed to determine if the proposed change will significantly alter the traffic analysis results of the Sub-area Plan.

D. The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan.

- The applicant has reviewed the goals and objectives of the Comprehensive Plan and feels the proposal will be consistent with the Plan and benefit the community.
- The property is located in the City Center project area which is the subject of a draft subarea plan. The property is within the North End district of the draft Plan. Principal land uses anticipated within the North End are Commercial/Office, with some retail, and a very small amount of multi-family residential. The requested Plan designation (and consistent **B-1**) zoning would not be inconsistent with the draft Sub-area Plan.
- If the City Center Sub-area Plan is adopted, the development regulations and zoning for this property will be changed.

E. If the proposal could have significant impacts beyond the Lynnwood City Limits, it has been sent to the appropriate Snohomish County officials for review and comment.

- No significant impacts beyond the City limits are anticipated.

Staff Conclusions and Recommendations:

- Staff will consult with the City Center project traffic consultant concerning traffic impacts to verify that the potential development and resultant traffic impacts from the requested Plan change have been factored in to the traffic analysis for the Sub-area Plan. If not, it may be that a traffic impact analysis would have to be done and submitted by the applicant.
- Given that the Plan and zoning designations for the subject property would change if the City Center Sub-area Plan were adopted, there is

be adopted this calendar year, the Plan and zoning designations requested by this application may be inconsistent and, if so, should be denied.

Attachment #2: (at end of staff report)

- Transmittal Letter – March 31, 2003 – from Daniel Savage, Church Administrator
- Letter, dated April 1, 2002, from Philip Frisk of Taylor-Gregory Architects.

3. Steves Map Amendment: (formal application)

Applicant: Rick & Ann Steves

Contact:+ William Toskey – (425) 349-3444 or 778-7201

Location: 194th Street, east of 64th Avenue.

The Site: The site consists of four lots, two on the north side of 194th Street and two on the south side. All lots are currently vacant. The following is a summary:

Address	Area	Current Plan/Zone	Requested Plan/Zone	Max. Units Allowed
North side of 194th Street				
6311 – 194 th	10,338 sf	MF-1/RML	MF-2/RMM	4
6321 – 194 th	10,025 sf	MF-1/RML	MF-2/RMM	4
South side of 194th Street				
6322 – 194 th	10,643 sf	MF-1/RML	MF-2/RMM	4
6310 – 194 th	10,886 sf	MF-1/RML	MF-2/RMM	4



History: For many years, these four lots were developed as duplexes with RML zoning. The duplexes were recently removed and the lots cleared for new development. The property owner's intention is to work with the YWCA/Pathways for Women program to construct apartments for families in need and sponsored by the YWCA. The present zoning allows only a duplex on each site. To maximize the locational advantages of the properties, the applicant is requesting a change of one step in density, to allow the construction of four units on each lot.

Surrounding

Uses: North: Single-family homes on 193rd Street with a duplex on the corner of 64th.
West: Multi-family facility and other uses with commercial zoning (BC and B-1).
South: Three small lots (average 7,363 sq. ft.) used for a single-family home, a duplex and a business. All three lots are zoned RML and the uses are compatible with that zone.
East: James Square Shopping Center lies to the east with Trinity Lutheran Church to the southeast. Immediately to the east, and along the north side of 194th Street are two small lots that should also be considered for a change. These lots are 9,869 sq. ft. and 6,710 sq. ft. in size and contain a triplex and duplex respectively. Both are nonconforming.

Long-range

Plan: The applicant's properties are within a relatively small area of 10 lots that is currently designated for low-density multi-family (MF-1). This designation might be viewed as a transition between the single-family neighborhood to the north and the intense commercial uses and church complex to the south and east.

The applicant's plan is to construct the Trinity Way project – consisting of a four-unit residential structure on each of the lots. One unit will be used as a management, security and counseling office. The other fifteen units will be available for the housing of families in need through the YWCA/Pathways for Women program. The sources of need may be varied and will be determined through the YWCA program. Residents may contribute some financial support to their housing, depending on their capability and family situations. Convenient access to transit, shopping, employment and Edmonds Community College are provided by the location and are important to this program.

Note: The application is for a Comprehensive Plan Amendment. While it may be interesting to know about the Trinity Way project, the project itself is not a consideration at this time. Furthermore, City approval of a Plan Amendment will be based on the site characteristics and related criteria and will not guarantee that any particular development is constructed.

Request: Map change from **MF-1** (Low-density Multi-family) to **MF-2** (Medium-density Multi-family) for four lots. The adjacent two lots on 194th Street are also being considered.

