



PRELIMINARY SHORT PLAT DECISION

Sager Short Plat (STP-009759-2021) March 16, 2022

Applicant: Paul Sager

Property Owner: Paul Sager

Proposal: Four (4) Lot Short Plat

Project Address: 17004 32nd Avenue West

Parcel Number: 00372700101301

Zone: RS-8 (Single-Family Residential 8400 SF)

Future Land Use: SF-1 (Low-Density Single-Family)

Complete Application: March 30, 2021

Notice of Application: April 9, 2021

Staff Reviewer: Kirk Rappe, Associate Planner
(425) 670-5408, krappe@lynnwoodwa.gov

Decision: *Approved with conditions* – March X, 2022

I. FINDINGS OF FACT

Proposal and Background

On March 16, 2021, Paul Sager, property owner, applied for a four-lot short plat, dividing one single-family residential lot into four and one tract. The property is located on the west side of 32nd Avenue West in the northeastern part of Lynnwood. All surrounding properties are zoned residential single-family RS-8, the same as the subject property.

This property is developed with one single-family home and attached garage on 46,771 square feet of land. The property is mostly lawn with approximately two dozen trees along the property lines and several individual trees in the middle of the property. The property slopes from west to east with an approximate 20-foot difference between the western and eastern property lines.



The property does not abut 32nd Avenue West but obtains access via an easement across the property to the east (17006 32nd Ave W or tax parcel ID: 00372700101300). The easement (recording number: 8006230094) was partially terminated in 2019, removing the south 15 feet of the 60-foot-wide easement across 17006 32nd Ave W. This resulted in a narrower 45-foot wide ingress-egress easement for the subject property across tax parcel 17006 32nd Ave W to access 32nd Ave W. No agreements or conditions of the original easement (recording number: 8006230094) or the partial termination of easement (recording number: 201912190258) prohibit the subject property from being further subdivided as proposed. The driveway across the 45-foot-wide easement is at an approximate 15% slope downwards towards 32nd Avenue West.

All utilities are available to the site and provided via the 45-foot wide access, drainage, and utility easement from 32nd Avenue West that is also used for the access driveway.

II. EXHIBITS

1. Preliminary Short Plat Decision, dated March 8, 2022
2. Short Plat Land Use Cover Sheet and Application, received March 10, 2021
3. Continuous Ownership Letter, received March 10, 2021
4. Preliminary Short Plat Map received February 22, 2022
5. Preliminary Civil Plans, received February 22, 2022
6. Drainage Report, received February 22, 2022
7. Sager Short Plat Critical Areas Evaluation, approved March 8, 2022
8. Tree and Clearing Plan, received March 10, 2021
9. Affidavit of Ownership, received March 10, 2021
10. Title Report, received March 10, 2021
11. Alderwood Water and Wastewater Utility (AWWD) comments, received May 7, 2021
12. Development Engineering comments, May 6, 2021
13. Critical Areas review comments, May 6, 2021
14. Fire Review comments, May 5, 2021
15. Snohomish PUD comments, May 18, 2021
16. Notice of Complete Application, issued March 30, 2021
17. Notice of Application, posted April 9, 2021

III. PROCEDURAL HISTORY

Notice of Complete Application – The application was deemed complete on March 30, 2021.

Notice of Application and Impending Decision – In accordance with Chapter 1.35 Lynnwood Municipal Code (LMC), the notice was posted at City of Lynnwood official posting sites and on-site, as well as published in the Everett Herald and posted on the City's website on April 9, 2021. Owners of property and tenants within a 300-foot radius of the subject property were also mailed a notice postcard. The comment period ended on April 23, 2021, with no comments received from the public.



IV. CODE REQUIREMENTS AND ANALYSIS

A. Compliance with Dimensional Standards (LMC 21.42.200)

	Standard	Proposal
Minimum Lot Area	8,400 SF	Lot #1 – 10,509 SF Lot #2 – 9,900 SF Lot #3 – 8,450 SF Lot #4 – 9,837 SF
Minimum Lot Width	70 ft.	Lot #1 – 75 ft. Lot #2 – 90 ft. Lot #3 – 97 ft. Lot #4 – 87 ft.
Minimum Frontage at Street	30 ft.	Properties access 32 nd Ave W via a 45-foot wide access easement.

