

RECORD LEGAL DESCRIPTION:

N/A

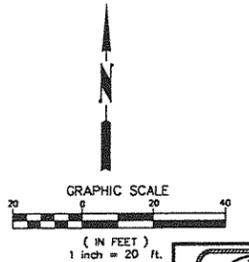
PRELIMINARY
7-25-06

LEGEND

- ⊕ WATER VALVE
 - ⊕ HYDRANT
 - ⊕ WATER METER
 - ⊕ MANHOLES (SS/SO)
 - ⊕ CB
 - ⊕ POWER/UTILITY POLE
 - ⊕ GUY ANCHOR
 - ⊕ POWER TRANSFORMER
 - ⊕ POWER/TELEPHONE VAULT
 - ⊕ TELEPHONE/TV RISER
 - ⊕ GAS VALVE
 - ⊕ STREET LIGHT
 - ⊕ LIGHT STANDARD
 - ⊕ SPOT ELEVATION
 - ⊕ SIGN
 - ⊕ MAILBOX
 - ⊕ ROCKERY
 - ⊕ CONIFEROUS TREE
 - ⊕ DECIDUOUS TREE
 - ⊕ FOUND CASED MONUMENT
 - ⊕ WETLAND FLAG
 - ⊕ TEST PIT
-
- MATCHLINE
 - CENTER LINES
 - PROPERTY LINES
 - RIGHT-OF-WAY LINES
 - DITCH LINE
 - FLOW LINE
 - WATER LINE
 - SANITARY SEWER LINE
 - STORM DRAIN LINE
 - GAS LINE
 - UNDERGROUND POWER LINES
 - UNDERGROUND TELEPHONE LINES
 - OVERHEAD POWER LINES
 - OVERHEAD UTILITY LINES
 - CHAIN LINK FENCE
 - WIRE FENCE
 - WOOD FENCE

NOTES:

HORIZONTAL DATUM: SNOHOMISH COUNTY
 BASIS OF BEARINGS:
 VERTICAL DATUM: SNOHOMISH COUNTY
 SITE AREA:
 ALL DISTANCES SHOWN ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.
 THE LOCATION AND DESCRIPTION OF ALL SURVEY MARKERS SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS TAKEN ON JUNE 1, 2006, UNLESS OTHERWISE INDICATED.
 WORK PERFORMED IN CONJUNCTION WITH THIS SURVEY UTILIZED THE FOLLOWING EQUIPMENT AND PROCEDURES: (A) 2" GEODEMETER 600 SERIES ELECTRONIC TOTAL STATION, MAINTAINED TO THE MANUFACTURER'S SPECIFICATIONS PER W.A.C. 332-130-100. (B) FIELD TRANSFER, EXCEEDING REQUIREMENTS SET FORTH IN W.A.C. 332-130-090.
 THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO SHOW ALL EASEMENTS.
 THIS TOPOGRAPHIC SURVEY DRAWING ACCURATELY PRESENTS SURFACE FEATURES LOCATED DURING THE COURSE OF THIS SURVEY. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED SOLELY UPON INFORMATION PROVIDED BY OTHERS AND PACE ENGINEERS DOES NOT ACCEPT RESPONSIBILITY OR ASSUME LIABILITY FOR THEIR ACCURACY OR COMPLETENESS. CONTRACTOR/ENGINEERS SHALL VERIFY EXACT SIZE AND LOCATION PRIOR TO CONSTRUCTION.
 CALL FOR LOCATE: UTILITY LOCATION SERVICE: 1-800-425-5555.
 ALL MONUMENTS INDICATED AS FOUND WERE RECOVERED DURING THE COURSE OF THIS SURVEY AT THE DATE SHOWN IN THE SURVEYOR'S CERTIFICATE, UNLESS OTHERWISE NOTED.



ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED
 SHALL BE IN FEET AND DECIMALS THEREOF
 DATE PLOTTED: 7/25/06 2:30 PM
 PLOT SCALE: AS SHOWN

CAD/CALC	DF
DRAWN	DB
PLAT CHK	DF
STM	REVISION
DATE	BY
	JAPP'D

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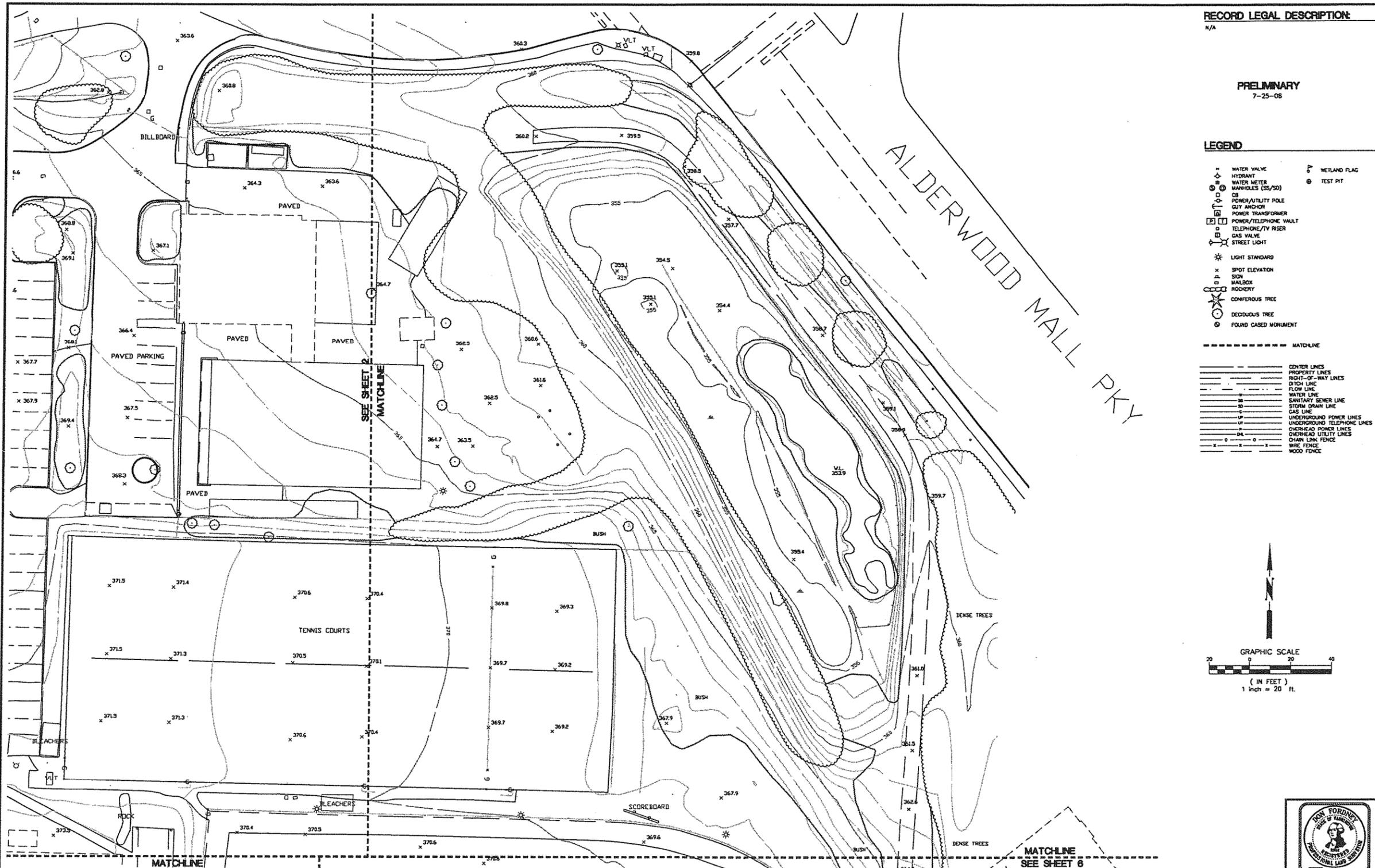
LYNNWOOD HIGH SCHOOL

DATE	7-21-06
SCALE	1" = 20'
SURVEY TEAM	BL/DS
FIELD BOOK	1113
DWG FILE	6639-SRV

TOPOGRAPHIC SURVEY
FOR
BASSETTI ARCHITECTS

PROJECT NO.	06839.10
SHEET	1 OF 12

PORTION OF: NE 1/4 SECTION 15, T. 27 N., R. 4 E., W.M.

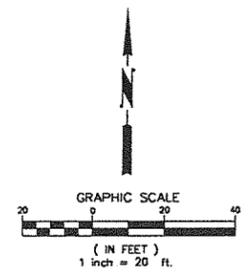


RECORD LEGAL DESCRIPTION:
N/A

PRELIMINARY
7-25-06

LEGEND

- ⊗ WATER VALVE
 - ⊕ HYDRANT
 - ⊙ WATER METER
 - ⊕ MANHOLES (36/30)
 - ⊕ DS
 - ⊕ POWER/UTILITY POLE
 - ⊕ GUY ANCHOR
 - ⊕ POWER TRANSFORMER
 - ⊕ POWER/TELEPHONE VAULT
 - ⊕ TELEPHONE/TV RISER
 - ⊕ GAS VALVE
 - ⊕ STREET LIGHT
 - ⊕ LIGHT STANDARD
 - ⊕ SPOT ELEVATION
 - ⊕ SIGN
 - ⊕ MAILBOX
 - ⊕ ROOFTOP
 - ⊕ CONIFEROUS TREE
 - ⊕ DECIDUOUS TREE
 - ⊕ FOUND CASED MONUMENT
 - ⊕ WETLAND FLAG
 - ⊕ TEST PIT
-
- MATCHLINE
 - CENTER LINES
 - PROPERTY LINES
 - RIGHT-OF-WAY LINES
 - FLOW LINE
 - DITCH LINE
 - WATER LINE
 - SANITARY SEWER LINE
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 - GAS LINE
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 - CHAIN LINK FENCE
 - WIRE FENCE
 - WOOD FENCE



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SYM	REVISION	DATE	BY	APP'D



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LYNWOOD HIGH SCHOOL

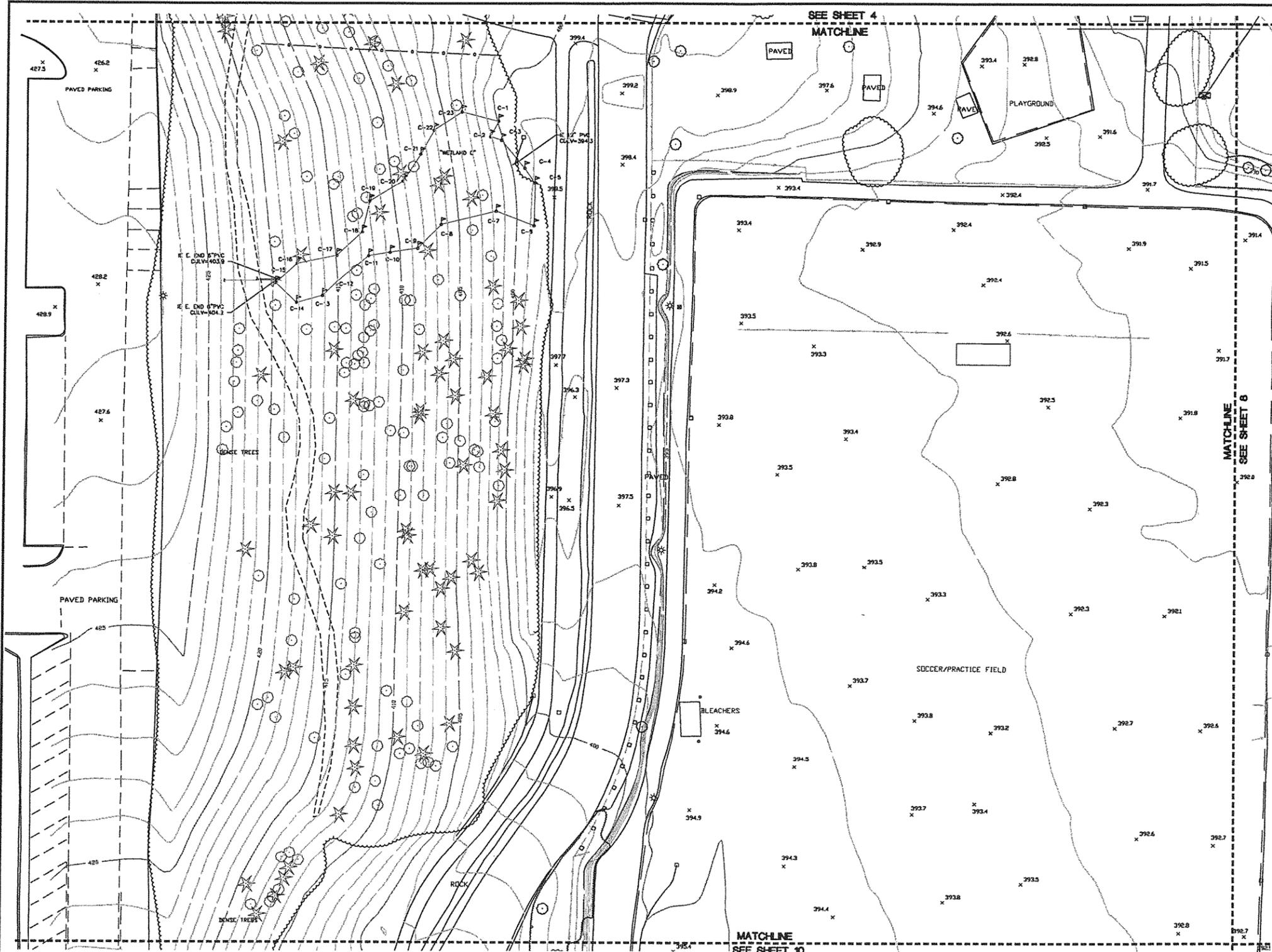
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SCALE	1" = 20'
SURVEY TEAM	BL/DJS
FIELD BOOK	1113
DWG FILE	0639-DRV

PORTION OF: NE 1/4 SECTION 15, T. 27 N., R. 4 E., W.M.

TOPOGRAPHIC SURVEY
FOR
BASSETTI ARCHITECTS



PROJECT NO.
0639.10
SHEET **3** OF **12**

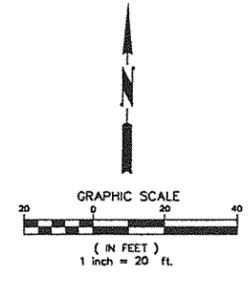


RECORD LEGAL DESCRIPTION:
N/A

PRELIMINARY
7-25-06

LEGEND

- ⊕ WATER VALVE
 - ⊕ HYDRANT
 - ⊕ WATER METER
 - ⊕ MANHOLES (25,30)
 - ⊕ CB
 - ⊕ POWER/UTILITY POLE
 - ⊕ GUY AND/OR
 - ⊕ POWER TRANSFORMER
 - ⊕ POWER/TELEPHONE VAULT
 - ⊕ TELEPHONE/TV RISER
 - ⊕ GAS VALVE
 - ⊕ STREET LIGHT
 - ⊕ LIGHT STANDARD
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 - WIRE FENCE
 - WOOD FENCE



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DRAWN	DB			
PLAT CHK	DF			
SYM	REVISION	DATE	BY	APP'D

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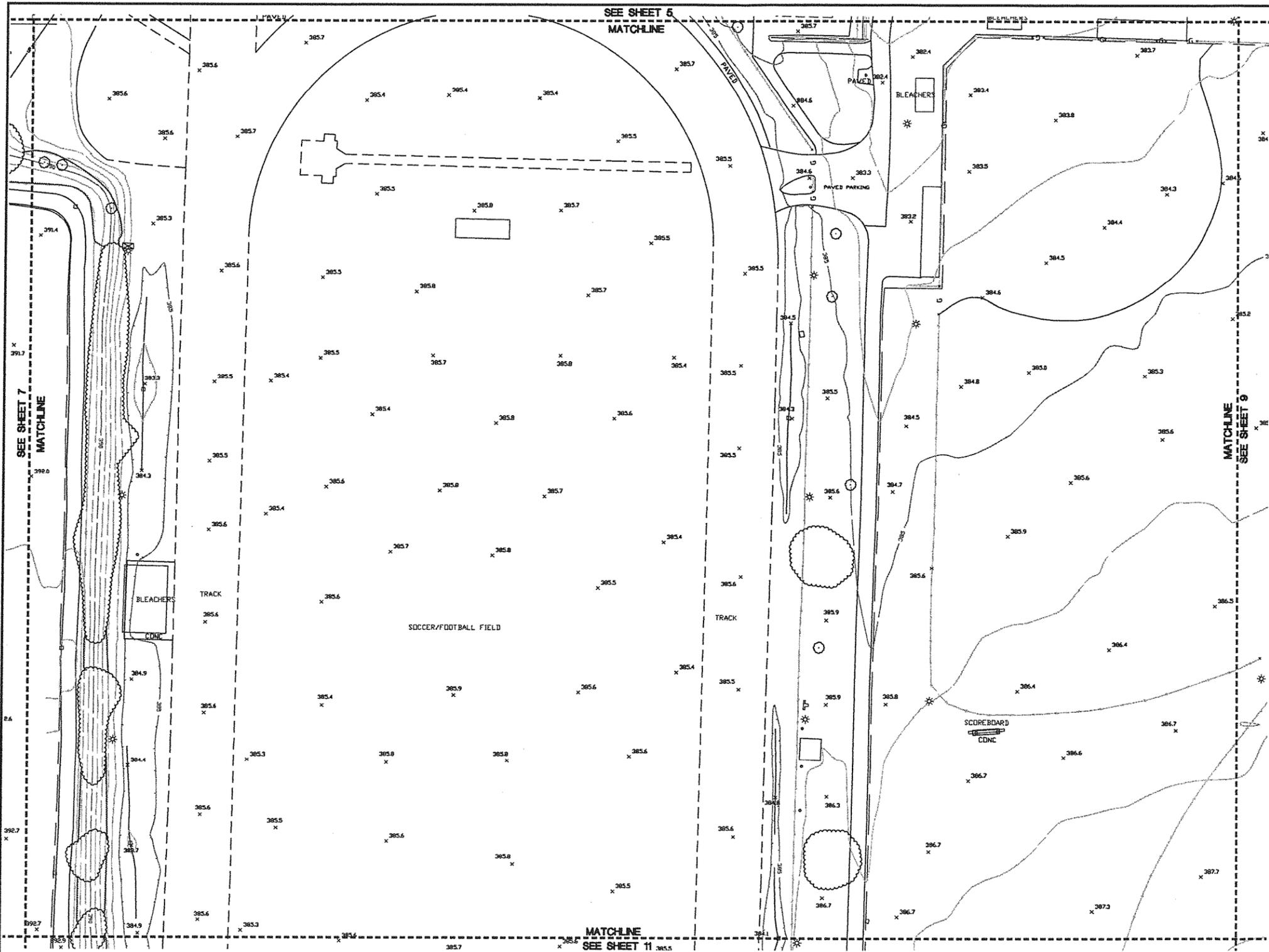
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PORTION OF: NE 1/4 SECTION 15, T. 27 N., R. 4 E., W.M.

TOPOGRAPHIC SURVEY
FOR
BASSETTI ARCHITECTS

PROJECT NO.
06839.10

SHEET 7 OF 12

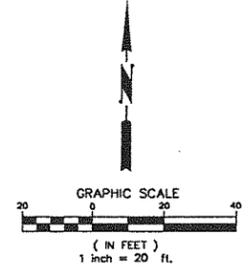


RECORD LEGAL DESCRIPTION:
N/A

PRELIMINARY
7-25-06

LEGEND

- ⊕ WATER VALVE
 - ⊕ HYDRANT
 - ⊕ WATER METER
 - ⊕ MANHOLES (SI/SD)
 - ⊕ CB
 - ⊕ POWER/UTILITY POLE
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 - ⊕ SPOT ELEVATION
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 - CHAIN LINK FENCE
 - WIRE FENCE
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PORTION OF: NE 1/4 SECTION 15, T. 27 N., R. 4 E., W.M.

CAD/CALC	DF						
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SYM		REVISION		DATE	BY	APP'D	

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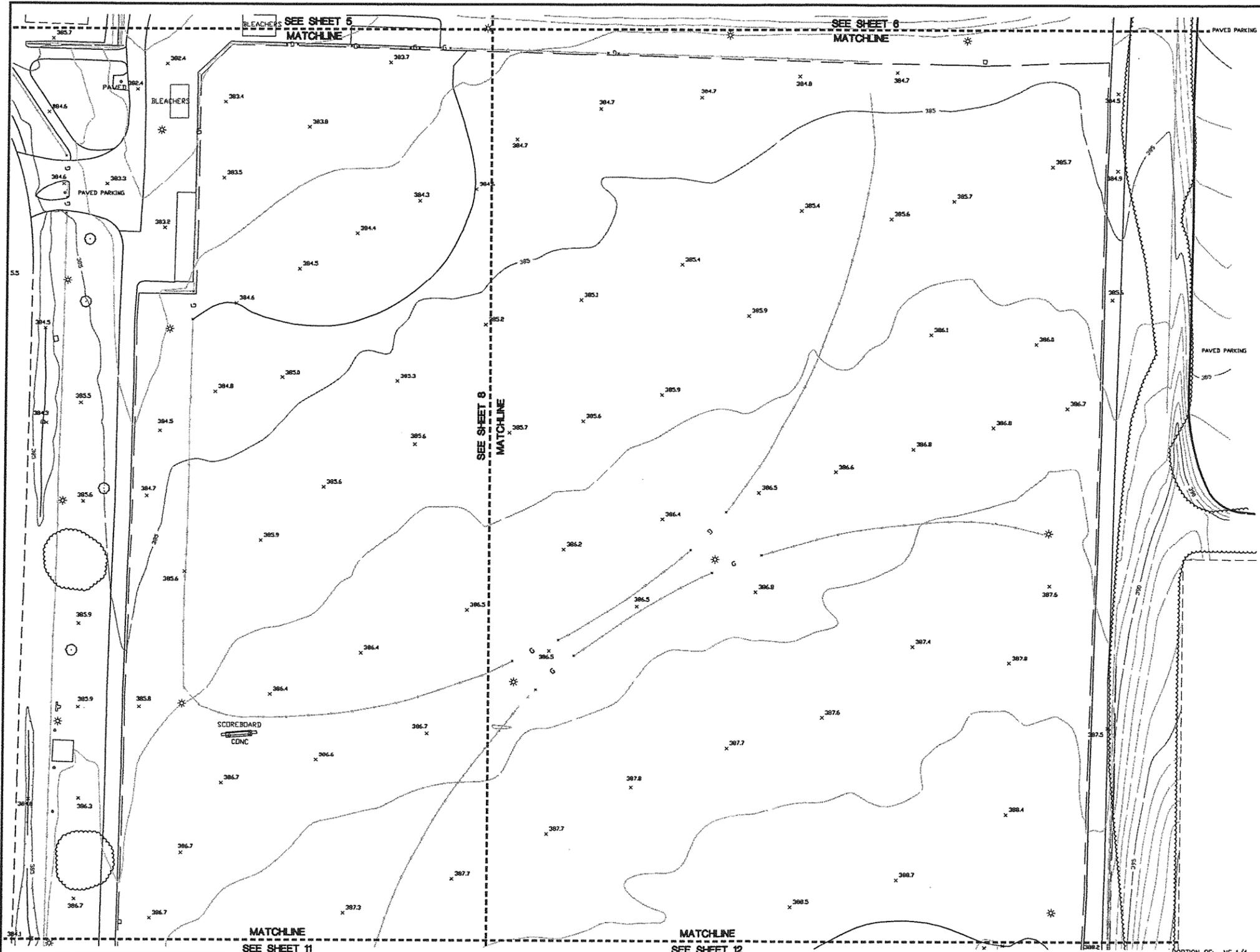
LYNNWOOD HIGH SCHOOL

DATE	7-21-06
SCALE	1" = 20'
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FIELD BOOK	1113
DWG FILE	6638-SRV

TOPOGRAPHIC SURVEY
FOR
BASSETTI ARCHITECTS

PROJECT NO.	06639.10
SHEET	8 OF 12

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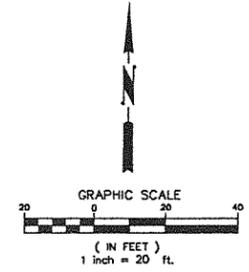


RECORD LEGAL DESCRIPTION:
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PRELIMINARY
7-25-06

LEGEND

- ⊕ WATER VALVE
 - ⊕ HYDRANT
 - ⊕ WATER METER
 - ⊕ MANHOLES (SS/SD)
 - ⊕ CB
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CAD/CALC	DF					
DRAWN	DB					
PLAT CHK	DF					
SYM	REVISION	DATE	BY	APP'D		

