



COMMUNITY PLANNING

PRELIMINARY SHORT PLAT DECISION

Joywood Estates Short Plat January 27, 2023

I. Application

File Name: Joywood Estates Short Plat

File Number(s): STP-010021-2022

Applicant: Insight Engineering Co.
Brian Kalab
PO Box 1478
Everett, WA 98206

Staff Reviewer: Nathen Lamb, Senior Planner
(360) 912-9571, nlamb@lynnwoodwa.gov

II. Exhibits

1. Preliminary Short Plat Decision, dated January 27, 2023
2. Short Plat Land Use Cover Sheet and Application, received September 6, 2022
3. Affidavit of Ownership, received September 6, 2022
4. Project Narrative, received September 6, 2022
5. Title Report, received September 6, 2022
6. Joywood Estates Preliminary Short Plat Site Plan, received September 6, 2022
7. Tree Retention Plan, received September 6, 2022
8. Arborist Report, received September 6, 2022
9. Geotech Report, received September 6, 2022
10. Joywood Estates Survey, received September 6, 2022
11. Notice of Complete Application, October 4, 2022
12. Notice of Application, October 20, 2022
13. First Plan Review Comments, December 9, 2022
14. Applicant Comment Response Letter, received December 19, 2022

III. Findings of Fact

As per ESHB 2929 (GMA 1990), RCW 58.17.195, and Chapter 19.50 LMC entered for preliminary approval for the above referenced application:

Findings



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1. A valid application was filed on September 6, 2022 and deemed complete on October 4, 2022 (Exhibit 11).
2. The subject property is located at 17331 36th Ave w Lynnwood, WA 98037 (Parcel Number 27041000403200). The 1.51 acre (65,612 square feet) parcel is defined by one street: 36th Ave W, and seven surrounding parcels to the north, east and south, all improved with single-family homes, and also zoned Residential Single Family 8,400 (RS-8). The site is currently developed with one existing single-family home with a driveway that accesses the 36th Ave W right-of-way. The house is proposed to remain on one of the lots.
3. The applicant proposes to subdivide the parcel into six lots in the Residential Single Family 8,400 (RS-8) zone (Exhibit 6). The lots are designated 1,2,3,4,5 and 6 on the site plan. The existing house on Lot 1 and will be 9,122 sf. Lots 2 through 6 will be 8,431 sf, 8,405 sf, 8,405 sf, 8,401 sf, and 8,400 sf, respectively. The applicant is not proposing lot size averaging.
4. A cul-de-sac (approximately 13, 467 sf) will be used for access and the public right-of-way. Per (LMC 9.16.100), the Fire Department required an additional fire hydrant at the entrance to the new roadway to meet the maximum 300-foot distance from any parcel requirement, which the applicant has satisfied by amending the original site plan.
5. A public notice of application was posted on-site, at the City Hall and locations required per LMC Chapter 1.12, published in the Everett Herald newspaper, posted on the city website, and mailed to residents within 300 feet of the subject site on October 20, 2022 (Exhibit 12). The comment period lasted 14 days and ended on November 3, 2022.
6. A notice and request for comments was sent to partner agencies and all affected City departments on October 24, 2022. Written comments were received from Snohomish PUD, Ziplly, and South County Fire and are hereby incorporated into these findings and conclusion (Exhibit 13). These comments are saved in the application file STP-010021-2022.
7. Chapter 19.50 of the Lynnwood Municipal Code (LMC) states the decision criteria for a preliminary short subdivision. The applicant bears the burden of proving that the proposed preliminary short subdivision meets these criteria.
8. LMC 19.50.025 outlines review criteria for consideration by the community development director to make a recommendation to the mayor. The short subdivision shall conform to and it shall be the applicant's burden to demonstrate conformance to the following factors as they now exist or as they may be amended:
 - A) 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 proposal meets the goals, policies and objectives of this land use designation.

- B) 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.

- C) The Lynnwood Zoning Code.

Staff Response: The site is zoned Residential 8,400 (RS-8). The lots proposed in this short subdivision conform to the minimum lot standards in that zone. Minimum building standards will be addressed during building permit review.

- D) 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.

- E) The Lynnwood Comprehensive Street and Arterial Plan.

Staff Response: The site is located on existing Neighborhood Street 36th Avenue West. New sidewalks will be required along the cul-de-sac.

- F) The City's Environmental Policies.

Staff Response: The site does not contain any critical areas as defined by Title 17 LMC.

- G) The Lynnwood Water System Comprehensive Plan.

Staff Response: The proposal complies with the Water System Comprehensive Plan; this proposal does not require upgrade or expansion of existing facilities.

- H) The Lynnwood Comprehensive Trunk Storm Drainage Plan, and Chapter 13.40 LMC Drainage Plans.

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

- I) 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.

- J) Other plans and programs as the City of Lynnwood may adopt.

Staff Response: The proposed short subdivision is compatible with all existing plans and programs in the City of Lynnwood.

9. 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:”

A) Appropriate provisions are made for, but not limited to:

1. 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 and Public Works Department with respect to public safety and welfare.

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

Staff Response: The City currently has no requirements for open space in single family zones. The short subdivision will implement utility easements to cover the utility systems that will be installed as part of the construction and final short subdivision process. Drainage plans will be submitted and will be further addressed during civil review by Public Works after preliminary approval.

3. Potable water supplies, and sanitary wastes.

Staff Response: Water and sanitary service are available on 36th Avenue West. The applicant will be connecting to these existing services.

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

Staff Response: The site is less than a quarter-mile by road or sidewalk to Stadler Ridge Park, and Spruce Park.

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

Staff Response: The applicant is required to provide sidewalk, curb, and gutter in the new cul-de-sac.

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



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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.

- C) 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.

Conclusion

1. 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.
2. 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.
3. The short subdivision conforms to all applicable plans adopted by the City of Lynnwood.
4. The short subdivision conforms to the provisions of Chapter 58.17 RCW and LMC 19.50.025.

IV. Decision

The preliminary short subdivision is **APPROVED**, subject to compliance with all applicable provisions, requirements, and standards of the LMC, standards adopted pursuant thereto. The Mayor of the City of Lynnwood hereby adopts the above Findings of Fact and Conclusion and approves the proposed preliminary short subdivision of the Joywood Estates Short Plat.

Approved: 
CHRISTINE FRIZZELL
CITY OF LYNNWOOD MAYOR

Date: 2/2/2023

IV. Right of Appeal



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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.

V. 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.

VI. Validity

Any 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.

PARTIES OF RECORD

- McCormick Family Trust – Property Owners
- Todd Echelbarger, Echelbarger Homes, Inc.
- Brian Kalab, Insight Engineering Co.