B. Conformance with LMC 19.50.025

1. The goals, policies, and objectives of the Lynnwood Comprehensive Plan.

Staff Response: The subject property is designated Low-Density Single-Family (SF-1) on the Future Land Use Map in the Comprehensive Plan. The proposed development of four (4) detached single-family units on lots at least 8,400 square feet meets the goals, policies, and objectives of this land use designation.

2. The Lynnwood Comprehensive Parks and Recreation Plan.

Staff Response: The subject property is not designated for a public park or recreation use on the City of Lynnwood Park and Recreation Plan. The proposed lots are approximately 1/3 of a mile from Spruce Park.

3. The Lynnwood Zoning Code.

Staff Response: The site is zoned Residential 8,400 (RS-8). The proposed short subdivision conforms to the minimum lot size, lot width, and lot frontage standards of the zone. Minimum house setback and building height standards will be addressed during building permit review.

4. The standards of Title 19 LMC and Chapter 58.17 RCW.

Staff Response: The proposal is in conformance with Title 19 LMC and Chapter 58.17 RCW for the reasons set forth in Section IV of this decision.

5. The Lynnwood Comprehensive Street and Arterial Plan.

Staff Response: Access to the public right-of-way will be via an existing ingress easement to 32nd Avenue West.

6. The City's Environmental Policies.

Staff Response: The applicant submitted a critical areas evaluation for review by the City's public works department. The report states that the site is not located within any critical areas such as



seismic hazard, landslide hazard, erosion hazard, fish and wildlife conservation area, or wetlands and flood hazard areas. On March 8, 2022, public works approved the critical areas evaluation.

7. The Lynnwood Water System Comprehensive Plan.

Staff Response: The property is within the Alderwood Water and Wastewater District (AWWD) and is not served by City Water Utilities. Comments from AWWD were received with requirements for the applicant that were incorporated into the conditions at the end of this decision.

8. The Lynnwood Comprehensive Trunk Storm Drainage Plan, and Chapter 13.40 LMC Drainage Plans.

Staff Response: The short subdivision shall provide a storm drainage system in conformance with City standards.

9. The compatibility of the short subdivision to the existing neighborhoods.

Staff Response: The proposed short subdivision is compatible with the existing adjacent single-family residential uses.

10. Other plans and programs as the City of Lynnwood may adopt.

C. Chapter 58.17 is the Subdivision Map Act for the State of Washington, which the City of Lynnwood Subdivision Ordinance implements under LMC 19.50. The short subdivision makes appropriate and adequate provision for factors set forth in RCW 58.17.110. LMC 19.50.028 states that “a proposed short subdivision shall not be approved unless the mayor makes written findings that:”

1. Appropriate provisions are made for, but not limited to:

a. The public health, safety, and general welfare.

Staff Response: The proposed short subdivision meets all the minimum requirements of the City of Lynnwood codes, which are the official City standards regarding public health, safety, and welfare. This short subdivision has been reviewed and recommended for approval by the City’s Fire Marshal with respect to public safety. The Public Works Department has reviewed and recommended approval with respect to public safety and welfare.

b. Open spaces, drainage ways, streets, roads, alleys, other public ways and transit stops.

Staff Response: The City currently has no requirements for open space or park mitigation. The short subdivision will extend lateral utility connections along the access, drainage, and utility easement for the new parcels. This includes storm drainage overflow for the on-site underground detention vault. Minor improvements will be made to the access drive where it intersects with 32nd Ave W.

c. Potable water supplies, and sanitary wastes.

Staff Response: Water and sanitary service are available from 32nd Avenue West and will access the site via the access, drainage, and utility easement.

d. Parks and recreation, playgrounds, schools, and school grounds.



Staff Response: A park impact fee will be required.

- e. All other relevant facts, including sidewalks and other planning features that assure safe walking conditions.

Staff Response: Sidewalks are already present on the north and south corners of the existing access drive. These sidewalks are not proposed to be replaced.

2. The public use and interest will be served by the platting of such short subdivision.

Staff Response: The City has designated the property for single family use on the Future Land Use Plan of the Comprehensive Plan and zoned the site RS-8, indicating that there is a public need, and that it serves the public use and interest, to develop the subject property with single family detached residences in conformance with those land use and zoning standards. The standards of the City's Subdivision Ordinance are further City standards which meet the public use and interest in the City. The proposed short subdivision conforms to all these standards.

3. The proposed short subdivision is in conformance with the Lynnwood zoning code and land use controls.

Staff Response: This criterion is met for the reasons set forth above.