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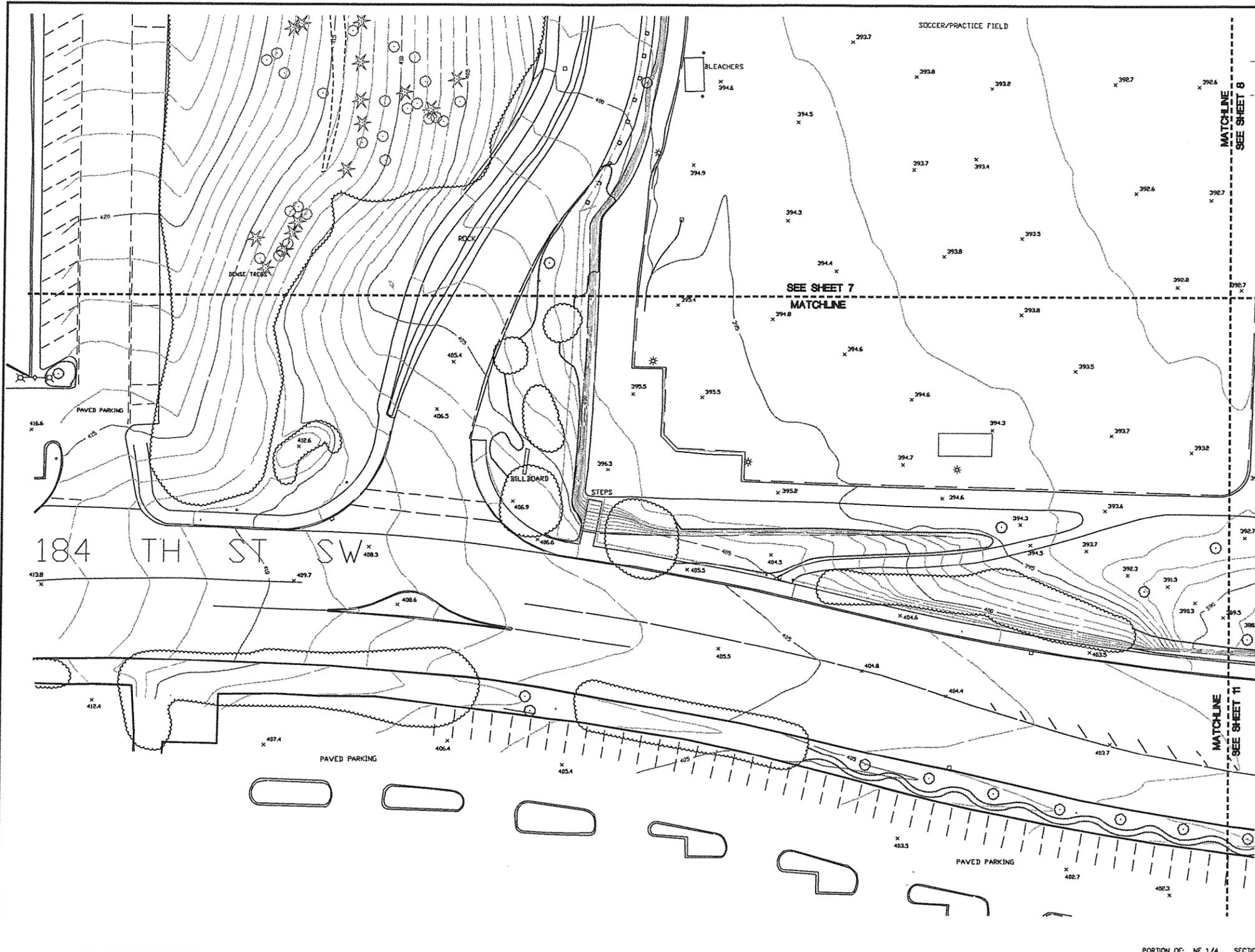
LYNNWOOD HIGH SCHOOL

DATE	7-21-06
SCALE	1" = 20'
SURVEY TEAM	BL/DS
FIELD BOOK	1113
DWG FILE	6639-SRV

TOPOGRAPHIC SURVEY
FOR
BASSETTI ARCHITECTS

PROJECT NO.	06639.10
SHEET	9 OF 12

PORTION OF: NE 1/4 SECTION 15, T. 27 N., R. 4 E., W.M.



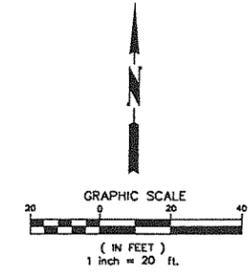
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PRELIMINARY
7-25-08

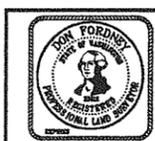
LEGEND

- ⊕ WATER VALVE
- ⊕ HYDRANT
- ⊕ WATER METER
- ⊕ MANHOLES (36"/30")
- ⊕ CB
- ⊕ POWER/UTILITY POLE
- ⊕ GUY ANCHOR
- ⊕ POWER TRANSFORMER
- ⊕ POWER/TELEPHONE VAULT
- ⊕ TELEPHONE/TV RISER
- ⊕ GAS VALVE
- ⊕ STREET LIGHT
- ⊕ LIGHT STANDARD
- ⊕ SPOT ELEVATION
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- GAS LINE
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- OVERHEAD POWER LINES
- OVERHEAD TELEPHONE LINES
- CHAIN LINK FENCE
- WIRE FENCE
- WOOD FENCE



PORTION OF: NE 1/4 SECTION 15, T. 27 N., R.4 E., W.M.



CAD/CALC	DF						
DRAWN	DB						
PLAT CHK	DF						
SYM	REVISION	DATE	BY	APP'D			

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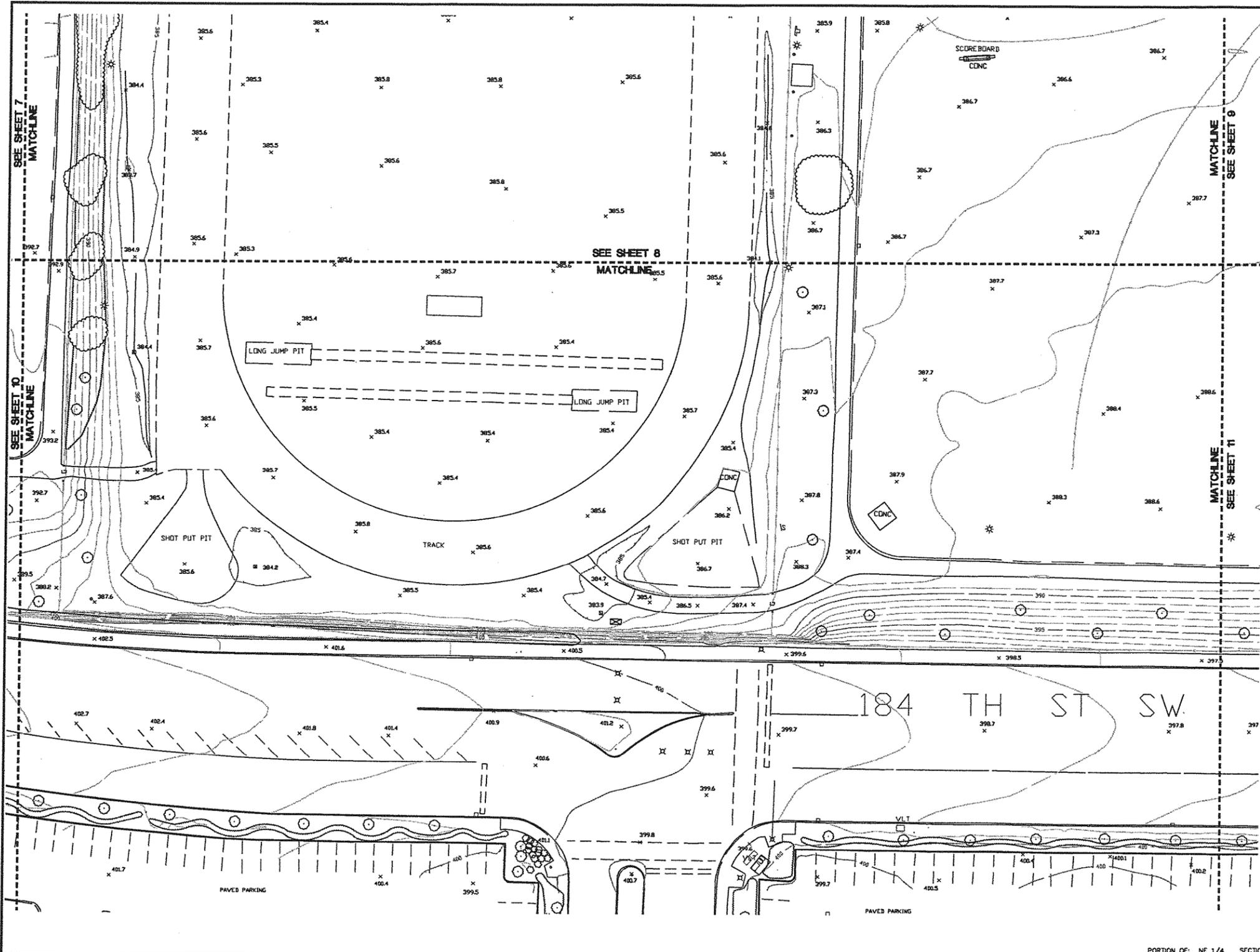
LYNNWOOD HIGH SCHOOL

DATE	7-21-08
SCALE	1" = 20'
SURVEY TEAM	BL/DJS
FIELD BOOK	1113
DWG FILE	6638-SRV

TOPOGRAPHIC SURVEY
FOR
BASSETTI ARCHITECTS

PROJECT NO.	06639.10
SHEET	10 OF 12

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PLOT DATE: 7/25/08 10:30 AM
PLOT BY: DF



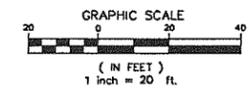
RECORD LEGAL DESCRIPTION:

N/A

PRELIMINARY
7-25-06

LEGEND

- ⊕ WATER VALVE
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 - ⊕ WATER METER
 - ⊕ MANHOLES (SS/SD)
 - ⊕ CB
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 - ⊕ POWER TRANSFORMER
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 - GAS LINE
 - UNDERGROUND POWER LINES
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 - UT
 - UNDERGROUND TELEPHONE LINES
 - OVERHEAD POWER LINES
 - OVERHEAD UTILITY LINES
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 - WOOD FENCE



PORTION OF: NE 1/4 SECTION 15, T. 27 N., R. 4 E., W.M.

CAD/CALC	DF								
DRAWN	DB								
PLAT CHK	DF								
SYM		REVISION		DATE	BY	APP'D			

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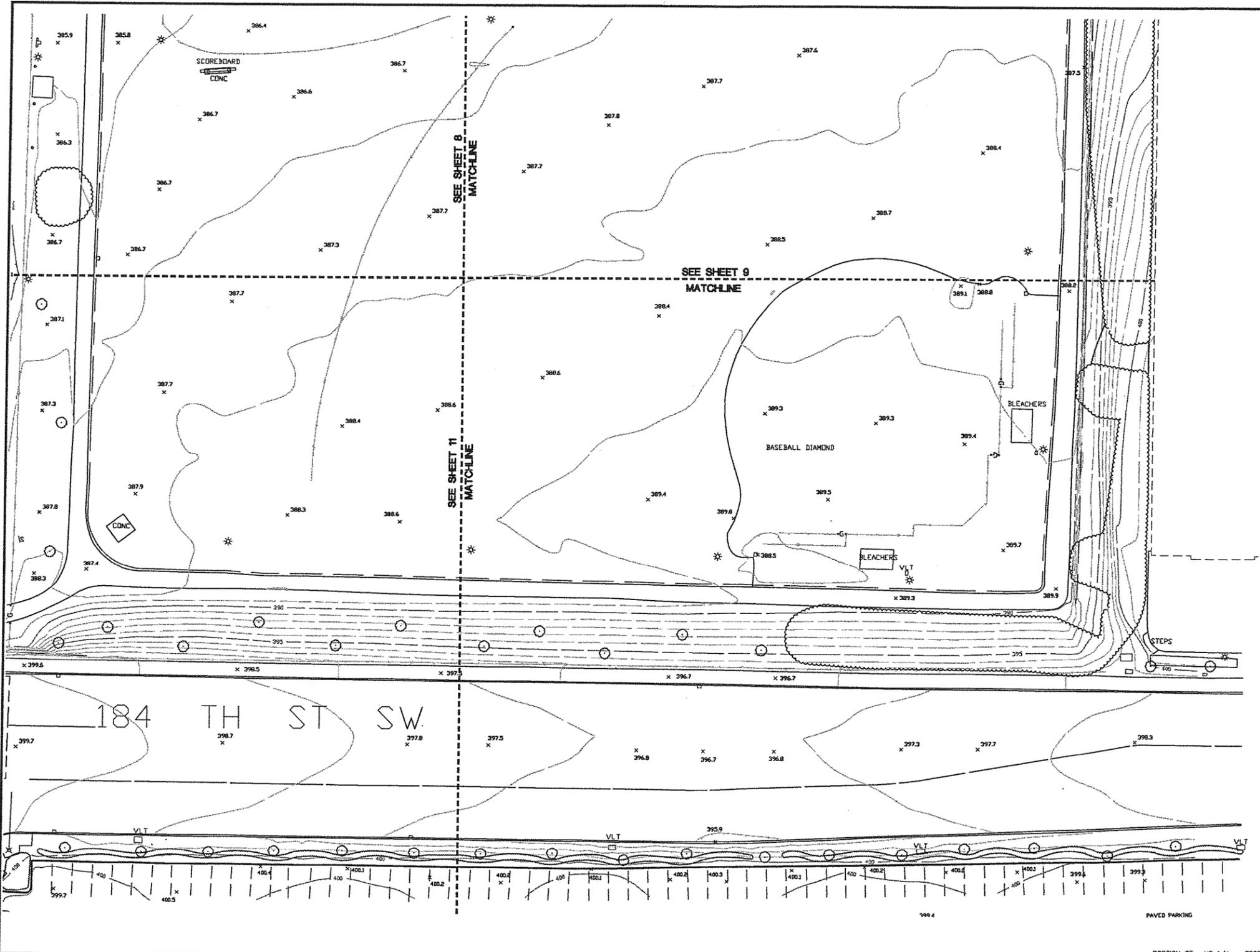
LYNNWOOD HIGH SCHOOL

DATE	7-21-06
SCALE	1" = 20'
SURVEY TEAM	BL/DJ
FIELD BOOK	1113
DWG FILE	6639-SRV

TOPOGRAPHIC SURVEY
FOR
BASSETTI ARCHITECTS

PROJECT NO.	06639.10
SHEET	11 OF 12

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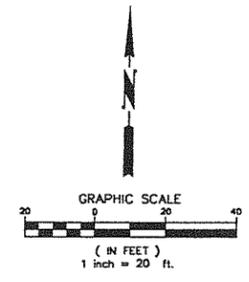
RECORD LEGAL DESCRIPTION

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PRELIMINARY
7-25-06

LEGEND

- ⊕ WATER VALVE
 - ⊕ HYDRANT
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 - ⊕ MANHOLES (SS/SO)
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ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED
 DATE: 7/25/06 1:30:00 PM
 DRAWN BY: DB
 CHECKED BY: DF

CAD/CALC	DF	DATE	BY	APP'D
DRAWN	DB			
PLAT CHK	DF			


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LYNNWOOD HIGH SCHOOL

DATE	7-21-06
SCALE	1" = 20'
SURVEY TEAM	BL/DS
FIELD BOOK	1113
DWG FILE	6636-SRV

PORTION OF: NE 1/4 SECTION 15, T. 27 N., R. 4 E., W.M.

TOPOGRAPHIC SURVEY
 FOR
BASSETTI ARCHITECTS



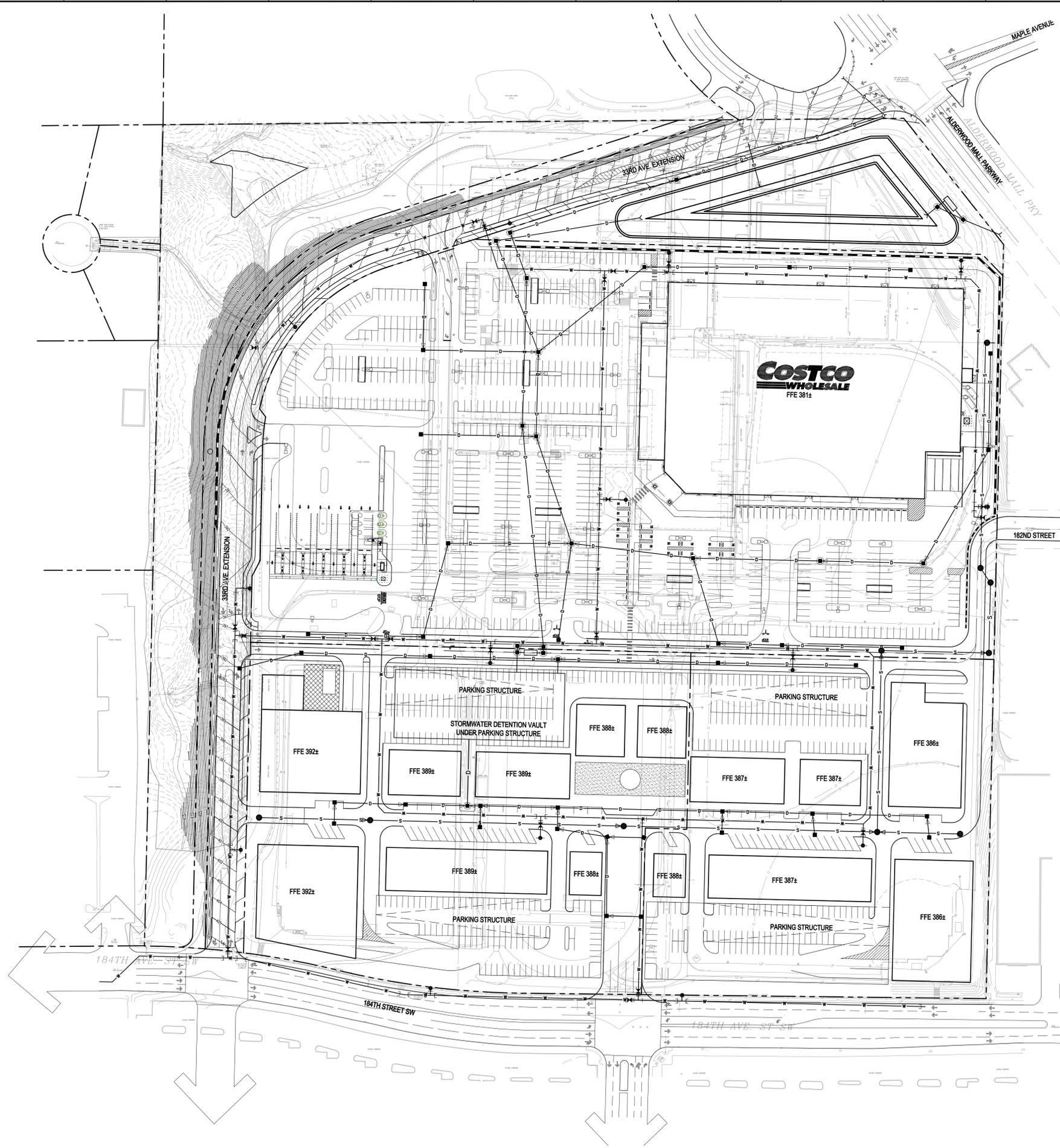
PROJECT NO.
06639.10
 SHEET 12 OF 12

Attachment 3
August 2012

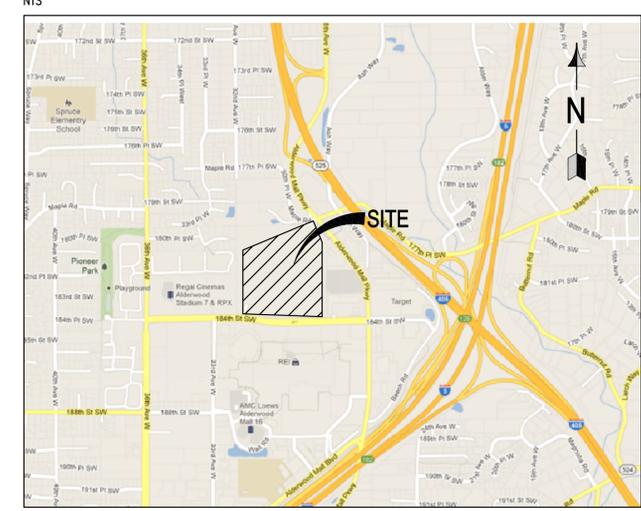
Comprehensive Plan Amendment Application – Map Amendment

4. Reductions of over-sized plans and other documents to a maximum size of 11 by 17 inches.

See attached Lynnwood Place Site Plan.



VICINITY MAP



SITE STATISTICS

SITE AREA: 40.2 ACRES
 BUILDING COVERAGE: 12.2 ACRES (INCLUDES PARKING STRUCTURES)
 IMPERVIOUS COVERAGE: 31.5 ACRES
 COMMERCIAL SPACE: 330,000 SF
 APARTMENT SPACE: 500 UNITS
 PROPOSED PARKING: 3,548 SPACES

NOTES:
 FINISH FLOOR ELEVATIONS SHOWN FOR REFERENCE AND ARE SUBJECT TO CHANGE. FINAL GRADING WILL BE COMPLETED DURING PROJECT DESIGN.

REVISIONS

NO.	DESCRIPTION	DATE

SEAL

PROJECT
 LYNWOOD PLACE

DRAWN:	
DESIGNED:	
REVIEWED:	
DATE:	08.08.2012
BCRA NO.:	12225
CADD FILE:	
SHEET TITLE:	

SITE PLAN

Attachment 4 August 2012

Comprehensive Plan Amendment Application – Map Amendment

5. If the proposed amendment is being requested for a specific development type, provide a conceptual plan or other data to show how such a development or land use could be accommodated under the requested designation.

See attached Lynnwood Place Site Plan and the *Final Environmental Impact Statement Comprehensive Plan Amendment and Zoning Map and Text Amendment for Lynnwood Crossing Mixed-Use Project (March 2012, City of Lynnwood)* Alternative 2 Site Plan. The overall square footages of these plans are identical. The impacts of the development were analyzed in the 2012 *Final Environmental Impact Statement Comprehensive Plan Amendment and Zoning Map and Text Amendment for Lynnwood Crossing Mixed-Use Project (March 2012, City of Lynnwood)*.

The project site is located within the Subregional Center. The Proposal would be infill redevelopment at a more intensive and diverse level than existing land uses. The proposed mixed-use development would provide employment and multifamily housing opportunities.

The current land use designation for the site is Public Facilities (PF) and an element of The Proposal is to amend the Future Land Use Plan Map in the Comprehensive Plan to designate the site for Mixed Use. The Lynnwood Comprehensive Plan Mixed Use designation is described as follows:

Purpose: This Plan category is intended to provide the opportunity for a high intensity development of mixed uses that will result in a pedestrian friendly environment and support transit development and usage.

Principal Uses: Residential, office, or retail uses will be permitted within the same building or on the same site(s).

Locational Criteria: This category of use is suitable for location only within the Subregional Center and the college district.

Site Design: A combination of surface and structured on-site parking is anticipated. On-site open space, landscaping, and recreational amenities should be emphasized when residential use is included in the mix of uses.

Building Design: Most buildings will be multi-story. Residential uses will typically be located on the upper floors above commercial uses.

Land Use Description: Mixed Use (MU) - Discussion. Development that would occur on the southern portion of the site would consist of high intensity retail, residential, office, and entertainment uses with pedestrian connections and transit facilities. In the southern mixed use area, some uses would be provided within the same buildings, most of them multi-story, and both surface and structured parking would be provided. Some residential uses would be located on upper floors above commercial uses. Open space, landscaping, and commercial uses (e.g., movie theater, bowling alley, and health club) are part of The Proposal. The northern portion of the site would have a single use (Costco Wholesale), and would be less pedestrian friendly and transit-supportive than the southern mixed use component.

