
Garden Senior Village Apartments

(PDR-010057-2023)

March 6, 2024

I. Application

Project Name:	Garden Senior Village Apartments
File Number:	PDR-010057-2023
Location:	6425 196th St. SW. Lynnwood, WA 98036
Tax Parcel Numbers:	27041700401400; 27041700401800
Zoning:	NC – Neighborhood Commercial
Future Land Use:	LC – Local Commercial
Site Area:	3.08 Acres
Property Owner:	Northwest Housing Preservation Group
Applicant:	Mike Garrett Gabbert Architects Planners 206-367-3600 Mike.g@gabbertarchitects.com
Staff Reviewer:	Joe LaBlanche, Planner 425-670-5407; jlablanche@lynnwoodwa.gov
Applicable Design Guidelines:	Citywide Design Guidelines for All Districts, Citywide Design Guidelines for Multi-Family Districts
Related Permits:	Associated Building and Construction Permits
Decision:	Approved with Conditions

II. Exhibits

1. Project Narrative, Version 2, received September 19, 2023
2. Approved Plan Set, Version 2, received September 19, 2023
3. Development Agreement, approved February 26, 2024
4. Applicant PDR Checklist, received March 13, 2023
5. Parking Study, completed November 15, 2022
6. Landscape Plan, revised September 7, 2023
7. Landscape Maintenance Plan, received September 19, 2023
8. Arborist Report, completed October 19, 2022
9. Drainage Report, completed March 3, 2023
10. Combined Public Comments, received May 18, 2023, through February 4, 2024

III. Findings of Fact

a. Background

The subject property is located at 6425 196th St. SW, Lynnwood, WA, 98036; parcel numbers 27041700401400 and 27041700401800. The 3.08-acre site currently has an 88,325 gross square foot building with 122 units. The 36 unit, 4-story, 24,600 gross square foot addition will be constructed in the northern portion of the site, which is currently parking space.

Following the review and approval of the second version of the proposal, a set of three hearings were held before Lynnwood's City Council regarding the need for a Development Agreement (DA) to provide for flexibility in the LMC's requirements for density, building height, and parking. (Exhibit 3). The DA approval process began with a Council Work Session on February 5th. On February 12, 2024, a public hearing was held, and the Development Agreement was approved by Lynnwood's City Council on February 26th, 2024, (Ordinance 3456).

b. Proposal Description

Mike Garrett, on behalf of Northwest Housing Preservation Group, applied for a Project Design Review (PDR) permit to construct an attached addition for 36 new senior housing units to the existing senior housing structure. The property is zoned Neighborhood Commercial (NC).

c. Noticing and Review Timelines

The application was submitted March 13, 2023, and deemed complete on April 3, 2023. On April 13, 2023, a Notice of Application was posted at the City of Lynnwood official posting sites and was published in the Everett Herald. Owners of property and tenants within a 300-foot radius of the subject property were also mailed a Notice of Application. The comment period ended on April 26, 2023. In accordance with Lynnwood Municipal Code (LMC) 1.35.333, any written comments received prior to the date this decision have

been considered. City Department reviewers sent a Request for Information (RFI) on May 23rd, 2023, requiring multiple changes. The second (and final) version of the proposal was returned to the city on September 19, 2023.

A public hearing was scheduled for February regarding the Development Agreement, noticing was done 20-days prior, on January 23rd, 2024, in the same manner as the Notice of Application, but with a 600-foot radius for the mailed notice.

d. Environmental Review

The City of Lynnwood has adopted raised exemption levels as allowed by WAC 197-11-800(1)(c) and stipulated in LMC 17.02.230(B). This project is categorically exempt per LMC 17.02.230(B)(2), as only 36 units are proposed.

IV. PDR Decision Criteria

Lynnwood Municipal Code (LMC) 21.25.145 states the decision criteria that the Director will use in determining if a proposal meets the LMC's Project Design Review guidelines. In addition to these criteria, the proposal must comply with all applicable zoning regulations.

a. Consistency with the Comprehensive Plan

The proposed project site is designated Local Commercial (LC) in the Lynnwood Comprehensive Plan. The excerpts below are from the Land Use Element of the City of Lynnwood Comprehensive Plan and have been found to be relevant to the proposal.

i. Land Use Designation:

Table LU-6 (B) provides the following description of the LC land use category: Neighborhood-oriented retail and service uses. Location with the LC designation should have direct access from an arterial or collector street, and locations where non-residential uses will adversely impact nearby residences. Design of proposals should include low-rise buildings oriented toward the public street. Substantial landscaping to buffer and screen non-residential uses. Off-street parking located to the side or rear of the primary structure(s). Shared access and parking is encouraged.