V. CONCLUSION

The applicant has shown that the proposed preliminary short subdivision meets the decision criteria Chapter 19.50 LMC and conforms to the provisions of the Lynnwood Subdivision Code and other applicable City codes.

The short subdivision, as proposed conforms to the general purpose, objectives, and policies of the Comprehensive Plan and with the applicable regulations of the zoning code and other land use controls. Therefore, the application conforms to the criteria of LMC 19.50.025. The short subdivision conforms to the Lynnwood Zoning Code.

The short subdivision conforms to all applicable plans adopted by the City of Lynnwood.

The short subdivision conforms to the provisions of Chapter 58.17 RCW and Chapter 19.50 LMC.

Recommendation and Conditions

It is recommended that the preliminary short subdivision be granted, subject to compliance with all applicable provisions, requirements, and standards of the LMC, standards adopted pursuant thereto, and the following conditions:

1. The short plat site plan, Exhibit 4, received by the City of Lynnwood on February 22, 2022, shall be the approved preliminary short plat. Any discrepancy between the content of the preliminary short plat and the performance standards of Title 21 LMC shall be resolved in favor of Title 21. Revisions to approved preliminary short plat are governed by LMC Chapter 19.50.



2. Detention vault system cover must be capable of supporting imposed loads of 75,000 pounds and 45,000-pound point load.
3. All residential structures require fire sprinklers due to distance from 32nd Avenue West and because the access drive grade exceeds 12%.
4. Provide a 1.5-inch water service line to the houses due to fire sprinkler requirement.
5. “No Parking: Fire Lane” signage required (noted on site plan, Exhibit 4, under Fire Plan Notes).
6. Address signage required at east end of access road at 32nd Avenue West and at the beginning of Lot 2 and Lot 3 access drives. All future homes must be addressed as well and be visible to personnel responding to an emergency.
7. Water and sewer connections must meet all terms and conditions of Alderwood Water and Wastewater Engineering Standards and Codes including:
 - a. Connection to water and sewer shall be per AWWD standards.
 - b. Extension of water system will require a Developer Extension Agreement.
 - c. No encroachments within the existing sewer easement are allowed, including no retaining walls, building overhangs, significant landscaping, fences, or new utilities. Any additional grading, paving, or improvements within the easement shall be at the approval of AWWD.
8. The applicant shall provide Snohomish County PUD with suitable locations/easements on all parcels for installation of electrical facilities. The District currently has enough electrical system capacity to serve the proposed development, however existing District facilities in the local area may need upgrading, relocations or modifications at applicant’s expense. Contact the District to coordinate on the proposed project.
9. Traffic impact fee shall be assessed for each new Single-Family Residence.
10. Traffic concurrency fee shall be assessed for each new Single-Family Residence.
11. Sewer connection fee shall be assessed for each new Single-Family Residence.
12. Park impact fee shall be assessed for each new Single-Family Residence.
13. A Class II tree permit calculation sheet shall be completed and submitted with grading and construction permits. The trees shall be replaced, or a fee paid in accordance with the requirements of LMC §17.15.090. The *Lynnwood Tree Preservation and Protection Guidelines* shall be observed during all construction phases.
14. Final plat applications shall include all requirements found in LMC 19.50.040 and the submittal checklist. Final plat applications shall be delivered to the Development and Business Services Department Community Planning Division. Final plat applications delivered to other divisions will not be reviewed and will be returned to the applicant for proper filing.



VI. DECISION

The Mayor of the City of Lynnwood hereby adopts the above Findings of Fact and Conclusions and approves the proposed preliminary short subdivision of the Sager Short Plat, subject to conditions shown above.

Approved: ^{DocuSigned by:} Christine Frizzell Date: 3/22/2022
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CHRISTINE FRIZZELL
MAYOR, CITY OF LYNNWOOD

VII. Right of Appeal

Administrative decisions of the director may be appealed by filing a written request for appeal with the Community Development Department within 14 calendar days. An appeal filed within this time limit shall be processed pursuant to Process II, as identified in LMC Section 1.35.200.

VIII. Other Permits

The approval of preliminary plat does not in any way replace, modify or waive any requirement for the compliance of the proposal with other applicable codes, standards, or regulations, including, but not necessarily limited to, those of the Public Works, Permit & Inspections and Fire Departments.

IV. Validity

The conditions must be satisfied within 24 months of preliminary approval unless a 12-month extension is applied for and approved by the Mayor. A request for extension must be submitted in writing to the Community Development Department at least two weeks prior to the expiration of the preliminary approval.