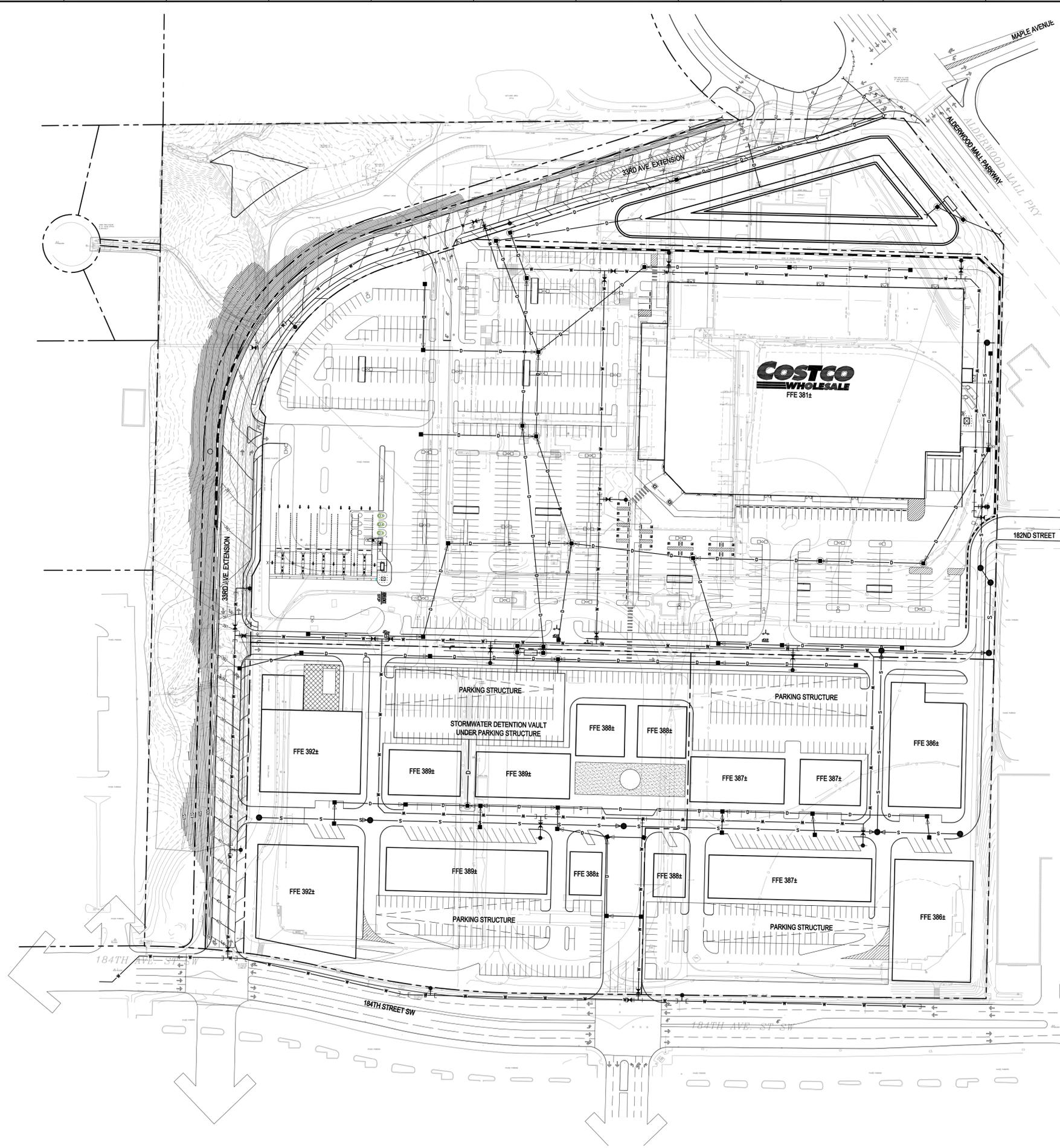
Policy Description: Mixed Use (MU) - Summary. The following policies implement the Mixed Use designation as proposed under the Proposal:

Policy LU-4.1: Zoning districts and regulations shall be established to implement the Mixed-Use land use category shown on the Future Land Use Plan map.

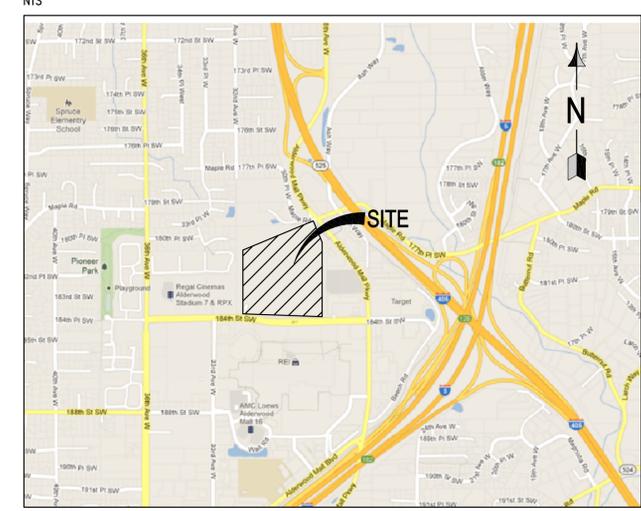
Policy LU-4.2: Incentives shall be provided to encourage mixed-use developments in the Subregional Center.

Policy LU-4.3: Areas in the Subregional Center appropriate for mixed-use development shall be identified and the appropriate density of such development shall be established.

Policy Description: Mixed Use (MU) - Discussion. A zoning district and regulations have been established for the Mixed-Use designation. Approval of the project would identify the site as appropriate for mixed-use development. A development agreement would be adopted addressing mitigation and other performance measures.



VICINITY MAP



SITE STATISTICS

SITE AREA: 40.2 ACRES
 BUILDING COVERAGE: 12.2 ACRES (INCLUDES PARKING STRUCTURES)
 IMPERVIOUS COVERAGE: 31.5 ACRES
 COMMERCIAL SPACE: 330,000 SF
 APARTMENT SPACE: 500 UNITS
 PROPOSED PARKING: 3,548 SPACES

NOTES:
 FINISH FLOOR ELEVATIONS SHOWN FOR REFERENCE AND ARE SUBJECT TO CHANGE. FINAL GRADING WILL BE COMPLETED DURING PROJECT DESIGN.



T 253.627.4367 F 253.627.4368 WWW.BCRADESIGN.COM
 2106 PACIFIC AVENUE, SUITE 300, TACOMA, WA 98402

NO.	DATE	DESCRIPTION

REVISIONS

SEAL

PROJECT
 LYNWOOD PLACE

DRAWN:	
DESIGNED:	
REVIEWED:	
DATE:	08.08.2012
BCRA NO.:	12225
CADD FILE:	
SHEET TITLE:	

SITE PLAN



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SHEET

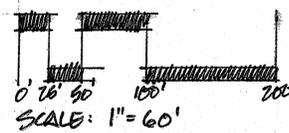
33RD AVENUE

LYNNWOOD MANU. PARKING

COSTCO WHOLESALE

FUELING FACILITY

NORTH



EXISTING BUILDING

LYNNWOOD CROSSING ALTERNATIVE #2

BUILDING	USE
(A)	RETAIL
(B)	RETAIL & PARKING
(C)	HEALTH CLUB MOVIE THEATER
(D)	RETAIL RESTAURANT RESIDENTIAL PARKING
(E)	RETAIL RESIDENTIAL RESTAURANT
(F)	RETAIL BOWLING
(G)	RESTAURANTS
(H)	RETAIL PARKING RESIDENTIAL

184TH ST. SW.

LYNNWOOD CROSSING ALTERNATIVE #2

BCRA

T. WOLF & S. WEIKART JAN. 25 2011.
(REV. FEB 8, 2011)

Attachment 5
August 2012

Comprehensive Plan Amendment Application – Map Amendment

7. A list of other permits that are, or may be required for development of the property (issued whether by the City or by other government agencies) if known.

The following is a list of permits that are required for the Lynnwood Place project (taken from the 2012 *Final Environmental Impact Statement Comprehensive Plan Amendment and Zoning Map and Text Amendment for Lynnwood Crossing Mixed-Use Project (March 2012, City of Lynnwood)*):

City of Lynnwood

Comprehensive Plan Amendment
Zoning Map and Text Amendment
Development Agreement
Planned Action Ordinance
Project Design Review
Binding Site Plan
Critical Area Permit
Demolition Permit
Clearing and Grading Permits
Building Permits
Mechanical Permits
Electrical Permits
Sewer and Water Permits
Certificates of Occupancy
Street Access Approval
Miscellaneous other permits

State of Washington

NPDES Permit
Clean Water Act Section 401 Water Quality Certification
Clean Water Act Section 404 Fill Permit
Hydraulic Project Approval

Attachment 6 August 2012

Comprehensive Plan Amendment Application – Map Amendment

8. Any additional information needed to clearly describe your proposal, either voluntarily submitted or as required by the Community Development Director.

The gross building area of the development proposal excluding surface parking would be approximately 990,000 square feet. The Costco Wholesale portion of the project would include a 160,000-square-foot warehouse with a tire center and fueling facility. The southern half of the site would be developed in two phases. Phase I would include approximately 95,300 square feet of retail space, 20,000 square feet of restaurant space and 290 multifamily units. Phase II would include approximately 201,700 square feet of retail space, 13,000 square feet of restaurant space and up to 210 multifamily units.

Table 1 below shows how Lynnwood Place (current proposal) and Alternative 2 of the *Final Environmental Impact Statement Comprehensive Plan Amendment and Zoning Map and Text Amendment for Lynnwood Crossing Mixed-Use Project (March 2012, City of Lynnwood)* are consistent.

TABLE 1

	Lynnwood Place	Alternative 2 EIS
Site size (acres)	40.22	40.22
Developed area (including roads)	~35 acres	~35 acres
Gross building area	990,000 sf	990,000 sf
Uses: Multifamily Residential	Up to 500 units (500,000 sf)	Up to 500 units (500,000 sf)
Retail anchor (Costco)	160,000 sf	160,000 sf
Retail shops	192,000 sf	192,000 sf
Amusement/Recreation	105,000 sf	105,000 sf
Restaurant	33,000 sf	33,000 sf
Parking spaces	3,548	3,548
New bypass roadway	Yes	Yes

See Lynnwood Place Site Plan and Alternative 2 Site Plan from the 2012 *Final Environmental Impact Statement Comprehensive Plan Amendment and Zoning Map and Text Amendment for Lynnwood Crossing Mixed-Use Project (March 2012, City of Lynnwood)* for additional details.



Comprehensive Plan Amendment (Parks, Recreation & Open Space)

Staff Report December 19, 2012

I. Application Name and Number

File Name: Lynnwood Place (formerly Lynnwood Crossing)
File Number: 2006CPL0003 (PROS)
Location: 3001 184th Street SW, Lynnwood (former Lynnwood High School)
Application Date: March 1, 2006 and September 11, 2012

II. Proposal

On September 11, 2012, the City of Lynnwood received a revised application for a change to the text of the Comprehensive Plan's Parks, Recreation and Open Space (PROS) Element. The application was originally submitted to the City on March 1, 2006, as part of the 2006 annual Comprehensive Plan amendment process. The proposal was significantly delayed and revised due to the severe economic downturn of the past four years.

In 2006, the property owner's requests to amend the Future Land Use Map and the text of the PROS Element were accepted and processed as a single application. For clarity, individual file numbers, staff reports and ordinances have been prepared. The Planning Commission and Council will take action on the various applications by separate motions.

Since 2006, the City Council has adopted amendments to the PROS Element to reflect the closure of the Lynnwood Athletic Complex. Accordingly, the PROS Element has been revised since the District initially proposed amendments in 2006 to remove references to the Lynnwood Athletic Complex.

The Lynnwood Athletic Complex ceased to exist at this property when all structures there were demolished. On May 30, 2012 through written agreement, the City and ESD terminated the City's rights of use to the Lynnwood Athletic Complex. The City and ESD entered into contractual agreements to resolve outstanding rights to use these facilities by agreeing to long term utilization and possible improvements to the Meadowdale Fields.

This staff report utilizes and relies upon the Report prepared for the requested amendment of the Future Land Use Map (2006CPL0003). That request involves a land use designation change for the former Lynnwood High School (LHS) property from PF - Public Facilities to MU - Mixed Use. Similarly, a separate staff report has been prepared for the requested change to the City's Zoning Map from P1 - Public to C-R - Commercial-Residential. These individual reports are intended to be read and considered collectively, and to facilitate decision-making on the various applications.

The 2006 application for Comprehensive Plan amendment was also accompanied by an application for environmental review pursuant to the State Environmental Policy Act (SEPA). A Determination of Significance (DS) was issued by the City on April 13, 2006. The final environmental impact statement (FEIS) for the proposal was issued by the City of Lynnwood Community Development Department on March 30, 2012. The Community Development file number for this environmental review is 2006ERC0003. This SEPA process concluded without appeal.

Under Lynnwood codes, an amendment of the Comprehensive Plan is a Process IV permit, whereby the decision-making authority resides with the Lynnwood City Council. A public hearing will be conducted by the Lynnwood Planning Commission. At the conclusion of the Commission's hearing, this group will make its recommendation(s) for the City Council's consideration. The City Council will also conduct a public hearing before acting on the proposal. Procedures for Process IV permits are specified by Chapter 1.35 of the Lynnwood Municipal Code (LMC).

III. Exhibits and Supporting Documents

See the accompanying materials for documents and records that provide the factual basis for this Report. The documents listed or provided in the Lynnwood Place Permit Review Binder are incorporated by reference.

IV. Public Notice

A notice of the _____, 2013 public hearing before the City Council was issued _____, 2013. The notice was mailed to parties within 600 feet of the subject property. The notice was published in the Herald newspaper, posted on the property (three locations) and at the City of Lynnwood official posting sites on or before _____.

A notice of the January 10, 2013 public hearing before the Planning Commission was issued December 8, 2012. The notice was mailed to parties within 600 feet of the subject property. The notice was published in the Herald newspaper, posted on the property (three locations) and at the City of Lynnwood official posting sites on or before December 8, 2012.

The Community Development Department issued a notice of application on October 1, 2012. The notice was mailed to parties within 600 feet of the subject property. The notice was published in the Herald newspaper, posted on the property (three locations) and at the City of Lynnwood official posting sites on or before that date.

Notice of the issuance of Draft EIS occurred on October 7, 2011. A community meeting on the DEIS was held on October 25, 2011. Notice of the Final EIS was issued on March 30, 2012.

Numerous public notices were issued and community meetings held during the scoping process for the EIS. Also, notice of the issuance of the DEIS and FEIS was completed according the applicable law. The Community Development Department has posted information regarding the project on the City's website (www.ci.lynnwood.wa.us). The project files contain additional information regarding public outreach efforts.

The draft Comprehensive Plan and development regulation amendments were provided to the Department of Commerce as required by RCW 36.70A.106 and WAC 365-196-630. That notice of intent was provided on October 13, 2011 and again on December 4, 2012.

V. Background

Redevelopment of the former Lynnwood High School property has been under consideration for since 2006. The unusually long time between initial application and action was due to the severe economic recession that resulted in a major delay and ultimately a significant redesign of the project. The application to amend the City's Comprehensive Plan was initially made on March 1, 2006. The updated re-submittal was received on September 11, 2012.

Cypress Equities and the Edmonds School District (ESD) are the project proponents. Cypress Equities would, through a long-term lease, develop the now-vacant property. The 33rd Avenue W road extension

between 184th Street SW and Alderwood Mall Parkway would be built in a perpetual easement for right-of-way and utility purposes. Once constructed according to City standards, ownership of the street improvements would be transferred to the City of Lynnwood. New traffic signals would be added by the applicant where 33rd Avenue W intersects with 184th Street SW and with Alderwood Mall Parkway.

The project calls for a compact, mixed-use community on the south half of the project site. The north half would be occupied by a one-story, warehouse-style, retail store (Costco) with a 10-lane gasoline station. Off-street parking for Costco would be at-grade, while parking for the mixed-use development would be provided within parking structures and at-grade.

As mentioned above, an Environmental Impact Statement (EIS) was prepared to evaluate the adverse environmental impacts that may be generated by the proposed development. The Draft EIS was issued on October 7, 2011 and the Final EIS was issued on March 30, 2012. The public notification processes for the EIS met (or exceeded) legal requirements. The associated appeal period concluded without appeal. If the development proposal is designated by the City Council as a Planned Action, this EIS can satisfy the requirements for environmental review for project-level permits.

VI. Decisional Criteria and Staff Analysis

The Implementation Element of the Comprehensive Plan provides the decisional criteria for amendment of the Comprehensive Plan. The Municipal Code (LMC 18.04.070) references the decisional criteria contained within the Comprehensive Plan. Those criteria are provided below, along with staff's evaluation of the application relative to the proceeding criterion.

Objective I-8.5: Assure that all requested amendments to the Comprehensive Plan and Zoning Map are consistent with each other and with applicable State and local requirements.¹

Staff Analysis: It is appropriate to periodically revise the PROS Element to reflex changed conditions or to incorporate new City objectives. With regards to the proposed amendments to the PROS Element, staff believes that the City would benefit from a more-comprehensive update of the PROS Element text. Some amendments that could evolve from a through update of the PROS Element would not be related to the Lynnwood Place property and therefore would exceed the scope of the hearings planned for the amendments requested by the ESD. Staff believes these could best be dealt with during the annual GMA Comp Plan docket cycle or with the major GMA Plan Updates required to be adopted in 2015. Further issues related to the recreational use of this site have been dealt with by intervening annual Comp Plan amendments, fully analyzed in the EIS and resolved by contractual agreement. These actions were not fully understood or envisioned when the application for amendment was originally filed.

Based upon the forgoing, staff finds that action on the proposed amendments to the PROS Element are not consistent with the current fact pattern or needed to advance consideration of the development proposal. We anticipate that amendments to the PROS Element will be more fully and appropriately considered with the 2013 Annual Docket or 2015 Major GMA Plan Update and therefore no action on the current request is recommended.

Staff has not provided a draft ordinance for the ESD's amendments. An ordinance will be provided if the Planning Commission or City Council so directs.

Timing of Amendments:

Staff Analysis: This site-specific map change is consistent with policies regarding the timing of amendments.

¹ Implementation Element of the Comprehensive Plan, page 4.

Off-schedule Plan Amendments:

Staff Analysis: The State Growth Management Act normally restricts Plan Amendments to an annual cycle that Lynnwood typically completes in the Fall of each year (no amendments were processed in 2012). This request was submitted initially as part of the 2006 annual amendment cycle. This proposed map change and the accompanying requested textual amendments to the Parks, Recreation and Open Space Element are the sole amendments currently under consideration, and are being considered concurrently. These amendments are related to a Planned Action designation and such amendments may be considered outside of the regular amendment cycle [RCW 36.70A.130(2)(V)]. For all of the above reasons, consideration of this amendment is appropriate at this time.

Criteria for Approval of Plan Amendment Requests:²

Each component of a Comprehensive Plan Amendment package shall be reviewed and approved only if it meets all of the following criteria:

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

Staff Analysis: The ESD has moved Lynnwood High School to another location and no buildings currently exist at the former LHS site. The property does not currently have any structures capable of accommodating the Lynnwood Athletic Complex. No inconsistencies or conflicts are known.

See Staff Analysis provided on Page 3 of this Report.

- **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.**

Staff Analysis: The text amendments proposed by the ESD are not needed to for redevelopment of the LHS property. The requested change to the Comprehensive Plan's Future Land Use Map (from PF – Public Facilities to MU – Mixed Use) will facilitate the needed change to the Current Zoning Map.

The former land uses and activities there (the Lynnwood High School and the Lynnwood Athletic Complex) generated impacts upon the natural and built environment. Some of those impacts included: noise, light and glare, traffic, parking, air emissions, consumption of renewable and non-renewable resources, and impacts upon plants and animals.

The EIS identifies, evaluates, and mitigates potential significant adverse impacts that may result from the proposed development. The mitigation called for in the EIS eliminates or reduces the severity of the adverse impacts and any residual impacts are expected to be within allowable/acceptable levels.

Furthermore, the development agreement described in the application materials and the Staff Report for the Comprehensive Plan map change will contain substantive measures to prevent or off-set potential impacts.

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

Staff Analysis: This Comprehensive Plan text amendment is not an approval of a change of use or an approval of a specific development. Impacts upon public recreation facilities and other public services were addressed by the EIS and through the Interlocal agreements referenced herein. The development agreement called for within the Staff Report for the Comprehensive Plan Future Land Use Map amendment will include provisions related to park, recreation and open space amenities, based upon more-specific development plans that will be available at that time.

² Implementation Element of the Comprehensive Plan, page 5.

The Lynnwood Municipal Code contains the following provisions related to permitting and public recreation:

17.05.120 Recreation.

Protection and expansion of existing open space areas for future generations should be promoted. It is the policy of the city to:

- A. Encourage use of planned unit development procedures in order to facilitate the preservation of such areas;
- B. Coordinate provisions for city parks, open space, and pedestrian and bicycle trails with recreational facilities in new developments. Such facilities may be provided as a condition to project approval.

The forthcoming development agreement will contain greater detail with regards to: a) linking the development site to the Interurban Trail; b) open space within the mixed-use portion of the project; and c) pedestrian and bicycle amenities to be included in the design of the 33rd Avenue West extension. Through written agreement with the ESD, the City has protected the public's access to the Meadowdale Playfields. It will be a benefit to the community to update the PROS Element after the development agreement is prepared so that those documents can be fully consistent.

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

Staff Analysis: It is not known whether the proposed text amendments will be fully consistent with and help implement the 2015 Comprehensive Plan. For this reason, staff recommends no action at this time on the proposed amendments to the PROS Element.

• **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.**

Staff Analysis: Snohomish County, surrounding cities and appropriate State departments officials were consulted and participated during the EIS process³, and routinely receive notice of land use proposals of an area-wide nature.

VII. Project Design Review:

Not applicable to this application.

VIII. Environmental Review

On March 30, 2012, the City's SEPA Responsible Official issued the Final EIS (FEIS) for the requested amendment of the Comprehensive Plan. The EIS was developed after considerable public notice and opportunities for public participation. The accompanying appeal period concluded without appeal.

IX. Conclusions

Staff concludes that the request to amend the PROS Element is not essential at this time, and may have the potential to be inconsistent with text amendments developed for the 2015 update. Staff finds that greater benefit will be achieved if the proposed amendments are deferred to the 2015 update.

X. Recommendation

Staff recommends no action on the proposed changes to the Parks, Recreation and Open Space Element.

³ DEIS Appendix C, Distribution List and FEIS Appendix.

PARKS, RECREATION AND OPEN SPACE ELEMENT

Introduction	1
Planning Context	1
Summary of Issues	2
Existing Conditions	3
Demand & Needs Assessment	4
Goals, Objectives & Policies	7

INTRODUCTION

Parks, recreation and open space are essential to a high quality of life in a community. Since incorporation in 1959, the City of Lynnwood has acquired and developed many park and open space lands and established an excellent recreation program. As Lynnwood and the Puget Sound region grow and change, it is vital to be prepared to accommodate new growth and diversity while maintaining and enhancing the quality of life we have grown to enjoy.

This element of the Comprehensive Plan includes a summary of the existing conditions and issues relevant to the City's parks, recreation and open space system. The element includes a demand and needs assessment and concludes with the goals, objectives and policies for the City's parks, recreation and open space system.

PLANNING CONTEXT

The Parks, Recreation and Open Space Element of the Comprehensive Plan is optional under the Growth Management Act (GMA), but the City is choosing to incorporate this element into the Plan because it is a vital part of a high quality community.

The GMA goals pertaining to the parks, recreation and open space element are:

Open Space and Recreation: Encourage the retention of open space, development of recreational opportunities, conserve wildlife habitat and increase access to natural resource lands.

Environment: Protect the environment and the state's high quality of life.

Regional Planning:

Lynnwood's Comprehensive Plan is consistent with Destination 2040's policies related to parks, recreation, and open space. The Plan calls for preservation, acquisition, and development of parks, recreation, and open space facilities, including non-motorized facilities, consistent with the regional vision.

County-Wide Planning Policies:

Countywide planning policies do not specifically address neighborhood or community parks and recreation issues within cities or their urban growth areas. It is, however, the County's policy to provide greenbelts and open space to provide separation from adjacent urban areas, and regional park facilities within urban growth areas. Snohomish County's Parks and Recreation Comprehensive Plan states that "parks are necessary for development." This policy provides the opportunity for cities to work with the County to provide park land within urban growth areas.

SUMMARY OF ISSUES

The following is a summary of issues relating to parks, recreation and open space in the City. It is the intent of the Comprehensive Plan to propose solutions to these issues through the implementation of programs and policies in this element.