Staff Analysis:

The proposal is for the expansion of the existing residential use that is sufficiently served by Highway 99, located 0.25 miles to the east and SR 524, located directly south of the property. The proposal contains effective buffering, and most of the provided parking spaces are located away from the street right-of-way and effectively screened with landscaping. (Exhibit 2). Additional clarity on this topic is provided throughout Section IV.

ii. Policy LU-8:

Land development regulations should be consistent with and implement the Comprehensive Plan, and address the following issues:

- Minimize the potential for adverse impacts between adjacent land uses.
- Urban amenities and architectural design standards.

Staff Analysis:

There is minimal potential for adverse impacts on adjacent sites, based on the design of the proposal and its intended use as multi-family senior housing. The proposal's compliance with the Citywide Design Guidelines meets the desire for architectural design standards. (Exhibit 4).

iii. Policy LU-11:

Fill in development upon vacant parcels that can be readily served by utilities and streets should be encouraged to maximize the efficient delivery of such infrastructure.

Staff Analysis:

The site of the addition was previously used for parking, is centrally located on the property, and is effectively served by utilities. Increasing the intensity of use of this site as proposed will allow for more efficient use of space near Hwy 99.

iv. Policy LU-19:

Accommodation of the population and employment growth specified by the Countywide Planning Policies should primarily occur within the designated Lynnwood Regional Growth Center and along Highway 99.

Staff Analysis:

The 36 additional units will provide for more employment in an area served by Hwy 99 and SR 524's public transportation options.

v. Policy LU-45

Allow a range of compatible residential densities and neighborhood commercial land uses within or near Lynnwood's neighborhoods. Complementary uses include places of worship, daycare, and similar institutional uses that do not cause a substantial impact to adjoining residences. Limited commercial land uses may be allowed where residences are more than convenient walking distance (about one-half mile) from other shopping areas, and may include small retail stores, professional and personal services, and eating and drinking establishments.

Staff Analysis:

The proposed 36-unit addition will aid in housing for senior citizens within Lynnwood. The existing building fits in with the neighboring residential and commercial parcels. The property shares boundaries with a business complex to the east, a place of worship and other businesses to the west, and single-family residences to the north.

vi. Policy CC-1.2:

Ensure that land use and transportation decisions are consistent with zoning and design guidelines in order to improve the visual and functional character of the city.

Staff Analysis:

The proposed design abides by the relevant zoning requirements and fits with the visual and functional character desired by the Comprehensive Plan

vii. Policy CC-1.3:

The visual character of buildings must be enhanced by means of architectural design and landscape elements to create a human scale and enhance and integrate visual character for the streetscape and abutting residential uses.

Staff Analysis:

The proposed designs contain a variety of architectural features and landscape elements which are at the human scale and contribute to the overall design proposal, providing 34,889 square feet of open space that include a 12,000 square foot scenic pond and 11,385 square foot courtyard. (Exhibit 2). These are consistent with both Lynnwood Citywide Design Guidelines for All Districts and for Multi-Family Districts. (Exhibit 4).

viii. Policy CC-2.5:

Provide adequate setbacks, buffers, landscaping, visual screens, and appropriate building scale and architecture to make development compatible with nearby residential and other land uses.

Staff Analysis:

The applicant's proposed building incorporates adequate setbacks, landscaping, visual screens where needed, and a scale and architecture that is compatible with the adjacent land uses. Adequate screening on the northern side of the property is afforded by the presence of old-growth trees and an 8-foot total height fence. (Exhibits 2, 6, 7, and 8).

ix. Policy H-21:

Encourage the development of affordable housing for all income levels.

Staff Analysis:

Garden Senior Village Apartments serve those in need by providing affordable housing to Lynnwood's senior community.