Zoning: If the requested Comprehensive Plan Amendment is approved, the properties

when processing the proposals. The applicant also addressed the additional evaluation criteria contained in LMC 18.04.070 and those comments have been incorporated.

A proposal can be approved only if it meets all of the following criteria:

A. The proposal is consistent with the provisions of the Growth Management Act and will not result in Plan or regulation conflicts.

- No apparent conflict with GMA.
- The proposal is consistent with GMA urban density and housing objectives and with the good planning practice of locating higher density housing in close proximity to urban services, employment, shopping, entertainment, etc.

B. The proposal will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents.

- The proposal will result in a minor change in the density of development on this site but not the type of development.
- There are no single-family homes on this block of 194th Street. The proposal will not result in the loss of any single-family homes, nor in the encroachment of multi-family development into a single-family neighborhood.
- The intensity of a future residential development on this site is not expected to result in adverse impacts greater than those expected of previously duplexes.
- A future project will be subject to environmental and design review to ensure that environmental impacts are avoided or minimized.

C. The proposed amendment can be accommodated by all applicable public services and facilities, including transportation.

- All needed utilities are available at the site.
- The locational advantages of this site include its close proximity to the James Center for shopping and to local Community Transit bus routes on Highway 99 and 196th Street.
- Vehicle access will be primarily from 64th Avenue on the west side. This segment of 194th Street is also used as secondary access to the shopping center and to Trinity Lutheran Church.

D. The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan.

- The applicant has reviewed the goals and objectives of the Comprehensive Plan and concludes that the proposal will be consistent with the Plan. He has also described how the proposed project will benefit the community by providing a needed housing service through a YWCA program.
- The proposal is particularly consistent with the "Housing Opportunities" subgoal of the Housing Element by providing diverse, safe and decent housing.

near services and employment centers, in areas already developed with multi-family and non-residential uses, etc.

- The most significant conflict is with the "Residential Balance" subgoal of the Land Use Element, which is to "Assure that there is a balance of housing types in a ratio of 60% single-family units and 40% multi-family units in the area of the City outside of the City Center (study area)." Although this Plan amendment and its subsequent multi-family development will not remove any single-family dwellings, it could result in up to 7 additional multi-family residences. The Residential Balance goal will be considered along with other relevant goals, objectives and policies of the Comprehensive Plan.

E. If the proposal could have significant impacts beyond the Lynnwood City Limits, it has been sent to the appropriate Snohomish County officials for review and comment.

- No significant impacts beyond the City limits are anticipated.

Staff Conclusions and Recommendations:

- The subject four lots and the two additional lots on this block of 194th Street are ideally suited to higher density development due to their close proximity to shopping, employment, public transit, the community college and many other services and facilities in the immediate area.
- With the exception of a conflict with the City's "Residential Balance" goal, this proposal is generally consistent with Lynnwood's long-range objectives and with the urban growth objectives and requirements of the Growth Management Act.
- Whether or not the Trinity Way project is developed as planned, a change to MF-2 in this location is reasonable and appropriate.

Attachment #3: (at end of staff report)

- Comp. Plan Amendment Application Checklist – Trinity Way project.
- Comp. Land Use Plan Map Amendments – further support for Plan Amendment request.
- Sample Elevations of proposed structures (info only).

4. Opalka Map Amendment: (suggested amendment)

Applicant: City of Lynnwood – Dept. of Parks & Recreation

Contact: Laurie Cowan – Park Planner

Location: South side of Interurban Trail and west of 48th Avenue. Between trail and I-5.

The Site: Parcel A: A 2.3 acre (approx.) City-owned vacant parcel.

Parcel B: Located at the southwest corner of the site is a small triangular-shaped lot, consisting of 3,876 sq. ft. and owned by Charles Bowen.

The combined site abuts the Interstate 5 freeway on the south. To the west and north are private properties planned and zoned for business/technical development. The Interurban Trail follows the northern edge of the property to a bridge over Scriber Creek at the east end of the site. The trail continues east along the freeway, with connections to Lynnwood Park-n-Ride and trails along Scriber Creek and its wetlands.



History: The City of Lynnwood acquired the Opalka property in 1994 as the local match to an Interagency Committee for Outdoor Recreation (IAC) grant for development of the Interurban Trail. The intent at that time was to develop the property as a heritage park. It was later determined that the site poses constraints to park development due to location, configuration and on-site sensitive areas. The City has since acquired a more suitable site for the heritage park and intends to sell the Opalka site, applying the proceeds to other park projects.