- Due to the limited amount of vacant land in the City, the timing of acquisition and the location of park and open space lands are important to maintain a balance of land uses and meet the minimum level of service standards, planning standards and goals.
- Acquisition of park land in future annexation areas within Lynnwood's MUGA is recommended to provide recreation facilities for future Lynnwood residents and to reduce the demand on existing recreation facilities within the city limits.
- There is currently a deficit of active park facilities to serve Lynnwood's current population. Additional acres of Core Parks (mini, neighborhood and community parks) are needed to meet the minimum level of service for active parks. ~~It is necessary to replace the~~ active recreation opportunities previously provided by the Lynnwood Athletic Complex have been relocated to the Meadowdale Playfields. However, there is still a need ~~and~~ to increase the level of service for community parks within the city.
- The demand for athletic facilities in the City exceeds the current supply. ~~Potential Loss~~ of the Lynnwood Athletic Complex (LAC) ~~would have had an significant~~ impact on the need for athletic facilities. Edmonds School District built a new Lynnwood High School outside the city limits (but within the Municipal Urban Growth Area (MUGA) in 2009, and currently proposes mixed-use development for the former high school/athletic complex site. The City and District have agreed to extend has contractual rights for use of the Meadowdale Playfields through June 5, 2065. LAC through a joint use agreement that would expire in 2019. The City's athletic programs previously scheduled at the LAC have been temporarily suspended due to budgetary constraints. In addition, ESD has completed demolition of the buildings on the site, including the City's athletic programs office. ~~Potential loss of this athletic facility will require mitigation to replace or improve athletic fields elsewhere in the city.~~
- Following the renovation/expansion of the Recreation Center in 2011, Phase II development of a new Community Center is planned to provide for programming youth/teen and senior activities,

performing arts and sports. The new community center would relieve over programming at the Recreation Center with complimentary programs.

- Preservation of the City's historical resources and interpretation of Lynnwood's past is a priority. Continued renovation of the historic structures, programming of heritage activities, and development of museum displays and interpretive exhibits at Heritage Park will provide the community with a sense of its heritage.
- Implementation of the city's Multichoice Transportation System, the "skeleton system" of sidewalks, walkways, paths, promenades, trails and bikeways is a funding priority. Additional trails are needed to meet the minimum level of service for trails. Through the ACHIEVE/Healthy Communities program, a grant was received in 2010 to help improve 'safe routes to school' at selected Lynnwood schools that have been impacted by busing service reductions.
- The acquisition and preservation of open space continues to be a high priority, and is an important consideration when determining funding priorities. Significant environmental impacts have occurred in Lund's Gulch that threaten the gulch and its salmonid stream, and restorative efforts are necessary to regain the health of this important resource. Low Impact Development standards should be enforced for all proposed development adjacent to critical areas. Continued coordination with Snohomish County is needed to improve current development standards with the common goal of reducing the cumulative impacts of development on Lund's Gulch.
- The availability of funding to provide new parks and recreation facilities, and to provide improvements to existing facilities, is a critical issue. Alternate funding sources such as user fees, park impact fees, grant funds, bonds, partnerships with other agencies, non-profit organizations and the private sector, or formation of a metropolitan park district need to be considered to ensure that new city development is adequately served with parks and recreation facilities.
- Opportunities for entrepreneurs, both non-profit and for-profit, should be created to enrich the park experience and implement innovative approaches to revenue generation for parks and recreation facilities, events and programs.
- Social and demographic trends that affect service delivery should be regularly reviewed to identify and address new recreational needs and to reposition those facilities and programs that are no longer relevant.
- To anticipate and respond to the cultural diversity of the City's population, communication strategies should be implemented to provide timely, accurate information to Lynnwood residents and visitors, and non-English speaking populations.
- To preserve and protect our existing assets, the ongoing maintenance and operations of our parks and recreation facilities needs to remain an important budget consideration.
- The City has been recognized as a Tree City USA for 12 years. It is a priority of the Parks and Recreation Advisory Board to support tree preservation activities to preserve and enhance the existing tree canopy in Lynnwood.
- To provide the park, recreation and open space facilities needed within the City Center, sites must be identified, acquired and developed in accordance with the City Center Parks Master Plan and City Center SubArea Plan.
- The City of Lynnwood was selected by the Snohomish Health District to participate in its Healthy Community Initiative in June, 2007. Action plan strategies created by a citizen task force provide a framework in which the City's policy makers can work together to build and support an environment that makes it easier for Lynnwood residents to choose healthy foods and be physically active.

EXISTING CONDITIONS

The City's current parks, recreation and open space inventory amounts to approximately 374 acres and includes park facilities within the City and in the MUGA, that offer both active and passive recreational opportunities. The park facilities within the City are categorized into the following functional classifications for planning and programming purposes, according to size and function.

Core Parks:

Core Parks (mini, neighborhood and community parks) traditionally provide a combination of active and passive uses, including play equipment, picnic areas, athletic fields, and trails. The City currently operates ~~123~~ developed parks in the Core Parks category, with 4 park properties undeveloped. This category ~~continues to include~~ the Meadowdale Playfields, which is an approximately 25 acre site owned by the Edmonds School District with use rights granted to the City. ~~Lynnwood Athletic Complex although scheduled activities there have been temporarily suspended.~~ The Core Parks category shows a need for 26.37 additional acres to meet the minimum level of service. Additional Core Park land needs to be acquired and developed within the city, and within the city's Municipal Urban Growth Area. Currently Core Park land accounts for ~~116.46~~ 136.6 acres, or about ~~34.8~~% of the total inventory within the city.

Special Use Areas:

Four facilities in Lynnwood are classified as "Special Use Areas" based on their current purpose and/or activity - the Municipal Golf Course, the Recreation Center, the Senior Center and Heritage Park - for a total of 81.86 acres. Because of its primary historical purpose, Heritage Park is included in this category.

Open Space:

The City's Open Space classification includes large natural areas, environmental parks and urban greenbelts. It is the City's policy to preserve natural resources for the conservation of important habitats and for passive recreational use whenever possible. 138.46 acres in and adjacent to Lynnwood are preserved as Parks and Recreation-maintained open space. Scriber Lake Park, Scriber Creek Park and Gold Park are included in this category because they are environmental parks that do not have active recreation elements.

Regional Parks:

Regional Parks are not included in the City's parks and open space inventory. Regional parks are typically large facilities that draw from multiple jurisdictions and are often located in unincorporated urban growth areas. These facilities are historically provided at the County level, whereas neighborhood and community parks are provided by cities, both within their boundaries and in their municipal urban growth areas. Meadowdale Beach County Park is an example of a regional park in unincorporated Snohomish County.

DEMAND AND NEEDS ASSESSMENT

Over the years, the City of Lynnwood has continued to improve and expand its inventory of recreational resources. Residents are well served by a variety of leisure opportunities, but with population growth comes an increasing demand for more parks, open space and recreation facilities in order to attain the adopted Parks Level of Service Standard (LOS).

Level of Service: The adopted Parks LOS Standard in Lynnwood is 10 acres per 1,000 population. This standard is expressed as minimum acres of park, recreation and open space recommended for each 1,000 persons, using the 2010 OFM estimated population of 36,160. The standard is further delineated as 5 acres per 1,000 population for Core Parks (mini, neighborhood and community parks), and 5 acres per 1,000 population for Other Park Land (open space and special use facilities). The City Center Sub-Area Plan recommends a separate Parks Level of Service Standard within the City Center area.

The demand and need for parks, recreation and open space in Lynnwood has been assessed through analyses of existing conditions, potential park sites, available resources and level of service. Trends in recreation were considered and public input was obtained through surveys and community meetings.

The existing and future demand and need for parks, recreation and open space *within the city limits* is reflected on Table 1.

Table 1: Parks, Recreation and Open Space DEMAND AND NEED WITHIN CITY LIMITS						
#	Classification	Existing ^{1, 4}	2010 – 36,160 OFM Est. Population		2025 – 86,000 Est. Population ⁵	
			Demand ²	Need ³	Demand ²	Need ³
Core Parks:						
5	Mini	3.32 ac	5.42 ac	2.10 ac	12.90 ac	9.58 ac
8	Neighborhood	38.77 ac	54.24 ac	15.47 ac	129.00 ac	90.23 ac
3 2	Community	94.77 74.37 ac	121.14 ac	26.37 ac	288.10 ac	213.73 ac
Subtotal:		136.86 116.46 ac	180.80 ac	43.94 ac	430.00 ac	313.54 ac
Other Park Land:						
4	Special Use	81.86 ac	72.32 ac	0 ac	172.00 ac	90.55 ac
	Open Space	138.46 ac	108.48 ac	0 ac	258.00 ac	119.54 ac
Subtotal:		220.32 ac	180.80 ac	0 ac	430.00 ac	210.09 ac
TOTAL:		357.18 338.78 ac	361.60 ac	4.42 ac	860.00 ac	523.63 ac
4	Trails:	7.10 mi	9.04 mi	1.94 mi	21.50 mi	14.40 mi

Source: City of Lynnwood Parks, Recreation and Cultural Arts Department, revised 4/2011.

Notes:

- 1 Includes both developed and undeveloped park facilities *within the city limits only*.
- 2 Demand reflects total park acres required to meet minimum level of service standard for each category.
- 3 Need reflects additional park land required to meet minimum level of service standard for each category.
- 4 City park property located outside the city in the MUGA is not included in the City's demand and need analysis.
- 5 The 2025 population shown is an estimate that includes annexation of MUGA population and the new City Center population.

Population projections to 2025 were applied to determine future impacts on the City's existing parks system. Both potential annexation of the MUGA population and the new City Center population are reflected in the 2025 population estimate. In addition to maintaining and improving the City's existing facilities, additional park facilities will be needed to meet current and future demands and the adopted LOS within the City, and in the City's urban growth areas.

Within City Boundaries:

The adopted Parks Level of Service Standard is a minimum of 10 acres per 1000 population. The current level of service for combined park classifications achieved is 9.88 acres per 1000 population. There remains a need for an additional 43.94 acres in the Core Parks category to meet the demand for 180.80 acres of active park land. The inventory also shows a deficit of 1.94 miles in the Trails category to meet the demand for 9.04 miles of trails outside of parks.

By the year 2025, it is estimated that Lynnwood's population will increase to approximately 86,000. This includes potential annexation of the MUGA population and also the estimated City Center population of 5,400. Continued park acquisition and development will be necessary to meet the demand for parks, open space and recreation facilities in 2025. Table 1 summarizes the existing and future demand and need within the City.

Within Municipal Urban Growth Areas:

New residential and commercial development in Lynnwood's MUGA is generating demand for parks, recreation facilities and open space. In future north annexation areas, approximately 93 acres of open space in the Swamp Creek corridor have been preserved jointly by Snohomish County and the City of Lynnwood. The City has also acquired a 9-acre future park site (Manor Way) adjacent to this annexation area, and a 7.69-acre future park site (Doc Hageman Park) east of Interstate 5. A 21-acre wetland site has been acquired east of Lund's Gulch for preservation of the headwaters of Lund's Creek and potential future development of an environmental park.

There are currently no active use park facilities in the City's MUGA, which had an estimated 2008 population of 41,597. As a result, Lynnwood's parks are over-burdened with non-resident use. Applying our current Parks Level of Service Standard to today's MUGA population would require approximately 415 acres of parks and open space. To provide park facilities needed by the growing population in the MUGA, the City will continue to seek equitable methods of acquisition and development with Snohomish County and other jurisdictions.

If annexation within the MUGA is approved by the voters, additional parkland and facilities will be needed. The City will develop a comprehensive plan of funding options including park impact fees to assist in this matter. NOTE: Snohomish County already has impact fees within the MUGA area the City proposes to annex.

GOALS, OBJECTIVES AND POLICIES

GOAL:

Provide a comprehensive system of parks, open space and recreation facilities that serves the needs of current and future residents, and visitors to Lynnwood.

Subgoal: Park System

Provide a system of mini, neighborhood and community parks to meet the recreational needs of the community.

Objectives:

- P-1: Acquire park land in the city for the development of Core Parks to help meet the community's recreational needs.**
- Policy P-1.1:** Provide the minimum adopted level of service of 5 acres/1000 population for Core Parks.
 - Policy P-1.2:** Acquire park land in accordance with the Annual Budget and Capital Facilities Plan.
 - Policy P-1.3:** Annually review vacant and underdeveloped parcels and park service areas to determine underserved neighborhoods in the city.
 - Policy P-1.4:** Plan for the location of parks in the proximity of high-density developments.
 - Policy P-1.5:** Use a variety of methods for funding acquisition of park lands including park impact fees, grants, user fees, City funding, interjurisdictional cost-sharing, land developer contributions and other sources.
 - Policy P-1.6:** Adopt and implement a program to require new residential and commercial development to provide impact mitigation to the City, either by dedication of park land, plazas, park improvements, or payment of park impact fees.
 - Policy P-1.7:** Preserve land for future park development.
- P-2: Acquire park land in the Municipal Urban Growth Area for future park development to meet the recreational needs of future annexation areas.**
- Policy P-2.1:** Pursue cooperative planning efforts with Snohomish County and neighboring jurisdictions in urban growth areas and future annexation areas.
 - Policy P-2.2:** Annually review potential parks and open space sites in the MUGA, and related facilities needed to provide the recommended level of service.
 - Policy P-2.3:** Seek methods of acquisition and development of these sites and facilities, which reflect the responsibilities of Snohomish County and the City.

- P-3: Plan and develop new parks and renovate existing parks in the city and in the Municipal Urban Growth Area.**
- Policy P-3.1:** Design new parks in accordance with the purpose, size and classification of each.
- Policy P-3.2:** Design new parks and provide improvements to existing parks to promote public safety and security.
- Policy P-3.3:** Provide a variety of recreational opportunities to serve a diverse population.
- Policy P-3.4:** Provide accessibility to all park facilities in accordance with Americans with Disabilities Act standards.
- P-4: Begin construction of Doc Hageman Park in Lynnwood's MUGA. Master plan completed in April 2009. Seek state funding in 2012 to include equal matching funds for first phase of park construction.**
- P-5: Develop new neighborhood park in NE Lynnwood, Stadler Ridge Park, per master plan completed in 2004. Begin construction of park with city and state funding available in 2011.**
- P-6: Develop new neighborhood park in west Lynnwood, Rowe Park, per master plan completed in 2004, when funding is available.**
- P-7: Develop an off-leash dog park in an existing city park or an acquired site in the city or in the MUGA.**
- P-8: Renovate the existing amphitheater at Lynndale Park to expand seating capacity, improve access, improve lighting, and preserve and protect existing slopes and trees.**
- P-9: Continue development at Meadowdale Park per the 2001 Master Plan with expanded parking and picnic shelters.**
- P-10: Develop the 188th St SW mini park in an underserved neighborhood.**

Subgoal: Open Space System

Provide a system of open space to preserve and protect the area's remaining native forests, wetlands, streams and wildlife habitats, and to provide natural buffers to the built environment.

Objectives:

- OS-1: Continue acquisition of open space properties in the Lund's Gulch, Swamp Creek and Scriber Creek watersheds.**
- Policy OS-1.1:** Provide the minimum adopted level of service of 3 acres/1000 population for Open Space.
- Policy OS-1.2:** Preserve and protect in public ownership areas with significant environmental features such as view corridors, landforms, steep slopes and plant and animal habitats from the impacts of development.

- Policy OS-1.3:** Use a variety of methods for funding open space acquisitions including grants, donations, tax abatements, City funding, interjurisdictional cost-sharing, land developer contributions and other sources.
- Policy OS-1.4:** Support volunteer and interjurisdictional efforts for restoration and preservation of the four major watersheds in South Snohomish County: Scriber Creek, Lund's Gulch, Swamp Creek and Hall Creek.
- Policy OS-1.5:** Continue to encourage stewardship of open space and natural areas through the Park Stewards program.
- OS-2: Plan conservation and passive development of 21-acre Lund's Creek Open Space with the Brackett's Landing Foundation. Plan for potential environmental center and interpretive development of uplands.**
- OS-3: Develop Master Plan for the preservation of Lund's Gulch in partnership with Snohomish County, the Brackett's Landing Foundation and Friends of Lund's Gulch.**
- OS-4 Acquire open space within urban areas to buffer and enhance the built environment.**
- Policy OS-4.1:** Continue to review vacant and underdeveloped parcels within the city for potential acquisition of open space.
- Policy OS-4.2:** Preserve open space corridors and trail linkages between parks, neighborhoods, schools and commercial centers. Where possible, acquire key linkages between parks and trail segments to create connected trail system.
- OS-5: Provide passive recreational opportunities in acquired natural areas.**
- Policy OS-5.1:** Provide neighborhood access to natural areas with trailheads and parking, in accordance with Chapter 17 of the Lynnwood Municipal Code and ESA regulations.
- Policy OS-5.2:** Provide environmental educational opportunities in natural areas with interpretive signage, nature trails and overlooks.
- OS-6: Work with Public Works and community volunteers in the enhancement of City-owned stormwater detention areas for passive community appreciation.**
- OS-7: Begin Scriber Lake Park renovation per master plan completed in 2005. Phase I to include public safety improvements, and design and construction of a new overwater dock, in 2011. Seek funding for additional phases to fully develop park as a safe and active community park.**
- OS-8: Provide improvements to Gold Park including trail development and invasive plant removal to increase use and public safety in park. Support continuing volunteer efforts by Edmonds Community College and other volunteer groups.**

Subgoal: Facilities and Programs

Provide facilities and programs that promote a balance of recreational opportunities.

Objectives:

- FP-1: Identify and prioritize the need for new/upgraded facilities and programs on an annual basis.**
- Policy FP-1.1:** Seek adequate funding and timely development of such facilities in accordance with the Annual Budget and Capital Facilities Plan.
- Policy FP-1.2:** Provide the minimum adopted level of service of 2 acres per 1000 persons for Special Use facilities.
- Policy FP-1.3:** Provide improvements to facilities that are cost-effective, durable, attractive and energy efficient.
- Policy FP-1.4:** Provide facilities that meet competitive playing standards and requirements for all age groups and recreational interests.
- Policy FP-1.5:** Continue to offer specialized programming for diverse community groups such as seniors, youth and teens, and preschool.
- FP-2: Complete phased development of Heritage Park, including renovation of all the historic structures, and development of museum programming in the park.**
- Sub-Objective 1:** Provide information that interprets the history of the Lynnwood/Alderwood Manor area, including historical displays, programs, activities, museum programming and interpretive signage.
- Sub-Objective 2:** Work with Snohomish County Tourism Bureau to facilitate visitor information services.
- Sub-Objective 3:** Work with the Alderwood Manor Heritage Association to provide historical programming within the park and the management of heritage collections.
- Sub-Objective 4:** Work with the Sno-Isle Genealogical Society to provide a community genealogical library in the Humble House.
- Sub-Objective 5:** Work with the Car 55 Restoration Committee to complete renovation of Interurban Car 55. Work with docents to provide tours of the trolley.
- Sub-Objective 6:** Work with local gardening groups to develop demonstration gardens and landscaping within the park.
- Sub-Objective 7:** Work with the Lynnwood Parks and Recreation Foundation and community volunteers to complete Phase II renovation of the historic water tower.
- Sub-Objective 8:** Work with the Heritage Park Partners Advisory Committee to plan and coordinate heritage programming in the park, and provide museum development in the Wickers Building.
- FP-3: Plan for Recreation Center Phase II construction of a new community center that will provide programming space for youth/teen and senior activities, performing arts and sports.**

- FP-4: Develop a master plan for Wilcox Park, Scriber Lake Park and the adjoining School District property, reflecting how these facilities can be connected for pedestrian access and related activities.**
- FP-5: Participate in the planning and design of a regional performing arts facility.**
- FP-6: Provide improvements to the Meadowdale Playfields athletic complex with renovation of the soccer and softball fields to provide a competitive athletic facility.**

Subgoal: Trail System

Provide a connecting system of non-motorized trails for recreational, commuter and general circulation purposes to promote Lynnwood as a "walkable city".

Objectives:

- T-1: Support other City departments in the implementation of the "Multi-Choice Transportation System Plan", which proposes a comprehensive city-wide "skeleton system" of sidewalks, walkways, bike paths and trails. The Plan would link parks, schools, community facilities, commercial centers, neighborhoods and adjacent regional trail systems.**
- Policy T-1.1:** Work with other jurisdictions to provide a continuous regional trail network.
- T-2: Develop additional non-motorized pedestrian trails outside of parks to meet the adopted minimum level of service.**
- Policy T-2.1:** Provide the adopted minimum level of service standard of 0.25 miles/1000 population for trails outside parks.
- Policy T-2.2:** Design and construct trails to required standards to serve a variety of users at varying skill levels.
- Policy T-2.4:** Include bicycle lanes when City streets are being reconstructed or built, and add bike routes to existing City streets, where feasible.
- Policy T-2.5:** Require new development to provide access and connections to parks, trails and school sites.
- Policy T-2.6:** Encourage public and private funding for the development of trails.
- T-3: Plan and construct the northward extension of the Scriber Creek Trail to generally follow the creek route, from Scriber Lake Park north to the Meadowdale area and Lund's Gulch.**
- Policy T-3.1:** Promote trail safety through signage and educational activities for pedestrians and bicyclists.
- T-4: Provide improvements to the Interurban Trail to include trailheads, enhanced landscaping, signage and historic markers.**

Policy T-4.1: Support interjurisdictional efforts to provide consistent and aesthetic improvements along the length of the Interurban Trail.

Policy T-4.2: Promote trail safety through signage and educational activities for pedestrians and bicyclists.

- T-5:** Coordinate with Public Works to provide a seamless Interurban Trail corridor through Lynnwood by completing "missing links" in the Interurban Trail, specifically segments located at 212th St SW to 63rd Ave W to 211th St SW, 208th St SW and 52nd Ave W, and 208th and 54th Ave W. The objective is to remove trail users from traffic where possible, providing a continuous trail route through the city.
- T-6:** Coordinate development of the South Lund's Gulch Trail with Snohomish County, Brackett's Landing Foundation and volunteers. The trail is planned to begin in north Lynnwood, continue north into Lund's Gulch, cross Lund's Creek and connect with the existing Meadowdale Beach Park county trail, giving Lynnwood residents access to Lund's Gulch open space and a walkable connection to Puget Sound.
- T-7:** With Public Works, coordinate a feasibility assessment of sidewalk and crosswalk needs (safe routes to schools) for schools that have been impacted by the reduction of Edmonds School District busing.

Subgoal: Activity Centers

Ensure that parks and open space are included as part of the land use mix in the activity centers' master plans.

Objectives:

- AC-1:** Work with Community Development to identify parks and open space sites, related improvements, and implementation strategies for the City Activity Centers, City Center plans, including the City Center Parks Master Plan, and the Highway 99 Subarea Plan.
- AC-2:** Establish park and open space guidelines and achieve level of service standards for public and private improvements in the City Center and the Highway 99 corridor.

Subgoal: Interjurisdictional Coordination

Coordinate parks, open space and facility planning and development with appropriate jurisdictions and agencies for mutually beneficial partnerships.

Objectives:

- IC-1:** Partner with Edmonds School District to improve existing school recreation sites for shared school/park use. Discuss mitigation measures with ESD for ~~the~~ **potential** loss of athletic facilities at the Lynnwood Athletic Complex.
- Policy IC-1.1:** Work with other agencies to provide adequate recreational facilities for community use.

- IC-2: Work closely with service providers and other local private and non-profit organizations in order to meet the diverse program and special events needs of the community.**
- IC-3: Pursue cooperative planning efforts with Snohomish County to provide parks and open space in future annexation areas.**
- IC-4: Work with local businesses, land owners and other agencies, to pursue the feasibility of creating a Farmers Market in Lynnwood, through the ACHIEVE/Healthy Communities grant obtained in 2009.**
- IC-5: Work with Edmonds Community College and support volunteer efforts to make improvements to Gold Park.**
- Policy IC-5.1:** Work with non-profit organizations and other community volunteers on parks, trails and open space service projects.
- IC-6: Create sponsorship opportunities for entrepreneurs, both non-profit and for-profit, to enrich the park experience and implement innovative approaches to revenue generation for parks and recreation facilities, events and programs.**

Subgoal: Facilities Management

Manage and maintain parks, open space and recreation facilities to optimize use and protect public investment.

Objectives:

- FM-1: Continue a regular schedule for maintenance of parks, facilities and open space, and revise annually.**
- Policy FM-1.1:** Maintain and upgrade existing parks and facilities for the safety, comfort and satisfaction of park users.
- Policy FM-1.2:** Ensure that adequate funding and staff are available for management and maintenance of parks, facilities and open space.
- Policy FM-1.3:** Promote interjurisdictional operations of parks and facilities.
- Policy FM-1.4:** Advise the City Council and other City boards and commissions on a regular basis about facility management issues.
- Policy FM-1.5:** Update staff training in playground safety standards and play equipment inspection.
- FM-2: Coordinate the operations of Heritage Park with the Heritage Park Partners Advisory Committee, including the Visitor Information Center, Heritage Resource Center, Genealogy Research Library, Interurban Car 55, Water Tower, heritage programming and demonstration gardens.**
- Policy FM-2.1:** Work with non-profit organizations and other community volunteers on parks, trails and open space service projects.