Based on the above analysis, the applicant has met the Local Commercial (LC) criteria for project design review approval in the Lynnwood Comprehensive Plan.

b. Compliance with LMC 21.25 – Project Design Review

Chapter 21.25 LMC contains requirements for processing a Project Design Review (PDR) application. This title outlines the procedures that Staff must follow in order to process the application. The Applicant has the burden of demonstrating how the application meets the merits of PDR decisional criteria; this is accomplished by validating compliance with applicable zoning regulations and Design Guidelines.

i. LMC 21.25.145(B)

Requires that the following decision criteria be met for approval in the project design review process:

1. It is consistent with the Comprehensive Plan.

Staff Analysis:

The proposed project follows the Comprehensive Plan(see above).

2. It is consistent with all applicable provisions of this chapter.

Staff Analysis:

This project is consistent with the purpose of design review as defined in Lynnwood Municipal Code 21.25, as shown in Sub-Sections a and b.

3. It is consistent with the applicable design guidelines found in the Lynnwood Citywide Design Guidelines, adopted by this reference, and incorporated in the provisions of the LMC and Chapter 21.25 LMC as fully as if herein set forth.

Staff Analysis:

The proposal includes the construction of an additional building that matches the original building in a way that fits within the Citywide Design Guidelines. Additionally, the rest of the site includes design features supported by the guidelines, like the provided open space. (Exhibit 2). During the PDR review, the proposal was reviewed for compliance with the Lynnwood Citywide Design Guidelines for All Districts and Multi-Family Districts and found to comply with the required standards. (Exhibit 4).

4. For development applications for remodeling or expansion of an existing development, it is consistent with those provisions in the applicable design guidelines identified by the director as being applicable. For such applications, the director may modify applicable design standards and guidelines to provide continuity between existing and new development and/or proposed phases of development.

Staff Analysis:

The proposal is an expansion of an existing development, and the application contained sufficient information to show the Director that the additional building will match the original and fit within the required Citywide Design Guidelines.

c. Compliance with LMC 21.17 – Outdoor lighting Standards

- i. The applicant is below the requirements of LMC 21.17.040, and as such did not need to submit lighting related materials. Most lighting is being retained and any new lighting fits the standards laid out in LMC 21.17.

d. Compliance with LMC 21.18 – Off-Street Parking

- i. The applicant utilized a Development Agreement, per LMC 21.29 (Exhibit 3) to reduce the required parking from 244 to 106, supported by a Parking Study (Exhibit 5).

e. Compliance with LMC 21.46 – Commercial Zones

The project site is zoned Neighborhood Commercial (NC).

- i. 21.46.050 (B)(1) – Purpose:

Standard:

Multifamily residential units may be permitted on select NC parcels subject to location (Figure 21.46.1).

Staff Analysis:

The proposal is for residential expansion meant to serve senior citizens. NC development standards of one unit per 1,000 square feet and 35-foot height limit were relaxed alongside the LMC's parking requirements with the Development Agreement (DA). The DA allows for unit density of one per 850 square feet and a 45-foot height limit. (Exhibit 3).

- ii. 21.46.050 (B)(1)(a):

Standard:

To provide for neighborhood commercial centers at appropriate locations along arterial streets within residential areas

Staff Analysis:

The proposal is for a residential building, which is effectively served by the arterial streets, SR 524 (196th ST SW) located directly south of the site and 64th Ave SW, located directly east of the site.

- iii. 21.46.050 (B)(1)(b):

Standard:

To preserve existing neighborhood commercial centers which are at appropriate locations within residential areas, but which may not be located along an arterial street.

Staff Analysis:

The proposed expansion is residential, so its impact on single family zones will be minimal.

- iv. 21.46.050 (B)(1)(c):

Standard:

As a transition zone between residential zones and more intensive commercial zones.

Staff Analysis:

The residential nature of the proposed expansion is an ideal transition zone between single family and commercial zones.

v. 21.46.050 (B)(1):

Standard:

The boundaries between Neighborhood Commercial zones and adjacent residential zones should be well defined and have significant buffering standards to discourage encroachment into and/or degradation of those residential zones. The size of individual zones should be scaled to the intensity of residential development in the area.

Staff Analysis:

The site of the proposed expansion is residential in nature and sufficiently screened from single family zones.

vi. 21.46.100 Permitted structures and uses.

Standard:

Table 21.46.04.

Staff Analysis:

Senior Housing is a permitted land use in Table 21.46.04.

vii. 21.46.105(B) Design Guidelines for Multiple-Family Uses.