The Planning Commission asked if this site was seriously considered for a wetland mitigation site. It was not, because the City needs to sell it. In 2002, the City Council approved an interfund loan of \$400,789 from the future sale of this property (appraised at \$500,000) to help fund Heritage Park Phase 1 development. Any remaining funds will go toward Tutmark Hill park site acquisitions.

Prior to the sale, the City needs to remove the "Public" Plan and zoning designations and apply designations that are more appropriate for the private development and use of the property.

Surrounding

Uses: **North:** Vacant site approved for Center 5000 Office Park, a 200,000 sq. ft. planned unit development. (The owner of that property is currently requesting a Plan and zoning change to high-density residential.) Between the Center 5000 property and the Opalka site is the Interurban Trail.

West: Light Industrial land used for outdoor storage of vehicles and equipment.

South/East: Interstate 5 Freeway

Long-range

Plan: The City's long-range plan for the Opalka site has been a park, recreation or open space use. Now that this is no longer the City's intent, a new long-range purpose for the property needs to be determined.

Request: The Dept. of Parks, Recreation and Cultural Arts has requested a Plan map change from **PRO** (Parks, Recreation and Open Space) to **BTP** (Business/Technical Park). This request was based primarily on the existing industrial zoning of all abutting private lands as well as the suitability of this property for a business, technical, light industrial or institutional use. There are no development proposals at this time.

Zoning: If the Plan Amendment is approved as requested, the property's zoning should also be changed from its present **P-1** (Public) to **BTP** (Business/Technical Park).

Approval Criteria:

The following criteria are contained in the Implementation Element of the Lynnwood Comprehensive Plan and should be used by the Planning Commission and City Council when processing the proposal. The criteria will be used to determine if the proposal is consistent with the Comprehensive Plan and the City Council's intent.

- The proposed change to Business/Technical Park is consistent with the primary goal of the Economic Development Element, which is to achieve a productive balance of Lynnwood's commercial, industrial and residential sectors. That element of the Plan points out a deficiency in industrial sites and jobs.
- B. The proposal will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents.**
- The proposed change from "public" to "business" designations will allow a significant change in the types of potential developments on this site.
 - A future office, institutional or industrial development are not expected to result in any adverse impacts that can't be mitigated through design.
 - A future project will be subject to environmental and design review to ensure that environmental impacts are avoided or minimized.
- C. The proposed amendment can be accommodated by all applicable public services and facilities, including transportation.**
- All needed utilities and services are already available or can be provided.
 - Vehicle access will be primarily via 208th Street from 52nd Avenue.
 - Other locational advantages of this site are the adjacent Interurban Trail (bicycle and pedestrian) and close proximity to the Lynnwood Park-n-Ride, which is a regional transportation hub. Close proximity to Interstate 5 will afford a high degree of visibility, which may or may not be an important consideration for a future business use.
- D. The proposal will help implement the goals and policies of the Lynnwood Comprehensive Plan.**
- The applicant (City) has reviewed the goals and objectives of the Comprehensive Plan and found the proposal to be generally consistent.
 - Land Use Policy LU-5.1 is intended to ensure that business uses are in close proximity to major transportation facilities. The site abuts I-5, is on the Interurban Trail and very close to Lynnwood Park-n-Ride.
 - The proposal will benefit the community by relieving the City of a surplus property which can then be sold, developed for private use and returned to the tax roll. Funds from the sale will be available for Heritage Park and the acquisition of other park sites.
- E. If the proposal could have significant impacts beyond the Lynnwood City Limits, it has been sent to the appropriate Snohomish County officials for review and comment.**
- No significant impacts beyond the City limits are anticipated.

Staff Conclusions and Recommendation

**Lynnwood Planning Commission
Meeting of April 24, 2003**

Staff Report

Agenda Item: I

Upcoming Commission Meetings

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Ron W. Hough, Planning Manager

■ The following schedule is for planning purposes — subject to adjustments.

April 24	Public Hearing:	<u>Opiate Substitution Program Ord.</u> – Continued <u>Subdivision Code Re-write</u> – Continued
	Work Session:	<u>Signs in the Public Right-of-way Plan Amendment Proposals #1</u> – Raskin – Opalka – Steves – Christian Church
May 8	Public Hearing:	<u>Transportation Improvement Plan (TIP)</u> <u>Signs in the Public ROW</u>
	Work Session:	<u>Plan Amendment Proposals #2</u> – City Center Plan – Mobile Home Parks – Lytton
May 22	Public Hearing:	None scheduled
	Work Session:	<u>Plan Amendment Proposals #3</u> – Code-related Amendments – Implementation Element Update