FM-3: Continue to implement City Pesticide and Fertilizer Use Policy within the City on public properties, including posting of areas to be treated in accordance with state and local requirements.

Subgoal: Monitoring and Evaluation

Monitor, evaluate and update parks, recreation facilities and open space to ensure balanced, efficient and cost-effective programs.

Objectives:

ME-1: Update parks, facilities and programs in accordance with public input and survey results.

Policy ME-1.1: Encourage community input by providing opportunities for public involvement in park, recreation and open space planning.

ME-2: Annually update the Parks, Recreation and Open Space Element of the Comprehensive Plan, in accordance with the Recreation and Conservation Office guidelines.

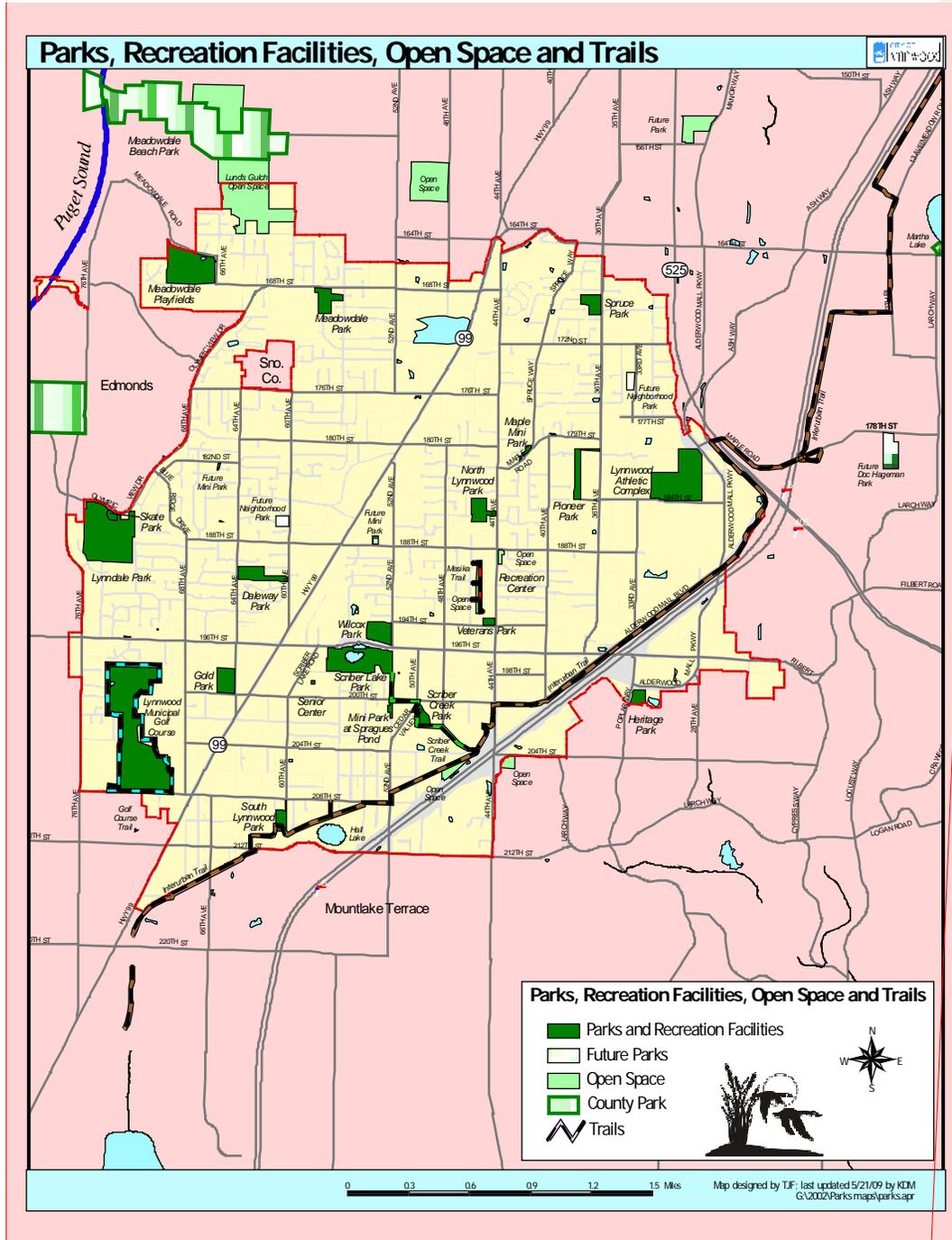
ME-3: Continue public information programs to increase public awareness of the City's parks, recreation and open space system.

ME-4: Develop a separate Lynnwood Parks, Recreation and Open Space Comprehensive Plan to help guide the planning, acquisition and development of parks, facilities, open space and recreation programs.

ME-5: Annually update the Capital Facilities Plan with capital projects that reflect the recreational needs of the community.



Comment [CA1]: Remove LAC from map



Attachment 7
August 2012

Comprehensive Plan Amendment Application – Text Amendment

2. A statement citing the specific text for which the amendment is sought and the proposed amendment to the text.

The specific amendment being sought is to amend the City's Parks Element of the Comprehensive Plan and the Parks, Recreation Facilities, Open Space and Trails Map to remove references to the Lynnwood Athletic Complex and to adjust level of service. For additional information refer to the Parks and Recreation Chapter of the 2012 *Final Environmental Impact Statement Comprehensive Plan Amendment and Zoning Map and Text Amendment for Lynnwood Crossing Mixed-Use Project* (March 2012, City of Lynnwood).

Attachment 8 August 2012

Comprehensive Plan Amendment Application – Text Amendment

3. A list of provisions of the Comprehensive Plan and/or Lynnwood Municipal Code that may be affected by the proposed text amendment.

Development of the Lynnwood Place project would result in the displacement of the Lynnwood Athletic Complex and place additional demands for parks and recreation services and facilities by the new residents of the project.

The following information was taken from the *Final Environmental Impact Statement Comprehensive Plan Amendment and Zoning Map and Text Amendment for Lynnwood Crossing Mixed-Use Project (March 2012, City of Lynnwood)*.

The Lynnwood Athletic Complex (LAC) is a 20.4-acre sports and recreation facility located on the former Lynnwood High School campus. The original facilities were constructed in conjunction with the high school in the late 1960s/early 1970s (Miller, 2008). Some of the facilities (on 12.4 acres of the 20.4-acre site) were upgraded in 1981 pursuant to a grant to the City of Lynnwood by the federal government that provided matching funding. The property is owned by Edmonds School District, and the facilities had been operated and maintained pursuant to a 40-year joint use agreement between the school district and the City of Lynnwood that expires in 2019 (City of Lynnwood, 2007).

In addition to the demand for additional park land created by the proposed development, the most significant adverse impact on Parks and Recreation is the loss of the Lynnwood Athletic Complex.

While moving some programs to the new Lynnwood High School was considered, this option is not feasible because:

1. It would be too costly to move to the new Lynnwood High School site. Costs to participate there were estimated to be higher than at the existing site (for example, field turf replacement and distance-related higher fuel costs and time cost for staff because the new site is outside the City);
2. Certain features of the new site are not entirely suitable (e.g., ball field dimensions are too small for adult league play);
3. The site is not conveniently located for community use; because the new high school site is located outside of the Lynnwood City limits, it is not as readily accessible to City residents as is the existing Lynnwood Athletic Complex; and

4. The functions, utility, and accessibility of recreational opportunities at the new high school are not comparable to the recreational opportunities being lost at the Lynnwood Athletic Complex.

The level of service standard for "Core Parks" is 5 acres per 1,000 population and the current level of service is 3.79 acres. Loss of the Lynnwood Athletic Complex would further reduce the level of service.

COPY

**EXTENSION OF INTERLOCAL AGREEMENT
BETWEEN
EDMONDS SCHOOL DISTRICT and THE CITY OF LYNNWOOD**

MEADOWDALE PLAYFIELDS

g This Extension of Interlocal Agreement ("Agreement"), dated as of *May 30th*, 2012, is made and entered into by and between EDMONDS SCHOOL DISTRICT NO. 15 ("School District") and THE CITY OF LYNNWOOD ("Lynnwood").

RECITALS

WHEREAS the School District and Lynnwood desire to terminate all interlocal agreements between the School District and Lynnwood with respect to rights and obligations for Lynnwood's use of the fields and amenities at former Lynnwood High School, located at 3001 184th Street SW, Lynnwood, WA 98037-4701 ("Former LHS Agreements"); and

WHEREAS the School District, Lynnwood, the City of Edmonds ("Edmonds") and Snohomish County (the "County") entered into a Development/Operation Agreement Meadowdale Playfields dated June 5, 1985 ("1985 Meadowdale ILA") which pertains to the approximately 25 acres of real property owned by the School District and located at 66th Avenue West and 168th Street S.W., legally described on Exhibit A ("Meadowdale Playfields"), which agreement has a current term through June 5, 2025; and

WHEREAS, to forever resolve all outstanding issues between Lynnwood and the School District arising from or related to the Former LHS Agreements, the School District and Lynnwood desire to extend Lynnwood's rights and obligations at Meadowdale Playfields for an additional 40 years beyond the expiration of the current 1985 Meadowdale ILA and contemporaneously terminate, by separate agreement, the Former LHS Agreements; and

WHEREAS both the School District and Lynnwood desire to maintain cooperative, collaborative programs and relationships with Edmonds with respect to Parks and Recreation and other issues of interest to their respective constituents; and

WHEREAS Lynnwood has expressed a desire to expand Lynnwood's rights and obligations at Meadowdale Playfields to include the rights and obligations of Edmonds under the 1985 Meadowdale ILA, either at the time Edmonds' rights expire under the 1985 Meadowdale ILA or sooner if possible; and

WHEREAS the School District will not guarantee the outcome but agrees to pursue discussions with Edmonds to provide Lynnwood with exclusive use of the Meadowdale Playfields when not needed for school purposes by the School District, all as set forth in this Agreement.

NOW, THEREFORE, the School District and Lynnwood hereby agree as follows:

1. PURPOSE

The purposes of this Agreement are to:

(a) extend, as modified by this Agreement, Lynnwood's use rights and obligations with respect to use of the Meadowdale Playfields under the 1985 Meadowdale ILA by forty (40) years,

(b) allow Lynnwood to assume additional use rights and obligations at the Meadowdale Playfields site if Edmonds ceases its use (currently anticipated to occur in 2025 when the 1985 Meadowdale ILA expires as to Edmonds, and potentially sooner if Edmonds desires to terminate its use of the Meadowdale Playfields sooner), and

(c) establish cost sharing principles between the School District and Lynnwood regarding potential future redevelopment of the Meadowdale Playfields.

2. CONTRACT ADMINISTRATOR

2.1 Pursuant to RCW 39.34.030(4)(a), to the extent a matter is not governed by the 1985 Meadowdale ILA, the School District and Lynnwood hereby appoint the School District's Executive Director of Business and Operations as the "Contract Administrator", who will be responsible for administering this Agreement, and at the direction of the parties, shall take such action as is necessary to ensure this Agreement is implemented in accordance with its terms.

2.2 This Agreement does not create a separate legal or administrative entity, and consequently is being administered in accordance with RCW 39.34.030(4), as provided in paragraph 2.1.

3. REAL AND PERSONAL PROPERTY

3.1 The School District owns the real property that is the subject of this Agreement. This Agreement does not contemplate the transfer of ownership of the Property nor to limit the School District's ability to comply with its statutory obligations regarding the use and disposition of school property pursuant to RCW 28A.335.

3.2 The parties will not, during the term of and pursuant to this Agreement, jointly acquire or hold any property (real or personal) with regard to the Meadowdale Playfields; provided that the parties may make available to each other, as a matter of convenience, athletic equipment and other personal property normal and incident to the use of the Meadowdale Playfields. In the event that any such personal property items are shared, the parties shall maintain records indicating the nature and quantity of the items shared. Ownership and maintenance of any such personal property items shall remain with the party who purchased the personal property item.

3.3 By operation of this Agreement, Lynnwood does not acquire any ownership interest in and disclaims any interest to the Meadowdale Playfields, which is and will remain the School District's property.

4. EXTENSION, DURATION AND TERMINATION

4.1 The School District and Lynnwood hereby extend the term of the 1985 Meadowdale ILA, as between themselves only as set forth herein, to June 5, 2065.

4.2 The term of this Agreement shall commence upon filing with the County Auditor or upon listing the Agreement by subject on the School District's web site or other electronically retrievable public source in accordance with RCW 39.34.040 following mutual execution (the "Effective Date") and shall expire on June 5, 2065.

4.3 As between the School District and Lynnwood with respect to any new capital investment by Lynnwood in the Meadowdale Playfields made after the Effective Date of this Agreement not joined in by Edmonds under the 1985 Meadowdale ILA, provided that such investment in the Meadowdale Playfields shall first have been reviewed and approved in writing by the School District, Lynnwood's refund under Section 18(c) of the 1985 Meadowdale ILA shall be calculated as follows:

<u>Years this Extension Agreement remains in Force</u> 53	X	Replacement value of Project Construction Cost at Time of Termination.
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5. NEGOTIATIONS TOWARD LYNNWOOD EXCLUSIVE USE RIGHTS AT MEADOWDALE PLAYFIELDS DURING NON-SCHOOL HOURS

5.1 This Agreement does not amend the 1985 Meadowdale ILA, except to (a) extend the term stated in Paragraph 18 for an additional forty (40) years until June 5, 2065, and (b) amend the scheduling stated in Paragraph 17. However, the School District shall engage in good faith negotiations with Edmonds toward moving Edmonds' scheduling and use of the Meadowdale Playfields to other fields when the current

Meadowdale ILA expires in 2025 or earlier, and to thereafter provide Lynnwood with exclusive use rights and obligations at the Meadowdale Playfields site during non-school hours as set forth in this Section 5. Lynnwood acknowledges (a) the School District cannot guarantee any particular outcome with regard to negotiations with Edmonds regarding the termination of Edmonds' use of the Meadowdale Playfields prior to 2025, and (b) this Section 5.1 does not require the School District to exercise its termination rights under Section 18(c) of the 1985 Meadowdale ILA to secure any such cessation of Edmonds' Meadowdale Playfields scheduling or use.

5.2 In furtherance of this Section 5, Lynnwood and the School District will jointly request review of the 1985 Meadowdale ILA to seek exclusive non-school use and scheduling rights for Lynnwood if and as soon as Edmonds concurs, as follows:

(a) The School District will continue to have priority use of the Meadowdale Playfields during school hours as described in the 1985 Meadowdale ILA.

(b) If and when Edmonds terminates its use rights at the Meadowdale Playfields, Lynnwood shall

1. assume Edmonds' future use rights and obligations during non-school hours, and thereafter have exclusive use and scheduling rights at the Meadowdale Playfields, except for the School District's priority use rights during school hours as described in the 1985 Meadowdale ILA; and

2. assume full responsibility for the maintenance, operation, repairs, and restoration of the Meadowdale Playfields site as described in the 1985 Meadowdale ILA.

Notwithstanding such amendment, in accordance with section 17(e) of the 1985 Meadowdale ILA, the School District will not pay fees for its use of the Meadowdale Playfields site for educational purposes, but the School District will be assessed for field lighting costs and field preparation done by Lynnwood's maintenance crews (lining, dragging, placement of bases, etc.).

5.3 The City's scheduling periods under Section 17(c) of the 1985 Meadowdale ILA are revised as follows:

Field M-5 -City of Lynnwood scheduling starts at 5:30 p.m.

Fields M-1through 4- City of Lynnwood scheduling starts at 5:00 p.m.

with the understanding that the School District has the right to work with the City to make special scheduling arrangements on those occasions when the District's use of the fields need to extend beyond those start times.

6. DEVELOPMENT PLANS FOR MEADOWDALE PLAYFIELDS

6.1 The School District agrees to pay one-half of the cost (subject to section 6.2 and applicable budgeting and other applicable legal requirements) of master planning the redevelopment of Meadowdale Playfields at a future mutually-agreeable date, should Lynnwood wish to consider realigning the fields on the Meadowdale Playfields property along with any other site improvements. The School District's role in sharing the cost of the master planning effort, if it occurs, is due to the School District's continued ownership of the property and the School District's interest in continued access to and school use of the fields, as well as parking and driveways at the Meadowdale Playfields as event overflow parking and parent drop-off/pick-up for Meadowdale Elementary and Meadowdale Middle Schools.

6.2 Upon notice to the School District given on or before May 1 and including an estimate of the School District share of anticipated costs, for work that cannot be billed to the School District until the following September, Lynnwood shall have the right to initiate and take the lead on the master planning and site design and redevelopment process under this Section 6. As the owner of the Meadowdale Playfields property, the School District must approve of any redevelopment of the property, which the School District may grant, deny or condition in its sole discretion. The preparation of and agreement to pay for master planning costs does not obligate either party to proceed with construction or redevelopment.

6.3 The School District cannot guarantee but may be willing to share the costs of redevelopment of the Meadowdale Playfields, but only to the extent that the School District derives an educational benefit from such redevelopment (which the School District anticipates may be limited to benefits of the location, function and accessibility of the parking/driveways as noted in section 6.1, and perhaps the redesign of the fields).

7. MISCELLANEOUS

7.1 This Agreement together with the 1985 Meadowdale ILA represents the entire agreement between Lynnwood and the School District with respect to the Meadowdale Playfields. This Agreement shall not be amended except in writing mutually agreed to and executed by Lynnwood and the School District, and the 1985 Meadowdale ILA shall not be amended except in writing in the same manner as that agreement was executed by all parties thereto.

7.2 This Agreement and all questions concerning the capacity of the parties, execution, validity (or invalidity), and performance of this Agreement, shall be interpreted, construed and enforced in all respects in accordance with the laws of the State of Washington. This Agreement has been negotiated and drafted by all parties and is not to be construed in favor of any party.

7.3 Nothing herein shall be interpreted to create any right or liability with respect to any person or entity not a signatory to this Agreement.

7.4 The parties are independent entities and nothing in this Agreement creates any agency relationship. None of the parties to this Agreement shall be construed to be an officer, agent or employee of any of the other parties.

7.5 In the event of a dispute between the parties arising under this Agreement, the Superintendent of the School District and the Mayor of Lynnwood shall meet to attempt to resolve the dispute within thirty (30) days notice from the Contract Administrator of the existence of a dispute. In the event the Superintendent and the Mayor are unable to resolve the dispute within sixty (60) days notice from the Contract Administrator of the dispute, the parties shall submit the dispute to a mutually agreed upon private arbitrator for a binding resolution. In the event the parties cannot agree on an arbitrator, one may be appointed by the Presiding Judge of the Snohomish County Superior Court, with costs of arbitration borne equally. The prevailing party shall be entitled to recover reasonable attorneys' fees and costs related to said arbitration.

7.6 All notices required to be served or given in accordance with the terms of this Agreement shall be hand delivered or mailed via the U.S. Postal Service, postage pre-paid, to the following addresses of record:

Edmonds School District #15 Executive Director of Business and Operations 20420 68 th Ave. West Lynnwood, WA 98036-7400	City of Lynnwood Director of Parks, Recreation and Cultural Arts Department PO Box 5008 Lynnwood, WA 98046-5008
--	---

7.7 Any address changes shall be given to the other parties in writing.

7.8 This Agreement may be executed in several counterparts, all of which taken together shall constitute the entire agreement between the parties hereto. If any provision of this Agreement is determined to be invalid under any applicable statute or rule of law, it is to that extent to be deemed omitted, and the balance of the Agreement shall remain enforceable. If and to the extent reasonably required or desirable to

effectuate the terms of this Agreement, each party shall execute and deliver to the other or third parties involved in issues pertaining to the 1985 Meadowdale ILA such other and further documents, instruments and assurances as such other or third party may reasonably request, provided that neither party to this Agreement may be thereby required pursuant to this sentence to undertake additional financial or other obligations.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

EDMONDS SCHOOL DISTRICT NO. 15 Approved as to form:



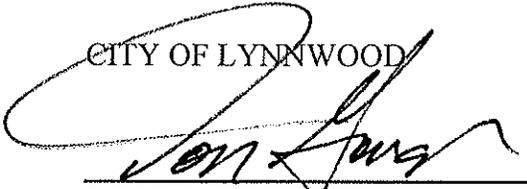
NICK L. BROSSOIT ED. D.
SUPERINTENDENT



of Perkins Coie LLP
Attorneys for the School District

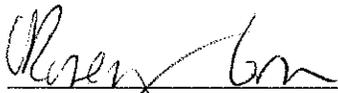
DATE: 5/30/2012

CITY OF LYNNWOOD



DON GOUGH, MAYOR

Approved as to form:



of Inslee, Best, Doezie & Ryder, P.S.
Attorneys for the City

DATE: 5-30-12

EXHIBIT A

EDMONDS SCHOOL DISTRICT NO. 15
Meadowdale Playfields

Legal Description

Tracts 82, 83, 107 and 108, Meadowdale Beach, according to plat thereof recorded in Volume 5 of Plats, page 38, records of Snohomish County, Washington and adjacent to vacated 68th Ave. West.

COPY

**TERMINATION OF AGREEMENTS REGARDING FORMER LYNNWOOD
HIGH SCHOOL ATHLETIC COMPLEX**

This Termination of Agreements Regarding Former Lynnwood High School Athletic Complex ("Termination Agreement"), dated as of May 30th, 2012, is made and entered into by and between EDMONDS SCHOOL DISTRICT NO. 15 ("School District") and THE CITY OF LYNNWOOD ("City").

[Handwritten signature]

RECITALS

WHEREAS, the School District and the City entered into a 1978 Statement of Policy Regarding the Joint Use, Development and Maintenance of City and District Properties ("Statement of Policy"); and

WHEREAS, the School District and the City, through a Development/Maintenance Agreement dated June 4, 1979, previously expanded, improved and thereafter together operated an athletic complex (the "Former Athletic Complex") on the School District's former Lynnwood High School property, located at 3001 184th Street SW, Lynnwood, WA 98037-4701, and legally described in Exhibit A (the "Former LHS Property") for use by Lynnwood High School students and, when not needed for school purposes, by the community at large; and

WHEREAS, in 1980 the School District, the City, and the State of Washington Recreation and Conservation Office entered into an outdoor recreation project grant agreement, Project No. 80-014D, which imposed certain restrictions on 12.4 acres of the Former LHS Property (the "RCO Agreement"), which was then amended in 2009 (i) to remove the City as a project co-sponsor and to make the School District the sole sponsor, (ii) to release any and all RCO Agreement restrictions and interests of the State of Washington in and to the Former LHS Property, and (iii) to transfer the RCO Agreement restrictions to 20 acres at the new Lynnwood High School site located on the north side of 184th SW, west of North Road in unincorporated Snohomish County ("New Lynnwood High School"); and

WHEREAS, the School District and the City previously performed renovations and maintenance of the Former Athletic Complex by interlocal agreements (i) dated July 11, 1994 ("July 11, 1994 Agreement"), which has expired; (ii) dated June 26, 1996 and recorded under Snohomish County Auditor's file no. 9606270936 ("June 1996 Agreement"); and (iii) dated November 26, 1996 and recorded under Snohomish County Auditor's file no. 9703120363 ("November 1996 Agreement"), which terminated and replaced the June 4, 1979 Development/Maintenance Agreement described above; and

WHEREAS, the School District, the City, and Edmonds Community College (the "College"), through an Interlocal Agreement recorded with Snohomish County July 23, 2001 under Snohomish County Auditor's file no. 200107230922 (the "2001 Agreement"), jointly funded further improvements to the Former Athletic Complex, which agreement terminates June 3, 2019; and

WHEREAS, the School District, the City, the City of Edmonds and Snohomish County entered into a Development/Operation Agreement for the Meadowdale Playfield Site, dated June 5, 1985, relating to the development, operation and maintenance of recreational facilities at the Meadowdale Playfield Site owned by the School District, and which currently expires in 2025 ("1985 Meadowdale ILA"); and

WHEREAS, the School District and the College entered into an interlocal agreement dated May 8, 2007 to replace and supersede their respective obligations to each other with respect to the portion of the 2001 Agreement pertaining to soccer; and

WHEREAS, the School District relocated Lynnwood High School to the new campus on North Road in 2009; and

WHEREAS, the School District and the College entered into a termination agreement dated April 4, 2012, terminating the November 1996 Agreement and 2001 Agreement as between the School District and the College; and

WHEREAS, in furtherance of their respective plans the School District and the City desire, effective as of the date first written above, to terminate the 1978 Statement of Policy with respect to the Former LHS Property, the June 1996 Agreement, the November 1996 Agreement, and the 2001 Agreement, each of which pertain to the Former Athletic Complex (collectively, the "Former LHS Interlocal Agreements"), to resolve any remaining obligations or rights between them under the RCO Agreement, and to extend the City's rights and obligations at the Meadowdale Playfield Site in accordance with the terms and conditions of the 1985 Meadowdale ILA;

AGREEMENT

NOW, THEREFORE, the School District and the City hereby agree as follows:

1. Termination of Interlocal Agreements.

1.1 1978 Statement of Policy. The 1978 Statement of Policy is hereby terminated, to the extent that it applies to the Former LHS Property only.