Construction of any multiple-family structure or building including duplexes (two-family dwellings) permitted outright or by conditional use permit in any commercial zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Multifamily 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.

Staff Analysis:

The proposed expansion is residential in nature and abides by the relevant requirements within the Citywide Design Guidelines.

viii. 21.46.105(D) Gateways and Prominent Intersections.

See the City of Lynnwood's zoning map to identify development project sites within a gateway or prominent intersection location.

Staff Analysis:

Property is not located within a prominent gateway or intersection; Citywide Design Guidelines apply. The proposal is consistent with Citywide Design Guidelines, per above responses and Applicant Design Checklist (Exhibit 4).

V. Public and Agency Comments

Three comments from members of the public were received during the applicable comment periods, and one additional comment was sent to Lynnwood City Council. All comments are included in Exhibit I0.

There were four total comments, two made during the NOA comment period and two made following the NOA period, with one made during the NOPH comment period. The two comments made prior to the Development Agreement were in reference to the northern portion of the property and its potential to cause issue with the neighboring single-family zone. The applicant responded by increasing the height of the property fence to 8-feet (6 + 2 feet of adornment) and reiterated that most of the trees present on the northern side will remain. The other two comments surrounded the applicant's lack of explanation regarding the proposal and issues with parking. The issues brought up mostly were in reference to the applicant's decision to describe the first version of the proposal, before the City's RFI. Many of the issues were resolved in the second (and final) version of the proposal, with the parking issue being addressed during the public hearing for the Development Agreement.

VI. Conclusion and Conditions of Approval

a. Conclusion

Based on the application materials (exhibits) and the analysis contained in this staff report, staff concludes that the applicant has met the decision criteria for approval of the Project Design Review (PDR).

b. Conditions of Approval

Staff recommends approval of the Garden Senior Village Apartments PDR application (PDR-010057-2023) application subject to the following conditions:

- i. Prior to the issuance of permits required for construction of the proposed addition, Ownership will provide at least 70 stalls during construction for residents to be located on-site or within the immediate vicinity of the property.
- ii. Prior to the issuance of permits required for construction of the proposed addition, Ownership will provide detailed plans for construction phasing and tenant relocation.
- iii. Prior to the issuance of permits required for construction of the proposed addition, Ownership will hold a meeting with tenants explaining the relocation sequence and timing.
- iv. Following the issuance of permits required for construction of the proposed addition, Ownership will monitor parking availability and provide an annual report of parking demand to Development & Business Services. This report will be provided every January and will contain the average unit vacancy and the number of vehicles permanently parked on the site.

VII. Director's Decision

Reviewed by: *Karl Almgren* Date: 3/6/2024
Karl Almgren, AICP
Community Planning Manager

Approved by: *David Kleitsch* Date: Mar 6, 2024
David Kleitsch (Mar 6, 2024 17:13 PST)
David Kleitsch
Development & Business Services Director

VIII. Notice of Decision and Right of Appeal

Administrative decisions of the director may be appealed by filing a written request for appeal with the Development & Business Services Department within 14 calendar days. The appeal deadline will be **March 22, 2024**. An appeal filed within this time limit will be processed pursuant to Process II, as identified in LMC Section 1.35.200.

IX. Lapse of Approval

The applicant under this process must begin construction or submit to the city a complete building permit application for the proposal **within two years** after the final decision on the matter, or the decision becomes void. The applicant must substantially complete construction for the proposal approved under this process and complete the applicable conditions listed in the decision within five years after the final decision of the city on the matter, or the decision becomes void per LMC 21.25.165. No later than two weeks prior to the lapse of approval, the applicant may submit a written request with supporting documentation to the Development & Business Services Department requesting a one-time extension of those time limits of up to one year per LMC 21.25.170(A).

X. Revisions After Approval

The determination that the proposal meets the criteria for a subsequent modification exception is based on all plans, details, catalogue cuts, specifications, renderings, notes, materials, and color samples submitted for design review. Any changes to the design of the project as indicated by the above submitted materials will require additional review and may delay issuance of subsequent development permits for the proposal and/or inspections during construction.

XI. Waiver

The approval of Project Design Review 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.






GSVA_PDR-Directors Decision

Final Audit Report

2024-03-07

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