



ORDINANCE NO. 3058

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO AN AMENDMENT TO THE CITY OF LYNNWOOD OFFICIAL ZONING MAP; AMENDING SECTION 1 OF ORDINANCE NO. 2978, AS AMENDED BY SECTION 1 OF ORDINANCE NO. 3038; AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION

WHEREAS, Edmonds School District submitted a complete application for reclassification of District-owned property known as the former Lynnwood High School property, from P-1 – Public to C-R – Commercial Residential on the City’s Current Zoning Map; and

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

WHEREAS, prior to taking action on that application, in Ordinance No. 2976 the City Council approved a requested change to the Comprehensive Plan Future Land Use Map for the former Lynnwood High School property; and

WHEREAS, in Chapters 1.35 and 21.22 LMC, the City has established procedures and criteria for proposed reclassifications of property, which include multiple opportunities for meaningful public participation; and

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

WHEREAS, the proposed amendments to the Future Land Use Map, and the Zoning Map were submitted to the Department of Commerce in accordance with RCW 36.70A.106 and WAC 365-196-630, and on January 10, 2013, a public hearing before the Planning Commission was held; and

WHEREAS, on February 11, 19, 20, and 25, 2013, the City Council held a public hearing, conducted post-hearing deliberations, and took action on the proposed amendments to the Comprehensive Plan Future Land Use Map, Zoning Map and Zoning Code; and

WHEREAS, after considering all testimony and other evidence submitted at or before the public hearings, the City Council determined that it is in the best interests of the public health, safety and general welfare to approve the amendment to the City's Current Zoning Map, with conditions, and enacted Ordinance No. 2978 approving the amendment with conditions; and

WHEREAS, on October 28, 2013, the City Council held a hearing on the proposed Development Agreement for the project, and on November 4, 2013, the Council deliberated and approved the Agreement; and

WHEREAS, Edmonds School District, together with Cypress Lynnwood, LLC (the developer/potential lessee of the property) and Costco Wholesale Corporation (the sublessee of the property), requested the amendment of one condition of approval of the Current Zoning Map amendment to allow the recording of the Development Agreement by May 30, 2014; and

WHEREAS, after considering all testimony and other evidence submitted at or before the public hearings, the City Council determined that it is in the best interests of the public health, safety and general welfare to approve the requested amendment to Ordinance No. 2978, and enacted Ordinance No. 3038 extending the time for recording the Development Agreement to May 30, 2014; and

WHEREAS, Edmonds School District, together with Cypress Lynnwood, LLC and Costco Wholesale Corporation have requested a second amendment of the same condition of approval of the Current Zoning Map amendment to allow the recording of the Development Agreement by June 30, 2014; and

WHEREAS, the City's SEPA Responsible Official determined that the requested amendment to extend the time to record the Development Agreement does not have a significant impact on the environment; and

WHEREAS, after considering all testimony and other evidence submitted at or before the public hearings, the City Council has determined that it is in the best interests of the public health, safety and general welfare to approve the proposed amendment to Ordinance No. 2978, as amended by Ordinance No. 3038, to extend the time for recording the Development Agreement to June 30, 2014;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON,
DO ORDAIN AS FOLLOWS:**

Section 1. Section 1 of Ordinance No. 2978, as amended by Section 1 of Ordinance No. 3038, is amended as follows:

Amendment of Lynnwood Zoning Map. Pursuant to Chapter 21.22 LMC, the Current Zoning Map approved by Ordinance 2938 is hereby amended to reclassify property addressed as 3001 184th Street SW, Lynnwood, WA, and as further identified by Exhibit A. The zoning designation for the property is hereby changed from P-1 – Public to C-R – Commercial Residential, subject to the following conditions:

1. Execution and recording of a development agreement between Edmonds School District, Cypress Equities, and the City of Lynnwood prior to the issuance of construction permits.
2. The Zoning Map amendment approved in Section 1 of this Ordinance shall take effect on the date that the development agreement specified by Condition of Approval 1.1 above is recorded with the Snohomish County Auditor's Office; provided, that if the development agreement is not recorded by June 27, 2014, then the approval of the Zoning Map amendment shall be null and void, and of no force or effect.

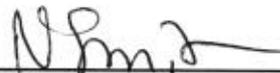
Section 2: Effective Date. This ordinance shall become effective five days following passage and publication of this ordinance.

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

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

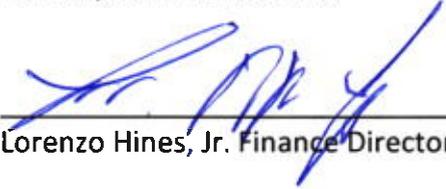
PASSED this 27th day of May, 2014, and signed in authentication of its passage this 28th day of May, 2014.

APPROVED:



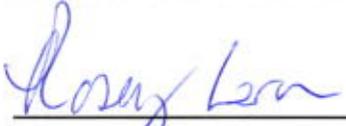
Nicola Smith, Mayor

ATTEST/AUTHENTICATED:



Lorenzo Hines, Jr. Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES:	05/27/2014
PASSED BY THE CITY COUNCIL:	05/27/2014
PUBLISHED:	05/30/2014
EFFECTIVE DATE:	06/04/2014
ORDINANCE NUMBER:	3058
File Name:	Lynnwood Place
File Number:	2012RZN0003

EXHIBIT A

ORDINANCE 3058

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, 27th day of May, 2014 the City Council of the City of Lynnwood, Washington, passed ordinance 3058. A summary of the content of this ordinance, consisting of the title, provides as follows:

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

DATED this 30th day of May, 2014.



Lorenzo Hines Jr., Finance Director



LYNNWOOD
WASHINGTON

CERTIFICATE

I, the undersigned, Lorenzo Hines Jr., the duly appointed City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 3058 of the City of Lynnwood, Washington, entitled as follows:

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That said ordinance was passed by the Council on May 27, 2014 of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on May 30, 2014.

Lorenzo Hines, Jr., City Clerk of the
City of Lynnwood, Washington