1.2 June 1996 Agreement. The June 1996 Agreement is hereby terminated between the City and the School District.

1.3 November 1996 Agreement. The November 1996 Agreement is terminated.

1.4 2001 Agreement. The 2001 Agreement is hereby terminated between the City and School District.

1.5 Settlement of Disputes under Above Agreements and RCO Agreement. The parties' extension of the 1985 Meadowdale ILA as between themselves, by separate agreement of even date, constitutes full settlement of the parties' disputes with respect to the Former Athletic Complex and reasonable replacement of rights of the City to provide community use of the Former Athletic Complex fields and amenities. Any remaining rights, obligations or liabilities between the School District and the City with respect to the Former Athletic Complex, including without limitation under the Former LHS Interlocal Agreements, the RCO Agreement, or any of them, are fully resolved, and each party hereby waives and releases the other party and its officials, employees, agents, and staff from any and all claims, demands and causes of action of whatever kind or nature (whether known or unknown, suspected or unsuspected, in contract or tort, or otherwise) that the party may have arising out of or in connection with the Former Athletic Complex whether under 1978 Statement of Policy, the June 1996 Agreement, the November 1996 Agreement, the 2001 Agreement, the RCO Agreement or otherwise. Without limiting the generality of the foregoing, the City has neither rights nor obligations with respect to the funding, development or use of athletic facilities at New Lynnwood High School as authorized by the RCO Agreement and, as between the School District and the City, the School District is solely responsible for compliance with and performance of requirements of the RCO Agreement with respect to facilities at New Lynnwood High School.

2. Reserve Account Refund. As soon as practicable but in no event later than 30 days following the date of mutual execution of this Agreement, the City shall pay to each of the School District and the College the sum of \$21,971.33, which is one-third of the earmarked funds reserved and held by the City pursuant to Section 4.3 of the 2001 Agreement.

3. Release. Subject to the provisions of this Termination Agreement, each party hereby waives and releases the other party and its officials, employees, agents, and staff from any and all claims, demands and causes of action of whatever kind or nature (whether known or unknown, suspected or unsuspected, in contract or tort, or otherwise)

that the party may have arising out of or in connection with the Former Athletic Complex, including without limitation those arising under Interlocal Agreements or the RCO Agreement.

4. Notice. Any notice provided in connection with this Termination Agreement shall be made to the parties at the following addresses:

<p>Edmonds School District:</p> <p>Executive Director, Business and Operations Edmonds School District #15 20420 68th Ave. West Lynnwood, WA 98036-7400</p>	<p>City of Lynnwood:</p> <p>Director of Parks, Recreation & Cultural Arts City of Lynnwood 19100 44th Ave West P.O. Box 5008 Lynnwood, WA 98046-5008</p>
--	--

Any address changes shall be given to the other party in writing.

5. Miscellaneous. This Termination Agreement shall be construed without regard to any presumption or other rule regarding construction against the party causing this Agreement to be drafted. This Termination Agreement may be executed in several counterparts, all of which taken together shall constitute the entire agreement between the parties hereto. This Termination Agreement may not be amended or modified except in writing signed by the parties to be bound thereby. If any provision of this Termination Agreement is determined to be invalid under any applicable statute or rule of law, it is to that extent to be deemed omitted, and the balance of the Termination Agreement shall remain enforceable. If and to the extent reasonably required or desirable to effectuate the terms of this Agreement, each party shall execute and deliver to the other or third parties involved in issues pertaining to the Former Athletic Complex such other and further documents, instruments and assurances as such other or third party may reasonably

[The remainder of this page intentionally left blank]

request, provided that neither party to this Agreement may be thereby required pursuant to this sentence to undertake additional financial or other obligations.

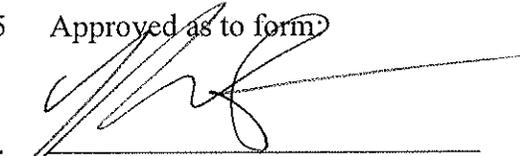
IN WITNESS WHEREOF, the parties have executed this Termination Agreement as of the day and year first written above.

EDMONDS SCHOOL DISTRICT NO. 15

Approved as to form



NICK J. BROSSOIT ED. D.
SUPERINTENDENT

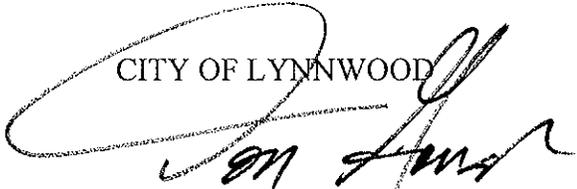


of Perkins Coie LLP
Attorneys for the School District

DATE: 5/30/2012

CITY OF LYNNWOOD

Approved as to form:



DON GOUGH, MAYOR



of Inslee, Best, Doezie & Ryder, P.S.
Attorneys for the City

DATE: 5-30-12

EXHIBIT A
Legal Description of Former LHS Property

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15,
TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M., IN SNOHOMISH COUNTY,
WASHINGTON;

EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF LYNNWOOD
BY DEED RECORDED MARCH 18, 1971 UNDER RECORDING NO. 2188576;

AND EXCEPT THAT PORTION THEREOF CONVEYED TO THE STATE OF
WASHINGTON FOR HIGHWAY PURPOSES BY DEED RECORDED FEBRUARY
4, 1980 UNDER RECORDING NO. 8002040149.

Code Amendment Commercial-Residential Zone

Staff Report December 19, 2012

I. Application Name and Number

File Name: Lynnwood Place (formerly Lynnwood Crossing)
File Number: 2012CAM0007 (C-R Zone)
Location: 3001 184th Street SW, Lynnwood (former Lynnwood High School)
Application Date: August 9, 2012

II. Proposal

The applicant is seeking text amendments to the development regulations that apply to the City's Commercial-Residential zone. In 2006, when the initial applications were received for Lynnwood Crossing (now Lynnwood Place), it was determined that an amended version of the City's Commercial-Residential Zone would be an appropriate zoning designation for the development planned. The Commercial-Residential Zone (C-R) exists within the Zoning Code, but this designation has not yet been applied to any property and does not currently appear on the City's Zoning Map. It was originally developed to be used for an annexation the City was considering a number of years ago that was never consummated. An application for reclassification (rezone) of the former Lynnwood High School (LHS) from P-1 – Public to C-R – Commercial-Residential is being processed separately from this requested text amendment. While the application for this Zoning Code amendment was not submitted formally until August 9, 2012, the need for changes has been discussed for many years. The Environmental Impact Statement (EIS) for Lynnwood Place included an assessment of the potential environmental impacts that this code change could generate.

The text of the Commercial-Residential (C-R) Zone, now codified as Chapter 21.54 LMC, was initially adopted in 1998 (Ordinance 2205).

This staff report utilizes and relies upon the Report prepared for the requested amendment of the Future Land Use Map (2006CPL0003). That request involves a land use designation change for the former Lynnwood High School (LHS) property from PF - Public Facilities to MU - Mixed Use. A separate staff report has been prepared for each of the requested changes to the Comprehensive Plan, the Zoning Map, and this textual code amendment. These individual reports are intended to be read and considered collectively, and to facilitate decision-making on the various applications. An application to designate the Lynnwood Place proposal a Planned Action will be considered with the development agreement in a subsequent review process.

The 2006 application for Comprehensive Plan amendment was accompanied by an application for environmental review pursuant to the State Environmental Policy Act (SEPA). A Determination of Significance (DS) was issued by the City on April 13, 2006. The final environmental impact statement (FEIS) for the proposal was issued by the City of Lynnwood Community Development Department on March 30, 2012. As mentioned above, amendment of the C-R zone was evaluated within the EIS. The Community Development file number for this environmental review is 2006ERC0003. This SEPA process concluded without appeal.

Under Lynnwood codes, an amendment of the Zoning Code is a Process IV permit, whereby the decision-making authority resides with the Lynnwood City Council. A public hearing will be conducted by the Lynnwood Planning Commission. At the conclusion of the Commission’s hearing, this group will make its recommendation(s) for the City Council’s consideration. The City Council will also conduct a public hearing before acting on the proposal. Procedures for Process IV permits are specified by Chapter 1.35 of the Lynnwood Municipal Code (LMC).

The various amendments to the text of the C-R zone can be described as follows:

Table 1: Summary of Text Amendments: C-R Zone

Page	Section	Description
1	21.54.050	Revises purpose statement to focus upon access to alternative modes of transportation. Removes references to “North Gateway Subarea Plan”.
2	21.54.100	Removes references to 165 th Place SW Allows multifamily dwelling only in mixed-use buildings.
3	21.54.100	Allows retail sale of gasoline when accessory to permitted use over 50,000 sq. ft. in building area. Prohibits self-service storage facilities.
4	21.54.150	Adds reference to City-Wide Design Guidelines.
4	21.54.200	Adds minimum lot area requirement of 2,000 sq. ft. per dwelling.
5	21.54.200	Modifies allowed location of off-street parking.
6	21.54.200	Adds criteria for authorizing building setbacks greater than 25 feet from a public street.
7	21.54.200	Removes requirement that building entrance face a public street. Removes requirement for extra landscaping where parking is located between building and public street.
7	21.54.220	Establishes limit on number of required off-street parking spaces that may be waived.
8	21.54.220	Requires that parking structures comply with City-Wide Design Guidelines.
11	21.54.240	Removes specific procedural standards for approval of exception to landscape buffer requirements.

III. Exhibits and Supporting Documents

See the accompanying materials for documents and records that provide the factual basis for this Report. The documents listed or provided in the Lynnwood Place Permit Review Binder are incorporated by reference.

IV. Public Notice

A notice of the _____, 2013 public hearing before the City Council was issued _____, 2013. The notice was mailed to parties within 600 feet of the subject property. The notice was published in the Herald newspaper, posted on the property (three locations) and at the City of Lynnwood official posting sites on or before _____.

A notice of the January 10, 2013 public hearing before the Planning Commission was issued December 8, 2012. The notice was mailed to parties within 600 feet of the subject property. The notice was published in the Herald newspaper, posted on the property (three locations) and at the City of Lynnwood official posting sites on or before December 8, 2012.

The Community Development Department issued a notice of application on October 1, 2012. The notice was mailed to parties within 600 feet of the subject property. The notice was published in the Herald newspaper, posted on the property (three locations) and at the City of Lynnwood official posting sites on or before that date.

Notice of the issuance of Draft EIS occurred on October 7, 2011. A community meeting on the DEIS was held on October 25, 2011. Notice of the Final EIS was issued on March 30, 2012.

Numerous public notices were issued and community meetings held during the scoping process for the EIS. Also, notice of the issuance of the DEIS and FEIS was completed according to the applicable law. The Community Development Department has posted information regarding the project on the City's website (www.ci.lynnwood.wa.us). The project files contain additional information regarding public outreach efforts.

The draft Comprehensive Plan and development regulation amendments were provided to the Department of Commerce as required by RCW 36.70A.106 and WAC 365-196-630. That notice of intent was provided on October 13, 2011 and again on December 4, 2012.

V. Background

Redevelopment of the former Lynnwood High School property has been under consideration for several years. The unusually long time between initial application and action was due to the severe economic recession that resulted in a major delay and ultimately a significant redesign of the project. The application to amend the City's Comprehensive Plan was initially made on March 1, 2006.

Cypress Equities and the Edmonds School District (ESD) are the project proponents. Cypress Equities would, through a long-term lease, develop the now-vacant property. The 33rd Avenue W road extension between 184th Street SW and Alderwood Mall Parkway would be built in a perpetual easement for right-of-way and utility purposes. Once constructed according to City standards, ownership of the street improvements would be transferred to the City of Lynnwood. New traffic signals would be added by the applicant where 33rd Avenue W intersects with 184th Street SW and with Alderwood Mall Parkway.

The project calls for a compact, mixed-use community on the south half of the project site. The north half would be occupied by a one-story, warehouse-style, retail store (Costco) with a 10-lane gasoline station. Off-street parking for Costco would be at-grade, while parking for the mixed-use development would be provided within parking structures and at-grade.

As mentioned above, an Environmental Impact Statement (EIS) was prepared to evaluate the adverse environmental impacts that may be generated by the proposed development. The Draft EIS was issued on October 7, 2011 and the Final EIS was issued on March 30, 2012. The public notification processes for the EIS met (or exceeded) legal requirements. The associated appeal period concluded without appeal. If the development proposal is designated by the City Council as a Planned Action, this EIS can satisfy the requirements for environmental review for project-level permits.

VI. Decisional Criteria and Staff Analysis

Chapter 21.20 LMC provides the decisional criteria for amendments of the Zoning Code (Title 21 LMC). Those criteria are provided below, along with staff's evaluation of the application relative to the preceding criterion.

21.20.500 Decision criteria.

The city may approve or approve with modifications a proposal to amend the text of the zoning code if:

A. The amendment is consistent with the comprehensive plan; and

Staff Analysis: Redevelopment of the LHS property as a prosperous, compact community will further a number of Comprehensive Plan policies and objectives. Of all the City's land use zones, the Commercial-Residential zone is best-suited for this property and this development proposal. Amendment of the City's development regulations is necessary in order to achieve redevelopment of the LHS property.

Generally speaking, amendment of land use regulations should occur periodically in order to ensure regulations appropriately address contemporary conditions. Comprehensive Plan Policies LU-4.1, LU-4.2 and LU-4.3 support development regulations that promote mixed-use development in the Subregional Center (VISION 2040's Lynnwood Regional Growth Center). See the Staff Reports for the other permit applications for additional information and justification. No inconsistencies with the Comprehensive Plan noted.

B. The amendment is substantially related to the public health, safety or welfare; and

Staff Analysis: It is in the public's interest for this vacant, 40-acre parcel to be redeveloped in a manner that implements policies and objectives of the Comprehensive Plan. No adverse impacts to the public's health, safety or welfare are anticipated.

C. The amendment is not contrary to the best interest of the citizens and property owners of the city of Lynnwood.

Staff Analysis: Promoting mixed-use development at this location will support use of alternative modes of transportation. The property is served by bus transit, is near the regional Interurban Trail, and is within an employment center. The project will include trail connection to the Interurban Trail, and pedestrian paths throughout the site. This sizable project is a short distance from Interstate 5, Interstate 405 and SR-525. At the time voters approve funding for extension of light rail beyond Lynnwood, it is expected that a transit station will be located within walking distance of Lynnwood Place.

VII. Project Design Review:

Not applicable to this application.

VIII. Environmental Review

On March 30, 2012, the City's SEPA Responsible Official issued the Final EIS (FEIS) for the requested amendment of the Comprehensive Plan. The EIS was developed after considerable public notice and opportunities for public participation. The accompanying appeal period concluded without appeal.

IX. Conclusions

Staff concludes that the request to amend the text of the C-R zone: 1) is consistent with the Comprehensive Plan; 2) is substantially related to the public's health, safety, and welfare; and 3) supports the interests of citizens and property owners in Lynnwood.

X. Recommendation

Staff recommends approval of the requested amendment of the text of the C-R zone.

1 **CITY OF LYNNWOOD**

2 **ORDINANCE NO. ____**

3
4
5 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
6 **OF LYNNWOOD, WASHINGTON, APPROVING TEXT**
7 **AMENDMENTS TO THE COMMERCIAL-RESIDENTIAL**
8 **ZONE OF THE LYNNWOOD MUNICIPAL CODE AND**
9 **PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY**
10 **AND SUMMARY PUBLICATION**
11
12

13 WHEREAS, the Edmonds School District submitted complete applications for: a)
14 amendment of the Comprehensive Plan Future Land Use Map to change the designation of the
15 District-owned property known as the former Lynnwood High School property, from PF – Public
16 Facilities – Mixed Use, and b) reclassification (rezone) of the same property from P-1 – Public to
17 C-R – Community Residential; and
18

19 WHEREAS, the Edmonds School District submitted a complete application for
20 amendment of the development regulations associated with the Commercial-Residential zone,
21 codified as Chapter 21.54 LMC; and
22

23 WHEREAS, the Commercial-Residential zone, codified as chapter 21.54 LMC, is an
24 appropriate land use zone to achieve the purposes of the requested change in Future Land Use
25 designation; and
26

27 WHEREAS, the provisions of the Commercial-Residential zone, although established in
28 1998 with the approval of Ordinance 2205, have not been applied to any specific property nor
29 used to regulate any actual development or land use; and
30

31 WHEREAS, as provided by Chapters 1.35 and 21.20 LMC, the City has established
32 procedures and decisional criteria for proposed text amendments to Title 21 LMC, Zoning, also
33 called the Zoning Code; and
34

35 WHEREAS, in consultation with the Edmonds School District, city staff prepared draft
36 revisions to the text of the Commercial-Residential zone and the City Council finds that the
37 proposed amendments are consistent with, and will support implementation of, the
38 Comprehensive Plan; and
39

40 WHEREAS, the process for amending the zoning code includes opportunities for
41 meaningful public participation and input, including public hearings conducted by the Planning
42 Commission and by City Council; and
43

1 WHEREAS, pursuant to the State Environmental Policy Act (SEPA), a Determination of
2 Significance (DS) was issued by the City of Lynnwood SEPA Responsible Official and an
3 Environmental Impact Statement was prepared and issued for the proposed redevelopment of the
4 former Lynnwood High School property, including the proposed amendments to the
5 Commercial-Residential zone; and
6

7 WHEREAS, on October 13, 2011 and December 4, 2012, the proposed amendments to
8 the Comprehensive Plan and the Zoning Code (Title 21 LMC) were submitted to the Department
9 of Commerce in accordance with RCW 36.70A.106 and WAC 365-196-630; and
10

11 WHEREAS, on December 8, 2012, notice of the January 10, 2013 public hearing before
12 the Planning Commission was provided in accordance with applicable law and all persons
13 wishing to be heard were heard; and
14

15 WHEREAS, on _____, 2013, notice of the _____, 2013 public hearing before
16 the City Council was provided in accordance with applicable law and all persons wishing to be
17 heard were heard; and
18

19 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD,
20 WASHINGTON, DO ORDAIN AS FOLLOWS:
21

22 Section 1: Chapter 21.54 LMC is amended as provided by Exhibit A to this Ordinance.
23

24 Section 2: Chapter 21.40 LMC is amended as provided by Exhibit B to this Ordinance.
25

26 Section 3: Effective Date of Amendment and Adoption. The Plan amendments adopted by this
27 ordinance shall become effective five days following passage and publication of this ordinance.
28

29 Section 4: Severability. If any section, subsection, sentence, clause, phrase or word of this
30 ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction,
31 such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of
32 any other section, subsection, sentence, clause, phrase or word of this ordinance.
33

34 //

35 //

36

1 Section 4: Summary Publication. Publication of this ordinance shall be by summary publication
2 consisting of the ordinance title.

3
4 PASSED this ___ day of _____, 2013, and signed in authentication of its passage
5 this ___ day of _____, 2013.

6
7 APPROVED:

8
9
10 _____
11 Don Gough, MAYOR
12

13
14 ATTEST/AUTHENTICATED:

15
16
17 _____
18 Lorenzo Hines
19 FINANCE DIRECTOR,
20

21 APPROVED AS TO FORM:

22
23
24 _____
25 Rosemary Larson
26 CITY ATTORNEY
27

28
29
30 Publish:

31 File Name: Lynnwood Place

32 File Number: 2012CAM0007
33
34
35
36
37

ORDINANCE NO. ____

EXHIBIT A

see Binder document 4.2

EXHIBIT B

see Binder document 4.2

On the ____ day of _____, 2013, the City Council of the City of Lynnwood, Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, APPROVING TEXT AMENDMENTS TO THE COMMERCIAL-RESIDENTIAL ZONE OF THE LYNNWOOD MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2013.

Lorenzo Hines
FINANCE DIRECTOR

**Chapter 21.54
COMMERCIAL-RESIDENTIAL ZONE**

Sections:

- [21.54.050](#) Purposes.
- [21.54.100](#) Land use.
- [21.54.140](#) Accessory uses.
- [21.54.150](#) Project design review.
- [21.54.200](#) Area and dimensional standards.
- [21.54.220](#) Parking.
- [21.54.230](#) Additional street frontage landscaping requirements.
- [21.54.240](#) Buffer areas.
- [21.54.250](#) Minimum lot size.
- [21.54.500](#) Signs.
- [21.54.900](#) Other regulations.

21.54.050 Purposes.

This Commercial-Residential zone is intended to implement the ~~North Gateway Subarea Plan~~ and future land use plan map by allowing development of a mix of commercial and residential land uses ~~in close proximity to~~ that can be supported by transit facilities. ~~Additional properties may be designated with this zone where it is shown that development of a mix of commercial and residential uses could promote use of public transit, carpools or vanpools, or other means of travel other than single-occupant vehicles. While development in this zone may include apartments built over stores and offices,~~ The key concept is to locate complementary land uses within convenient walking distance of each other connected by safe, direct, pedestrian oriented walkways. A wide variety of commercial uses are permitted in this zone in order to promote development of commercial centers that serve both nearby residents and users of the transit facilities. Multiple-family residences are permitted at these properties to provide the opportunity to live and work at a single property or development and walk to stores, services, entertainment and other activities, and to promote the use of public transit, carpools or vanpools for commuting or other travel. ~~Potential conflicts between commercial and residential land uses may be resolved by project-by-project review of residential proposals.~~

21.54.100 Land use.

A. Commercial Uses. Except as specifically stated otherwise in this section, A-all land uses permitted “by right” in the B-1 (Community Business) zone are permitted “by right” in this zone. All land uses permitted with approval of a conditional use permit in the B-1 (Community Business) zone are permitted with approval of a conditional use permit in

this zone. All limitations on those land uses (ref. LMC [21.46.110](#) through [21.46.119](#)) shall apply in this zone, except as modified by the regulations in this chapter.

~~1. Exception. Notwithstanding subsection (A) of this section, only residential uses (pursuant to subsection (B) of this section) are permitted or permitted with approval of a conditional use permit at any property with frontage on 165th Place SW.~~

B. Residential Uses. Multi-family residential uses are permitted, provided the multi-family residential use is part of a mixed-use building or is on property that has commercial uses. Multi-family residential development without commercial uses on the property shall not be permitted. ~~All land uses permitted "by right" or with approval of a conditional use permit in the RMM (medium density multiple-family residential) zone are permitted with approval of a conditional use permit in this zone. All limitations on these land uses (ref. LMC [21.42.110](#)) shall apply in this zone, except as modified by the regulations in this chapter.~~

C. Conditional Uses. Notwithstanding the regulations of the B-1 zone, the following uses are permitted in this zone with approval of a conditional use permit:

1. Convenience store.
2. Drive-in or drive-through window or other facility that provides service to customers in vehicles.
3. Church.
4. Home improvement stores
5. Carpeting or floor covering stores
6. Furniture stores

D. Prohibited Uses. Notwithstanding subsections (A) and (B) of this section, the following uses are prohibited in this zone:

1. Vehicle display, sales, rental, repair, washing, or servicing as a principal use except that:

a. Retail sales of new automobile tires, batteries and other motor vehicle accessories and installation thereof within a completely enclosed building, and

b. Retail sales of automobile and recreational vehicle fuels (but without repairs or servicing) when accessory to an otherwise permitted retail use over 50,000 square feet GFA

are permitted.

2. Gas or service stations as a principal use.

~~3. Sale or repair of vehicle tires.~~

~~3. 4. Dry cleaning plants.~~

~~4. 5. Appliance sales or small engine repair.~~

~~6. Home improvement stores.~~

~~7. Carpet stores.~~

~~8. Furniture stores.~~

~~5. 9. Self-service storage facilities or cold storage lockers.~~

~~6. 10. Agricultural and horticultural activities (including plant nurseries). Florist shops are permitted.~~

21.54.140 Accessory uses.

Any use may be permitted by the community development director as an accessory use to a principal use that is allowed in the applicable zone; provided, that the community development director finds that the proposed accessory use is clearly accessory or incidental to the principal use of the property and that the proposed accessory use is consistent with the purpose of the applicable zone. A determination made pursuant to this section may be appealed through Process II.

21.54.150 Project design review.

A. Design Guidelines for Nonresidential Uses. The following structures and parking facilities permitted outright, or by conditional use permit ~~or special use permit~~ in the Commercial-Residential zone, shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial Districts, as adopted by reference in LMC [21.25.145\(B\)\(3\)](#), and receive approval pursuant to Chapter [21.25](#) LMC, unless otherwise specified in this chapter:

1. Construction of any nonresidential structure or building with a gross floor area of more than 1,000 square feet.

2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 square feet or more.

B. Design Guidelines for Multiple-Family Uses. Construction of any multiple-family structure or building ~~including duplexes (two-family dwellings)~~ permitted outright, by conditional use permit ~~or special use permit~~ in the Commercial-Residential zone, shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multi-family Districts, as adopted by reference in LMC [21.25.145\(B\)\(3\)](#), and receive approval pursuant to Chapter [21.25](#) LMC, unless otherwise specified in this chapter.

C. Mixed Use development shall comply with applicable sections from both the Lynnwood City Wide Design Guidelines for All Districts, Multi-Family Districts and Commercial Districts.

CD. Supersede. Applicable Lynnwood Citywide Design Guidelines, as adopted by reference in LMC [21.25.145\(B\)\(3\)](#), shall supersede any development standards and requirements of this chapter that may conflict, unless otherwise specified in this chapter.

DE. Gateways and Prominent Intersections. See city of Lynnwood zoning map to identify development project sites within a gateway or prominent intersection location. Such sites shall be subject to applicable gateway and/or prominent intersection design guidelines identified in the All Districts section of the Lynnwood Citywide Design Guidelines, as adopted by reference in LMC [21.25.145\(B\)\(3\)](#). If any portion of a project site lies within a gateway or prominent intersection location, then the entire project shall comply with the applicable design guidelines.

21.54.200 Area and dimensional standards.

The standards in this section shall apply to all structures and nonstructural uses in this zone. No building, structure or land shall be established, erected, enlarged or structurally altered, except in conformance with these standards and Chapter [21.14](#) LMC.

A. Table of Standards.

Table 21.54.1 – Development Standards

Site Planning		
<u>Minimum lot area per dwelling unit</u>		<u>2,000 sq. ft..</u>
Minimum setback abutting a street		0 ft.

Maximum setback abutting a street		25 ft. ¹
Minimum setback abutting another property		10 ft. ²
Maximum building height		no limit ³
Corner lot – Minimum area of landscaped area at intersection ⁴		500 sq. ft.
Minimum pedestrian area at building entries		200 sq. ft.
Minimum setback from any residential zone		25 ft.
Maximum lot coverage		70 percent
Parking Area		
Minimum landscaped area — Parking area within 100 ft. of street		See LMG 21.54.200 (C)(4)
Minimum landscaped area — Parking area more than 100 ft. from street or behind a building		See LMG 21.54.200 (C)(4)
Minimum size of landscaped area within 100 ft. of street		25 sq. ft.
Minimum width of landscaped area		5 ft.
Minimum number of trees in landscaped area within 100 ft. of street		1 per 6 parking spaces*
Minimum number of trees in landscaped area more than 100 ft. from street		1 per 8 parking spaces*
Corner lot — Minimum setback for parking area from street (unless separated from street by a building)		200 ft.
Maximum portion of a property frontage at which parking may be located in front of a building		50 percent
Landscaping		
Minimum width of landscaping adjoining a street		15 ft. ^{5*}
Planting of street trees		30 ft. on center

* This standard shall supersede any applicable Lynnwood Citywide Design Guidelines that may conflict.

B. Notes.

1. A. Up to 50% of a building fronting a street may be set back up to 50 ft. to accommodate plazas, courtyards, prominent entranceways or other frontage modulation. The areas within such additional setbacks are subject to the same landscaping, street furnishing, etc. guidelines otherwise required.

B. Single story, single tenant buildings greater than 100,000 square feet in gross floor area may be exempt from the 25 foot maximum setback requirement if all of the following are met:

i. A pedestrian park or plaza shall be provided at a size at least equivalent to five (5) percent of the gross floor area of the building(s). The open space shall be in addition to that required under the design review process required by LMC Section 21.54.150.

ii. A minimum five (5) foot wide pedestrian corridor shall be provided from the main building entrance to abutting parcels with multi-family residential development.

iii. Parking spaces exceeding the minimum capacity requirements required by LMC Chapter 21.18 shall be provided in a parking structure that may be above or below ground (i.e. shall not be surface parking). Such structure may serve multiple buildings and users.

2. See also required buffers in LMC [21.54.240](#).

3. Any portion of a building or structure with a height greater than 35 feet shall be set back from all property lines a minimum of one foot for every two feet in height above 35 feet.

4. Landscaped area may include pedestrian pathway connecting development to crosswalk(s).

5. Where a building is set back less than 15 feet from the street, the entire building setback (if any) shall be landscaped, not including pedestrian circulation areas and pathways.

C. Additional Standards.

1. Any surface parking lot that is more than 130 feet in any dimension, shall have marked pedestrian walkways leading to adjacent building entries, subject to approval by the community development director.
2. Special paving shall be installed and maintained at all driveways and other points of access for vehicles to/from a public street. "Special paving" shall include, but is not limited to, bomonite, stamped or colored concrete, and concrete pavers.
- ~~3. All major building pedestrian entrances and exits shall face a public street.~~
- ~~4. Five percent of parking areas located only between the sides of buildings opposite the street and interior property lines; 10 percent of parking areas between buildings, between buildings and the closest side property line, or single-aisle, double-loading parking areas located between buildings and the street; and 15 percent of multi-aisle parking areas located between buildings and street shall be in landscaping (exclusive of landscaping on the street frontage and required landscape buffers).~~

21.54.220 Parking.

For calculating the required number of parking stalls see Chapter [21.18](#) LMC.

A. Reduction in Parking for a Common Driveway. Owners of adjoining properties will be encouraged to enter into agreements to provide for shared access, egress, and parking facilities by allowing a reduction of the total parking requirements for such properties. Property owners desiring to take advantage of this reduction policy may submit detailed plans to the city, and if such plans are approved by the community development director and public works director, the required off-street parking for each respective parcel may be reduced ~~by twice the number of stalls that could be accommodated by the actual square footage of land provided by each respective parcel for a common driveway,~~ provided:

1. That no reduction shall be more than twice the number of standard sized parking stalls which could be accommodated by the actual square-footage of parking lot area of each respective parcel served by the common driveway.

2. That such reduction in parking will not reduce parking by more than 10 percent of the amount otherwise required;

3. ~~2.~~ A coordinated parking lot layout and landscaping plan is submitted, approved, and conforms to the specifications of this code;

4. ~~3.~~ In circumstances where buildings already exist, that the plans include a reasonable effort to coordinate, redesign or refinish the exterior of the buildings in a unified manner so as to improve the visual image of the street and vicinity;

5. ~~4.~~ The plans provided for streets adjoining the properties involved to be improved to city standards, including sidewalk, curb, and gutter, or reasonably equivalent guarantee of such improvement are provided in LMC [16.04.250](#);

6. ~~5.~~ Traffic flow is improved through joint use of the same entrances;

7. ~~6.~~ That the parties owning the properties enter and record into a written agreement recorded with the county auditor, defining their rights, duties, reciprocal easements, and providing for maintenance and repair in such a manner that the city reasonably assured that the property will have an orderly, permanent management, which agreement shall notify persons dealing with the title to said lands that the right to reduced parking is conditional upon the continued existence of the common driveway; and

8. ~~7.~~ The city has reviewed consent by all owners that additional building permits on any of the land so affected will not be issued by the city unless separate and/or additional parking is provided.

B. Parking Structure Development Standards: Parking structures shall meet the design requirements of LMC 21.18.710 "Parking Structure Development Standards" except that parking structures screened from streets by other buildings need not meet the LMC 21.18.710(C)(5) requirement to set back floors above the third floor.

C. Supersede: Applicable parking standards as adopted in LMC 21.18 shall supersede any development standards and requirements of this chapter that may conflict, unless specified otherwise in this chapter.

21.54.230 Additional street frontage landscaping requirements.

A. Size of Trees at Planting. The minimum height at planting for evergreen trees shall be eight feet. The minimum caliper size for deciduous trees at planting shall be two inches.

B. Planting for Shrubs and Groundcover. Low evergreen plantings with a maximum height of 36 inches shall be provided in all landscaped areas abutting a street. Street-side landscape areas at parking areas shall include at least one row of evergreen shrubs spaced no more than four feet apart and that will grow to a height of at least 30 inches. Groundcover shall be planted in all landscaped area abutting a street in a manner that will fully cover areas not covered by trees or shrubs within two years. No more than 10 percent of a landscaped area abutting a street shall be covered with

inanimate materials, not including the walking surface for walkways or other pedestrian areas.

C. Landscaping in Right-of-Way. Property owners who install landscaping on portions of right-of-way not covered by impervious surfaces shall provide the city with a written release of liability for damages which may be incurred to the planting area from any public use of the right-of-way and shall indemnify the city against any injuries occurring within that portion of right-of-way so utilized. Such release and indemnity shall be subject to approval by the city attorney.

D. Additional Landscaping Along Specified Streets. See Chapter [21.06](#) LMC.

21.54.240 Buffer areas.

Buffer areas shall be installed where the side yard or rear yard of a property in this zone adjoins a property zoned to a residential zone or the public and semi-public zone.

A. Plans Submittal and Decision. Plans for landscaping and fencing in a buffer area shall be submitted to the community development director or as part of an application for design review for approval prior to issuance of a building permit. The Community Development Director shall approve the landscaping plan if the proposed landscaping and fencing would provide adequate screening after five years of growth. A decision by the director under this subsection may be appealed pursuant to Process II, LMC [1.35.600](#) et seq.

Any permit issued by the building official shall be conditional upon compliance with the screening standards established throughout this procedure.

B. Minimum Standards.

1. Planting.

a. Adjacent to a Single-Family Residential Zone.

i. This planting strip shall be at least 20 feet in width and shall consist of two rows of evergreen conifer trees. The trees shall be staggered and spaced a maximum of 15 feet on center, so as to form an effective visual barrier within five years. The minimum tree height at planting shall be six feet. A permanent six-foot site-screening fence shall be placed at the property line.

ii. When slope of land in a buffer requires installation of a rockery or other retaining structure, the width of the buffer shall be increased so that the retaining structure reduces the planting area of the buffer to no less than 80

percent of the area in the required buffer. Trees required to be planted in a buffer with a retaining structure shall be planted at the top of the structure.

b. Adjacent to a Multiple-Family Residential or Public and Semi-Public Zone. The planting strip shall be at least 10 feet in width and shall consist of the following:

- i. One row of evergreen conifer trees, spaced a maximum of 10 feet on center. Minimum tree height at planting shall be six feet. The remainder of the planting strip shall be promptly planted with low evergreen plantings which will mature to a total groundcover within five years; or
- ii. Exception. Where soil or topographic conditions prevent trees from being planted at the top of a retaining structure within a buffer, a site-screening evergreen hedge that provides a sight, sound, and psychological barrier between zones with some degree of incompatibility. The spacing of plants shall be such that they will form a dense hedge within five years. Minimum plant height at planting shall be four feet; height at full growth shall be at least 10 feet.

2. Signed Plans. All landscaping plans shall bear the seal of a registered landscape architect or a professional nurseryman and be drawn to a scale no less than one inch to 20 feet. The landscape architect or professional nurseryman shall certify that the species of plants are fast-growing and that the design of the plan will fulfill city code requirements.

3. Fencing.

a. As part of all buffer areas required by this paragraph, a solid one-inch-thick board (nominal dimensional standards) fence shall be placed at the property line. A brick, rock or masonry wall may be substituted for the board fence. No new fence is required in those cases where an existing fence meets the intent of this paragraph. However, if the existing fence is ever completely or partly removed, demolished or destroyed, then the owner of the property first being required by this paragraph to provide the necessary fence will be responsible for fulfilling this requirement.

b. Where the slope of the land is such that the location of a fence required by the above standards is impractical or ineffective in satisfying the intent of this paragraph, the community development director may permit a location which more adequately satisfies the intent of this section.

C. Exception.

~~The community development director may reduce the required buffer width and revise the required planting and fencing if the director finds that, due to the intensity of existing or proposed landscaping, change in topography between properties, use of the properties along the abutting property line, or other characteristics of the abutting properties, a reduced buffer width will provide adequate separation between the properties.~~

~~A request for approving a reduction in a required buffer shall be made in writing and shall describe fully the reduction and the basis for the request. The fee for processing a request shall be \$200.00 as set forth in LMC 3.104. The person(s) requesting the buffer reduction bear the burden of proof that the reduced buffer will provide adequate separation and screening between properties.~~

~~At least 28 calendar days prior to acting on a request for buffer reduction, notice of the request shall be mailed to the owners of all properties that abut the site of the proposed reduction. Action on a request may not be taken until this noticing period has expired.~~

Anyone may appeal a determination regarding an exception by the director under this subsection by filing a written statement of the reason(s) for the appeal with the community development department. Such an appeal shall be processed pursuant to Process II (LMC [1.35.200](#) et seq.).

21.54.250 Minimum lot size.

Property proposed for development under these commercial-residential regulations shall encompass a development site area of at least five acres. ~~At properties in this zone which encompass less than five acres the regulations for the RS-7 zone shall apply. "Encompass a development site" shall mean that one or more parcels shall be developed as a unified project including, but not limited to, shared parking and access and coordinated landscaping, architecture and signage.~~

21.54.500 Signs.

A. Wall signs and freestanding signs shall be allowed, as provided in LMC [21.16.310](#), except that:

1. ~~A.~~ Freestanding signs, other than monument signs, ground signs and directional signs, are prohibited.

2. ~~B.~~ The maximum height of a freestanding sign in this zone shall be 10 feet.

21.54.900 Other regulations.

A. Refuse and Recycling Collection Areas and Enclosures. On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where new

buildings are being constructed or existing buildings are being remodeled or expanded, and shall comply with the requirements of this section. ~~One-family dwelling units, two-family dwelling units, and public parks are exempt from the requirements of this section.~~

B. Setback. Refuse and recycling collection areas in the CR zone ~~all commercial zones~~ shall comply with the development standards below. The following development standards shall supersede other applicable setback requirements of this chapter and any Lynnwood Citywide Design Guidelines, as adopted by reference in LMC [21.25.145\(B\)\(3\)](#), that may conflict:

1. Set back a minimum of 20 feet from a public street;
2. Set back a minimum of 25 feet from any interior property line adjoining an RS or RM zone; or
3. Set back a minimum of 10 feet from any other interior property line.

C. Design. All refuse and recycling collection areas shall be enclosed on three sides by a six-foot-high site-obscuring fence which uses building materials, color, and design details similar to the primary buildings on the site and a six-foot-high gate on one side.

1. The height of the enclosure may include the height of a surrounding slope or berm (height measured from bottom inside edge of the collection area).
2. The enclosure shall include a gate which can be secured in an open or closed position.
3. If the gate is made of metal chain link fencing, the fencing shall contain slats which screen the view of containers and material inside the collection area.
4. An alternative design may be approved if it is determined that such alternative would provide equal or better screening, architectural compatibility, and containment.

D. Parking. A refuse and recycling collection area shall be located in such a way that new or existing parking stalls will not prevent or interfere with the use and servicing of the collection area.

E. Size, Location and Construction. Refuse and recycling collection areas shall be sized, located, and constructed per standards established by the public works department.

**Chapter 21.40
USE ZONES AND ZONING MAP**

21.40.100 Use Zones Established

For the purpose of this title, the city is divided into use zones as provided hereafter:

Essential Uses	Symbols	Description
A. Single-Family Residential Zones.		
Single-Family Residences	RS-8	Low-Density Single-Family Residential
	RS-7	Medium-Density Single-Family Residential
	RS-4	High-Density Single-Family Residential
B. Multiple-Family Zones.		
Multiple-Family Residences	RML	Low-Density Multiple-Family Residential
	RMM	Medium-Density Multiple-Family Residential
	RMH	High-Density Multiple-Family Residential
C. Commercial Zones.		
Retail, Offices and Services	B-4	Restricted Business
	B-3	Neighborhood Business
	B-2	Limited Business
	PCD	Planned Commercial Development
	B-1	Community Business
	MU	Mixed Use/Business
	CC-W	City Center – West End
	CC-N	City Center – North End
	CC-C	City Center – Core
	CG	General Commercial
	PRC	Planned Regional Shopping Center
	CDM	College District Mixed Use
	HMU	Highway 99 Mixed Use
	<u>CR</u>	<u>Commercial Residential</u>
D. Industrial Zones.		
Employment Uses	BTP	Business and Technical Park(s)
	LI	Light Industrial
E. Public and Institutional Zones.		
Institutional Uses	P-1	Public and Semi-Public Uses.

21.40.900 Order of Restrictiveness

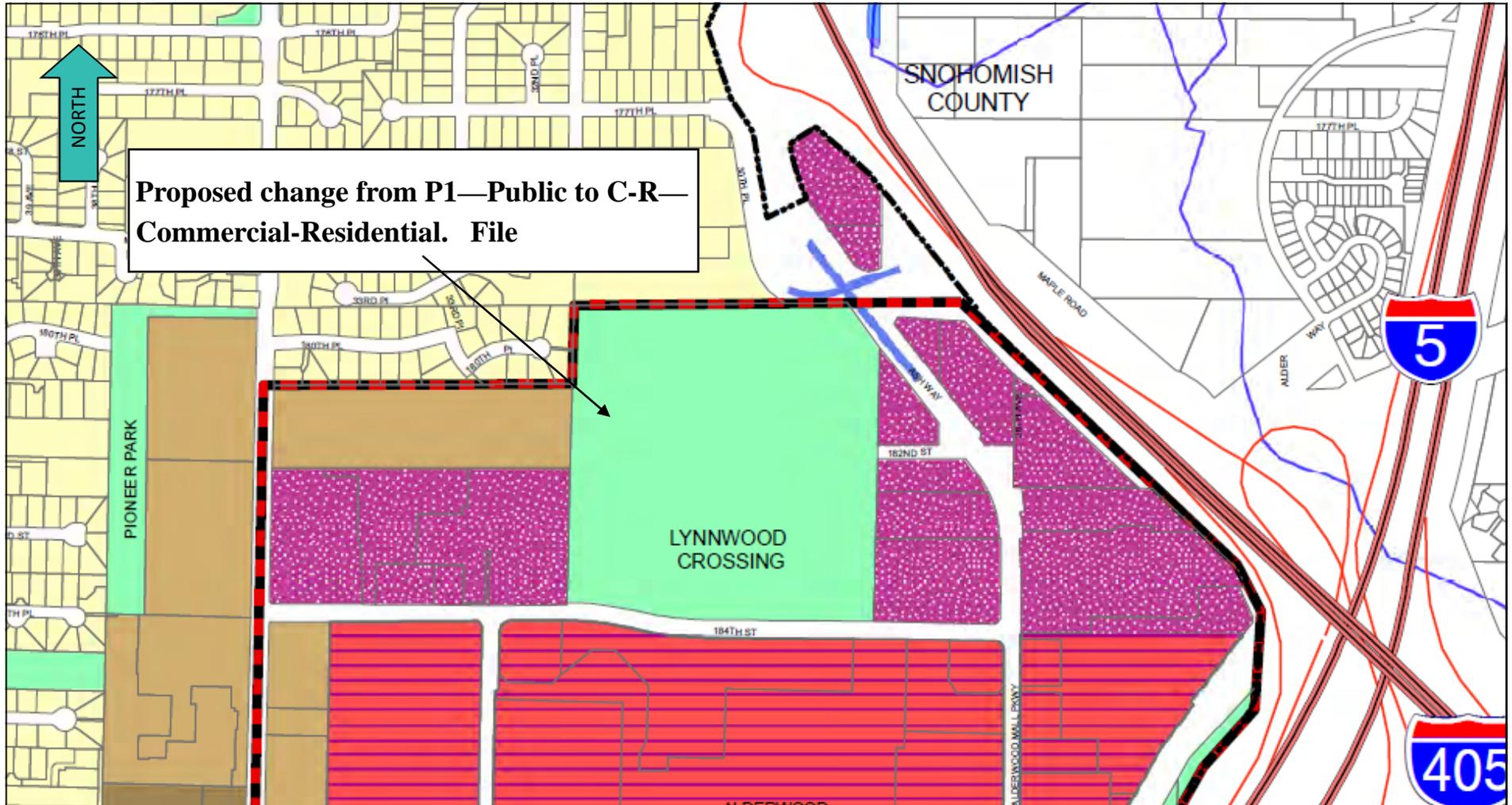
The City of Lynnwood is divided into ~~22~~ 23 use zones which shall be known, in the order of restrictiveness, beginning with the most restrictive, as:

- Upon deletion of the Suburban Residential Zone (RS-12), the properties in the zone are to be automatically placed in the adjacent Residential Zone (RS-8).
- RS-8 Low-Density Single-Family Residential

RS-7	Medium-Density Single-Family Residential
RS-4	High-Density Single-Family Residential
P-1	Public and Semi-Public Use
RML	Low-Density Multiple-Family
RMM	Medium-Density Multiple-Family
RMH	High-Density Multiple-Family
	Upon deletion of the High Rise Multiple-Family Zone (RMHR), the properties in the zone are to be automatically placed in the High Density Multiple-Family Zone (RMH).
B-4	Restricted Business
B-2	Limited Business
	Upon deletion of the Highway Services Zone (C-2), the properties in the zone are to be automatically placed in the adjacent Planned Commercial Development Zone (PCD).
B-3	Neighborhood Business
PCD	Planned Commercial Development
B-1	Community Business
CDM	College District Mixed Use
MU	Mixed Use/Business
HMU	Highway 99 Mixed Use
CR	<u>Commercial Residential</u>
CC-W	City Center – West End
CC-N	City Center – North End
CC-C	City Center – Core
CG	General Commercial
PRC	Planned Regional Shopping Center
BTP	Business and Technical Park
LI	Light Industrial

Lynnwood Place—Excerpt of Current Zoning Map, annotated

Source: City of Lynnwood



Proposed change from P1—Public to C-R—Commercial-Residential. File

CURRENT ZONING

RESIDENTIAL

- RS-8 - Residential 8400 Sq Ft
- RS-7 - Residential 7200 Sq Ft
- RS-4 - Residential 4000 Sq Ft
- RML - Multiple Residential Low Density
- RMM - Multiple Residential Medium Density
- RMH - Multiple Residential High Density
- MHP - Mobile Home Park

COMMERCIAL

- B-1 - Community Business
- B-2 - Limited Business
- B-3 - Neighborhood Business
- B-4 - Restricted Business
- CG - General Commercial
- PCD - Planned Commercial Development
- PRC - Planned Regional Shopping Center

MIXED USE

- CC-C - City Center Core
- CC-W - City Center West
- CC-N - City Center North
- MU - Mixed Use
- CDM - College District Mixed Use
- HMU - Highway 99 Mixed Use

INDUSTRIAL

- BTP - Business/Technical Park
- LI - Light Industrial

OTHER

- P1 - Public
- PUD - Planned Unit Development

— Lynnwood City Limits

- MUGA
- College District Overlay
- PSRC Regional Center

Gateway Intersections

- Gateway
- Prominent

Reclassification (Rezone)

Staff Report December 19, 2012

I. Application Name and Number

File Name: Lynnwood Place (formerly Lynnwood Crossing)
File Number: 2012RZN0003
Location: 3001 184th Street SW, Lynnwood (former Lynnwood High School)
Application Date: March 1, 2006 and September 11, 2012

II. Proposal

On September 11, 2012, the City of Lynnwood received a complete application for a change in the Zoning Map designation from P1 - Public to CR – Commercial-Residential. The application is considered to have been originally submitted to the City on March 1, 2006, as part of the application to change the Comprehensive Plan Future Land Use Map designation from PF – Public Facilities to MU – Mixed Use (2006CPL0003). Within this report, “reclassification” is synonymous with “rezone”.

In 2006, City staff determined that an application for amendment of the Comprehensive Plan’s Future Land Use Map inherently included a request to change the City’s Zoning Map. This approach was intended to ensure consistency between the City’s Comprehensive Plan and development regulations that implement the Comprehensive Plan. Accordingly, staff processed the requested change to the Comprehensive Plan Future Land Use map from Public Facilities to Mixed Use, along with a Zoning Map change from P1, Public to C-R, Commercial-Residential.

An environmental impact statement (EIS) was prepared and issued for the land use decisions associated with Lynnwood Place. The final environmental impact statement (FEIS) for the proposal was issued by the City of Lynnwood Community Development Department on March 30, 2012.

At the time this application was received, a site-specific reclassification was a Process IV permit, whereby the decision-making authority resides with the Lynnwood City Council. A decision by the City Council may follow a decision on the requested change to the Future Land Use Map (2006CPL0003).

Unlike the other applications submitted by the Edmonds School District (ESD) for the former Lynnwood High School (LHS) property, this request for a site-specific reclassification (rezone) is a quasi-judicial action. In general, decisions made on quasi-judicial matters must be based upon factual information presented by City staff (such as this Staff Report and accompanying documents) and from the public during an open public hearing.

A public hearing will be conducted by the Lynnwood Planning Commission. At the conclusion of the Commission’s hearing, this group will make its recommendation(s) for the City Council’s consideration. The City Council will also conduct a public hearing before acting on the proposal. Procedures for Process IV permits are specified by Chapter 1.35 of the Lynnwood Municipal Code (LMC)¹.

¹ As in effect on September 11, 2012, prior to those procedural amendments enacted with Ordinance 2957.

The Applicant has also requested City Council approval of a development agreement as allowed by RCW 36.70B.170 and chapter 1.37 LMC.

III. Exhibits and Supporting Documents

See the Staff Report for the Comprehensive Plan Amendment (2006CPL0003) and Attachment A to this Report. Those documents provide information relevant to this application and are incorporated herein by reference.

IV. Public Notice

See Staff Report for 2006CPL0003.

V. Background

See Staff Report for 2006CPL0003.

VI. Decisional Criteria and Staff Analysis

Criteria for permit decisions for reclassifications are contained within the Comprehensive Plan and within the LMC. Those criteria are provided below, with an accompanying analysis of the proposal by City staff. Also, supporting information is contained within the See Staff Report for the proposed change to the Future Land Use Map (file 2006CPL0003).

Comprehensive Plan (Land Use Element)

Policy LU-1.6: Proposals for rezoning shall be evaluated utilizing the following criteria:

- a) The proposal must be consistent with and implement the Comprehensive Plan.
Staff Analysis: The objective of the application is to align the City of Lynnwood Zoning Map with the (proposed) Future Land Use Map. In the event the requested Comprehensive Plan amendment is approved, reclassification of the 40 acre property from P1 – Public to MU – Mixed Use would be consistent with, and facilitate implementation of, the Comprehensive Plan.
- b) The proposal must be consistent with and implement the purpose of the zone.
Staff Analysis: LMC 21.54.050 describes the purpose of the Commercial-Residential zone:

LMC 21.54.050 Purposes. This Commercial-Residential zone is intended to implement the North Gateway Subarea Plan and future land use plan map by allowing development of a mix of commercial and residential land uses in close proximity to transit facilities. Additional properties may be designated with this zone where it is shown that development of a mix of commercial and residential uses could promote use of public transit, carpools or vanpools, or other means of travel other than single-occupant vehicles. While development in this zone may include apartments built over stores and offices, the key concept is to locate complementary land uses within convenient walking distance of each other connected by safe, direct walkways. A wide variety of commercial uses are permitted in this zone in order to promote development of commercial centers that serve both nearby residents and users of the transit facilities. Multiple-family residences are permitted at these properties to provide the opportunity to live and work at a single property and to promote the use of public transit, carpools or vanpools for commuting or other travel. Potential conflicts between commercial and residential land uses may be resolved by project-by-project review of residential proposals.

Staff Analysis: A high-density, compact, and walkable development with a mix of land uses is proposed for the south half of the property. This type of land use and this scale of land development are appropriate for this zone. As conditioned, the development would be supportive of transit

development and use. The improvements planned for the north half of the property (Costco site) will not be high-intensity, mixed-use development, the planned development overall achieves the objectives of the Commercial-Residential zone. The Recommended Conditions of Approval for 2006CPL0003 will ensure the development is supportive of, and accessible to, transit service.

- c) The proposal must be compatible with the zones and uses of surrounding properties.
Staff Analysis: Lynnwood’s development regulations contain numerous provisions intended to promote land use compatibility. As outlined in the Staff Report for 2006CPL0003, development plans for the property are conceptual in nature. Specific measures to promote compatibility will be determined during the preparation of the development agreement and more-specific development plans.
- d) There must be significant changes in the circumstances of the subject property or surrounding properties to warrant consideration of the proposed rezone.
Staff Analysis: A Comprehensive Plan land use designation change from PF – Public Facilities to MU – Mixed Use constitutes a significant change in circumstances. The relocation of Lynnwood High School to another property (and demolition of the former LHS campus) is also a significant change in circumstances.
- e) There must be infrastructure capacity to adequately serve the proposed uses of the subject property.
Staff Analysis: The Recommended Conditions of Approval for 2006CPL0003 adequately address infrastructure capacity.
- f) The property must be practically and physically suited to the uses allowed in the proposed zone.
Staff Analysis: As outlined in the Staff Report for 2006CPL0003, the property is within an area designated for additional development.
- g) The benefit to the public health, safety, and welfare is sufficient to warrant the change in zoning.
Staff Analysis: The EIS and the Staff Report for 2006CPL0003 indicate that redevelopment of this property will benefit public health, safety, and welfare.
- h) The proposal must be consistent with other adopted plans, program goals, and policies of the City.
Staff Analysis: Redevelopment of this vacant property is consistent with and implements other adopted plans, program goals, and policies. In addition to this reclassification, some additional amendments to the City’s adopted plans and policies are proposed to ensure full consistency. The proposal is consistent with the City’s Economic Development Action Plan to identify options and facilitate the redevelopment of surplus Edmonds School District properties: Goal 2, Strategy B.3. The Economic Development Action Plan has been previously incorporated into the City’s Comprehensive Plan.

Lynnwood Municipal Code

21.22.600 Decision criteria.

The city may approve or approve with modifications an application for a reclassification of property if:

- A. The reclassification is substantially related to the public health, safety, or welfare; and
Staff Analysis: Redevelopment of this vacant property is consistent with and implements other adopted plans, program goals, and policies.

B. The reclassification is warranted because of changed circumstances or because of a need for additional property in the proposed land use zone classification or because the proposed zoning classification is appropriate for reasonable development of the subject property; and

Staff Analysis: A Comprehensive Plan land use designation change from PF – Public Facilities to MU – Mixed Use constitutes a significant change in circumstances. The relocation of Lynnwood High School to another property (and demolition of the former LHS campus) is also a significant change in circumstances.

C. The subject property is suitable for development in general conformance with zoning standards under the proposed zoning classification; and

Staff Analysis: Property is suitable for development in general conformance with zoning standards. This 40-acre property is adequate in size to achieve compliance with applicable code requirements.

D. The reclassification will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and

Staff Analysis: The EIS and the Staff Report for 2006CPL0003 confirm that this reclassification will not be detrimental to uses or property in the immediate vicinity.

E. The reclassification has merit and value for the community as a whole; and

Staff Analysis: Redevelopment of this vacant property is consistent with and implements other adopted plans, program goals, and policies.

F. The reclassification is in accord with the comprehensive plan; and

Staff Analysis: The EIS and the Staff Report for 2006CPL0003 confirm that redevelopment of this vacant property is consistent with and implements the Comprehensive Plan.

G. The reclassification complies with all other applicable criteria and standards of the Lynnwood Municipal Code.

Staff Analysis: The reclassification complies with other provisions of the LMC. The applicant is seeking, under separate application, a text amendment to the development standards of the Commercial-Residential zone.

VII. Project Design Review:

As specified by LMC 21.46.105, nonresidential structures larger than 1,000 square feet in size are subject to the Citywide Design Guidelines for All Districts and Commercial Districts. Compliance with the Design Guidelines is required and will be confirmed as the development agreement is prepared, and during review of subsequent building permits.

VIII. Environmental Review

On March 30, 2012, the City's SEPA Responsible Official issued the Final EIS (FEIS) for the requested amendment of the Comprehensive Plan. The EIS was developed after considerable public notice and opportunities for public participation. The accompanying appeal period concluded without appeal.

IX. Conclusions

Staff concludes that the request to reclassify (rezone) the property from P1- Public to C-R – Commercial-Residential is appropriate. The Recommended Conditions of Approval contained within the Staff Report for 2006CPL00003 will provide important measures and safeguards for each of the land use applications associated with Lynnwood Place.

X. Recommendation

If the City Council approves the requested change to the Comprehensive Plan Future Land Use Map with the Recommended Conditions of Approval, staff recommends approval of this reclassification of the 40-acre, Lynnwood Place site from P1- Public to C-R – Commercial-Residential.

1 **CITY OF LYNNWOOD**

2 **ORDINANCE NO. ____**

3
4
5 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
6 **OF LYNNWOOD, WASHINGTON, APPROVING AN**
7 **AMENDMENT TO THE CITY OF LYNNWOOD OFFICIAL**
8 **ZONING MAP AND PROVIDING FOR AN EFFECTIVE**
9 **DATE, SEVERABILITY AND SUMMARY PUBLICATION**

10
11
12 WHEREAS, the Edmonds School District submitted a complete application for
13 reclassification of District-owned property known as the former Lynnwood High School
14 property, from P-1 – Public to C-R – Community Residential; and

15
16 WHEREAS, the purposes of the application for reclassification are to: a) maintain
17 consistency with a requested change to the Comprehensive Plan Future Land Use Map
18 designation for the same property, from PF – Public Facilities to MU – Mixed Use; and b) enable
19 redevelopment of the now-vacant property as a mixed-use community and retail center; and

20
21 WHEREAS, prior to taking action on this Ordinance, the City Council has taken action
22 on the requested change to the Comprehensive Plan Future Land Use Map for the former
23 Lynnwood High School site; and

24
25 WHEREAS, as provided by Chapters 1.35 and 21.22 LMC, the City has established
26 procedures and decisional criteria for proposed reclassifications of property; and

27
28 WHEREAS, for the purposes of this Ordinance, “Current Zoning Map” is synonymous
29 with “Official Zoning Map” as referenced within LMC 21.04.020; and

30
31 WHEREAS, the process for amending the Comprehensive Plan Future Land Use Map
32 and the Current Zoning Map include multiple opportunities for meaningful public participation
33 and input, including public hearings conducted by the Planning Commission and by City
34 Council; and

35
36 WHEREAS, the City Council acknowledges the Edmonds School District’s
37 determination that the 40-acre property is no longer needed for educational purposes, and that no
38 public agency has come forward with a viable proposal to re-purpose this land, and that it is in
39 the public’s interest that the property now be redeveloped via private-sector resources; and

40
41 WHEREAS, on March 1, 2006 and August 9, 2012, the Edmonds School District
42 submitted applications to amend the Comprehensive Plan’s Future Land Use Map and the Parks,
43 Recreation and Open Space Element to facilitate redevelopment of the former site of Lynnwood
44 High School; and

1
2 WHEREAS, pursuant to the State Environmental Policy Act (SEPA), a Determination of
3 Significance (DS) was issued by the City of Lynnwood SEPA Responsible Official and an
4 Environmental Impact Statement was prepared and issued for the proposed redevelopment of the
5 former Lynnwood High School property; and
6

7 WHEREAS, on October 13, 2011 and December 4, 2012, the proposed amendments to
8 the Comprehensive Plan and the Zoning Code (Title 21 LMC) were submitted to the Department
9 of Commerce in accordance with RCW 36.70A.106 and WAC 365-196-630; and
10

11 WHEREAS, on December 8, 2012, notice of the January 10, 2013 public hearing before
12 the Planning Commission was provided in accordance with applicable law and all persons
13 wishing to be heard were heard; and
14

15 WHEREAS, on _____, 2013, notice of the _____, 2013 public hearing before
16 the City Council was provided in accordance with applicable law and all persons wishing to be
17 heard were heard; and
18

19 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD,
20 WASHINGTON, DO ORDAIN AS FOLLOWS:
21

22 Section 1: Amendment of Lynnwood 2020 Comprehensive Plan. Pursuant to Chapter 21.22
23 LMC, the Current Zoning Map approved by Ordinance 2938 is hereby amended to reclassify
24 property addressed as 3001 184th Street SW, Lynnwood, WA, and as further identified by Exhibit
25 A. The zoning designation for the property is hereby changed from P-1 – Public to MU – Mixed
26 Use, subject to the following conditions:
27

- 28 1. Execution and recording of a development agreement between Edmonds School District,
29 Cypress Equities, and the City of Lynnwood prior to the issuance of construction permits.
30
- 31 2. In the event the development agreement specified by Condition of Approval 1 above is
32 not recorded by January 30, 2014, the City Council by regular motion may rescind this
33 decision to change the Current Zoning Map Future Land Use Map designation from PF -
34 Public Facilities to MU - Mixed Use.
35

36 Section 2: Effective Date of Amendment and Adoption. The Plan amendments adopted by this
37 ordinance shall become effective five days following passage and publication of this ordinance.
38

39 Section 3: Severability. If any section, subsection, sentence, clause, phrase or word of this
40 ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction,
41 such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of
42 any other section, subsection, sentence, clause, phrase or word of this ordinance.
43

44 //
45 //

1 Section 4: Summary Publication. Publication of this ordinance shall be by summary publication
2 consisting of the ordinance title.

3
4 PASSED this ___ day of _____, 2013, and signed in authentication of its passage
5 this ___ day of _____, 2013.

6
7 APPROVED:

8
9
10 _____
11 Don Gough, MAYOR
12

13
14 ATTEST/AUTHENTICATED:

15
16
17 _____
18 Lorenzo Hines
19 FINANCE DIRECTOR,

20
21 APPROVED AS TO FORM:

22
23
24 _____
25 Rosemary Larson
26 CITY ATTORNEY

27
28
29
30 Publish:

31 File Name: Lynnwood Place

32 File Number: 2012RZN0003

33

EXHIBIT A
ORDINANCE _____

LYNNWOOD PLACE
Former Lynnwood High School

Address: 3001 184th Street SW, Lynnwood, WA

Legal Description:

The northeast quarter of the northeast quarter of section 15, T. 27N. , R.4E. , W.M.
Also known as "Bradner Park", according to the plat thereof recorded in Volume 14 of
Plats on pages 60 and 61, records of Snohomish County, Washington.

EXCEPT: All that portion of the hereinafter described parcel lying northeasterly of the
following described line: Beginning at a point opposite highway engineer's station
(hereinafter referred to as HES) F¹ 82+0 on the F¹ line survey line of SR 525, Swamp
Creek Interchange to 164th St. S.W. and 50 feet southwesterly therefrom: Thence
northwesterly to a point opposite HES F¹ 85+50.9 and the end of this line description.
And also EXCEPT: That part thereof conveyed to the City of Lynnwood by deed
recorded march 18, 1971 under Auditor's File No. 2188576 for 184th St. S.W.

Containing 41.20 acres more or less.

Tax Parcel Number: 27041500102900

On the ____ day of _____, 2013, the City Council of the City of Lynnwood, Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF LYNNWOOD, WASHINGTON, APPROVING AN
AMENDMENT TO THE CITY OF LYNNWOOD OFFICIAL
ZONING MAP AND PROVIDING FOR AN EFFECTIVE
DATE, SEVERABILITY AND SUMMARY PUBLICATION**

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2013.

Lorenzo Hines
FINANCE DIRECTOR

Land Use Application Cover Sheet

For City Use Only

File Name: _____

Date Stamp

File Number: _____

Instructions for Applicants

APPLICATION 2: REZONE

Please read and follow all instructions on your application carefully. If you have any questions about the process or your project, it is strongly recommended that you speak with staff prior to submitting your application to help ensure that processing can advance in a timely manner. Every application must include this cover sheet, the application/checklist and all required items, and a notarized affidavit of ownership (if applicable).

Specific Type of Land Use Application to be submitted (check all that apply):

- | | | |
|--|---|---|
| <input type="checkbox"/> Accessory Dwelling Unit | <input type="checkbox"/> Environmental Review (SEPA) | <input type="checkbox"/> Wireless Communication Facility |
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Project Design Review | <input type="checkbox"/> Other (please specify): _____ |
| <input type="checkbox"/> Binding Site Plan | <input checked="" type="checkbox"/> Rezone/PUD | |
| <input type="checkbox"/> Boundary Line Adjustment/ Lot Combination | <input type="checkbox"/> Short Subdivision (Short Plat) | <input type="checkbox"/> Comprehensive Plan Suggested Amendment |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Subdivision (Long Plat) | <input type="checkbox"/> Comprehensive Plan Amendment |
| | <input type="checkbox"/> Variance | |

Please Print or Type Legibly

Applicant: Edmonds School District No. 15 Attn: Stewart Mhyre			Phone: (425) 431-7000
Address: 20420 68th Avenue West			Cell: n/a
City: Lynnwood	State: WA	Zip: 98036	Fax: (425) 431-7006
E-Mail: mhyres@edmonds.wednet.edu			
Contact Person, if different: Cypress Equities Attn: Stephen Schmidt			Phone: (214) 561-8817
Address: 8343 Douglas Avenue, Suite 200			Cell: (214) 676-1941
City: Dallas	State: TX	Zip: 75225	Fax:
E-Mail: stephen.schmidt@cypresssequities.com			
Property Owner(s), if different: Same as applicant			Phone:
Address:			Cell:
City:	State:	Zip:	Fax:
E-Mail:			
Site Address(es): 3001 184th Street SW, Lynnwood, WA			Zoning: Public & Semi-Public
Assessor Parcel Number(s) - (APNs): 27041500102900			Public Facilities Comp. Plan Designation:
Description of Proposal: See project description attached to Comprehensive Plan Amendment application.			
I/We certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my/our knowledge.			
Signature of Applicant/Agent: <i>Stewart Mhyre</i>		Date: 8/8/12	
Signature of Property Owner: <i>Stewart Mhyre</i>		Date: 8/8/12	

Attachment 9
August 2012

Rezone Application

2. A full legal description of the property.

EDMONDS SCHOOL DISTRICT NO. 15
Lynnwood High School

Legal Description
Area 5

The northeast quarter of the northeast quarter of section 15, T. 27N. , R.4E. , W.M. Also known as "Bradner Park", according to the plat thereof recorded in Volume 14 of Plats on pages 60 and 61, records of Snohomish County, Washington.

EXCEPT: All that portion of the hereinafter described parcel lying northeasterly of the following described line: Beginning at a point opposite highway engineer's station (hereinafter referred to as HES) F¹ 82+0 on the F¹ line survey line of SR 525, Swamp Creek Interchange to 164th St. S.W. and 50 feet southwesterly therefrom: Thence northwesterly to a point opposite HES F¹ 85+50.9 and the end of this line description. And also EXCEPT: That part thereof conveyed to the City of Lynnwood by deed recorded march 18, 1971 under Auditor's File No. 2188576 for 184th St. S.W.

Containing 41.20 acres more or less.

Attachment 10
August 2012

Rezone Application

3. A written statement addressing whether the application complies with the following decision criteria:

A. The Rezone is substantially related to the public health, safety, or welfare;

The reclassification of the site would support public welfare through the redevelopment of an underutilized, vacant parcel in a prime location of the City in accordance with the Comprehensive Plan. The Proposal would support a diverse range of employment opportunities through Costco Wholesale and other retail and entertainment uses planned for the site which would improve the economic welfare of the City and its residents. A major arterial would be constructed assisting in the mitigation of traffic in the Alderwood Mall area. Environmental cleanup of some minor soil contamination would occur. Wetland areas and buffers would be enhanced.

B. The Rezone is warranted because of changed circumstances or because of a need for additional property in the proposed land use classification or because the proposed zoning classification is appropriate for reasonable development of the subject property;

The reclassification of the parcel from a land use designation of Public Facilities to Mixed Use and a rezone from Public and Semi-Public to Commercial-Residential is appropriate because the property is no longer used as Lynnwood High School. A non-public replacement use that is consistent with planned development on adjacent parcels is appropriate. The Edmonds School District has determined that they no longer need the site for an educational purpose. The parcel is adjacent to the Alderwood Mall which is a dense commercial development. Non-commercial adjacent uses are comprised of single family residences or apartments, which would not be a logical or desirable use, except in a mixed-use setting.

C. The subject property is suitable for development in general conformance with zoning standards under the proposed zoning classification;

The subject property is approximately 40 acres in size, is currently vacant, and is located adjacent to Alderwood Mall which is a concentrated commercial area. The proximity of the site to a large commercial/retail center

supports the proposed rezone classification from Public and Semi-Public to Commercial-Residential.

The purpose of the Commercial-Residential zone is to allow a mix of commercial and residential land uses in close proximity to transit facilities. A key concept is to locate complementary land uses within convenient walking distance of each other, connected by safe and direct walkways. The subject property is served by public transit and the layout of the southern portion of the site would emphasize pedestrian connections. The Commercial-Residential zone would compliment the surrounding uses in the area by providing residential opportunities in close proximity to retail, entertainment and employment opportunities. The Proposal would comply with area and dimensional requirements such as maximum lot coverage, landscaping requirements and setbacks from the residential neighborhood to the northwest pursuant to Commercial-Residential zoning standards of LMC 21.54.200.

D. The Rezone has merit and value for the community as a whole;

The Proposal would be compatible with commercial uses near or adjacent to most of the site. It would supplement or bolster retail and other commercial activities in the surrounding area. It would reinforce the objectives of the Subregional Center by adding employment and population growth and contribute to a more robust subregional activity center. Residential uses provided as part of The Proposal could lessen the short-term demand for residential use in the City Center area.

Altogether, indirect and cumulative land use impacts would be compatible with City objectives.

E. The Rezone is in accord with the Comprehensive Plan; and

See Response 2.A in Attachment 1 for a discussion of how the project complies with the Lynnwood Comprehensive Plan.

The reclassification of the subject property from Public and Semi-Public to Commercial-Residential to allow development of a mixed-use center is supported by the comprehensive plan. Additional employment and housing opportunities would be provided, and retail space and additional multi-family units would be provided. This mix of uses would support the purpose of the Subregional Center.

The mixed-use component of The Proposal would reinforce Lynnwood's role as a regional growth center under the Puget Sound Regional Council's Vision 2040. The Costco Warehouse component would be more auto-oriented vs. pedestrian-oriented and would provide less reinforcement.

The Proposal would be consistent with Snohomish County's Countywide Planning Policies which encourage orderly and efficient development patterns with higher density development in urban areas. The mixed use component of Lynnwood Place is consistent with the policies of encouraging pedestrian-friendly and transit-compatible development, co-location of jobs and housing, infill and redevelopment of suitable areas.

In general, the Proposal supports the Plan Vision, Plan Concept (Land Use), Land Use Description: Mixed Use, Policy Description: Mixed Use, and relevant Goals and Policies of Lynnwood's Comprehensive Plan, and is consistent with the goals for the Subregional Center.

The existing level of service in the Parks, Recreation, and Open Space Element of the Comprehensive Plan would need to be revised, and the Parks Facilities Map would need to be amended to remove this site.

F. The Rezone complies with all other applicable criteria and standards of the Lynnwood Municipal Code.

The reclassification is compatible with standards of Lynnwood Municipal Code. Area and dimensional development standards are consistent with LMC 21.54.200. Zoning Code text amendments would be necessary to allow development of a mixed-use center and fueling facility as an accessory use to the Costco Wholesale store. In addition, amendment of the Parks Element of the City's Comprehensive Plan and the Parks, Recreation Facilities, Open Space and Trails Map would be required to remove references to the Lynnwood Athletic Complex and to adjust level of service. These amendments would occur subsequent to approval of The Proposal, if approved.

A Development Agreement and Planned Action Ordinance will be adopted as part of project approval. Each phase of construction will be preceded by review by the Design Review Committee.

Attachment 11
August 2012

Rezone Application

4. A site plan, drawn to scale, showing:

- A. Date, scale, and north arrow;**
- B. Existing and proposed rights-of-way and improvements;**
- C. Existing natural features;**
- D. Existing and proposed grades;**
- E. Existing and proposed utility improvements;**
- F. Existing and proposed structures and other improvements;**
- G. The location of parking for the proposed uses; and**
- H. All structures, natural features and other improvements within 50 feet of the project site.**

See attached Lynnwood Place Site Plan.

5. A vicinity map, showing the location of the site in relation to nearby streets and properties.

See attached Lynnwood Place Site Plan.

6. A summary table of project statistics, including site area, building coverage, coverage by impervious surfaces, required and proposed parking, etc.

See summary table on attached Lynnwood Place Site Plan.