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## GODDARD SCHOOL PROJECT – DIRECTOR’S DECISION – PROJECT DESIGN REVIEW

<b>Project Name:</b>	Goddard School Project
<b>File Numbers:</b>	PUD-009959-2022
<b>Location:</b>	The southeast corner of Hwy 99 and 188th St SW
<b>Tax Parcel Number(s):</b>	27041600300100
<b>Future Land Use:</b>	Local Commercial (LC)
<b>Zoning:</b>	Neighborhood Commercial (NC)
<b>Site Area:</b>	1.22 acres (53,199 square feet)
<b>Property Owner:</b>	Byron and Alice Lockwood Foundation
<b>Applicant:</b>	Alphabetz RE Corporation (Kalis Sathappan)
<b>Staff Reviewer:</b>	Kirk Rappe, AICP, Senior Planner
<b>Applicable Design Guidelines:</b>	Citywide Design Guidelines for all districts and commercial districts
<b>Related Permits:</b>	Planned Unit Development and associated construction permits
<b>Decision:</b>	Approved with Conditions

**Project Description:** Andy Hinman, on behalf of Alphabetz RE Corporation seeks approval for Project Design Review (PDR) to allow for construction of an approximately 12,000 square foot Goddard preschool on a 1.22-acre parcel of land at the southeast corner of Highway 99 and 188th St SW. The project includes a 36-space parking lot, trash enclosure, extensive landscaping, outdoor play area, improved sidewalks with prominent corner treatment on Hwy 99, and outdoor

lighting. The applicant requested several design departures that are reasonable. The project is exempt from SEPA and Critical Areas review is not required. The property is zoned Neighborhood Commercial (NC). A Planned Unit Development (PUD) was approved by the Lynnwood Hearing Examiner on August 18, 2022.

**I. EXHIBITS**

1. Application and affidavit of ownership, received March 21, 2022
2. Written statement, received July 18, 2022
3. Goddard School plan set, received July 18, 2022
4. Design guidelines checklist, received March 21, 2022
5. Design departure request, received August 15, 2022
6. Photographs of site, received March 21, 2022
7. Title Report, received March 21, 2022
8. Arborist Report, received March 21, 2022
9. Arborist Report addendum, received July 18, 2022
10. Landscape Maintenance Plan, received March 21, 2022
11. Preliminary Storm Drainage Report, received March 21, 2022
12. Wetlands Report, received March 21, 2022
13. Preliminary Geotechnical Report, received March 21, 2022
14. Critical Areas Requirements Email from Derek Fada, received July 18, 2022
15. Revised Traffic Report, received July 27, 2022
16. Public Comments, received May 13 to June 2, 2022
17. Applicant Response Letter to Public Comments, received June 7, 2022
18. City and Agency Comments, received May 31 to July 18, 2022
19. Request for Information (Correction) Letters, dated June 3 to July 14, 2022
20. Request for Information Response Letter, dated July 19, 2022
21. Notice of Complete Application, issued April 22, 2022
22. Notice of Application, posted May 6, 2022

## II. FINDINGS OF FACT

### a. Background

The site is a rectangular parcel bounded by 188<sup>th</sup> St SW on the north and 55<sup>th</sup> Ave W to the east. The site is sloped strongly from west to east, with the greatest slope at the northwest corner where a portion of the property fronts Highway 99. The site is heavily vegetated with larger trees along the north boundary. A small portion in the southeast portion of the property was assessed for wetland conditions and was determined to not be a wetland. Likewise, a geotechnical report did not identify and steep slopes or landslide hazard slopes on-site (Exhibits 12, 13, and 14).

The project consists of a 12,000 square foot preschool building with eleven classrooms, kitchen, and staff areas fronting 55<sup>th</sup> Ave West. In front of the building between the entrance and 55<sup>th</sup> Ave W, a 36-space parking lot is proposed including an area for a trash enclosure. The site will be heavily landscaped and fences are proposed long the south property line. A fenced playground for the students is proposed to the rear of the building. The applicant proposes curb, gutter, and sidewalk improvements on their portion of 55<sup>th</sup> Ave W and sidewalk improvements along 188<sup>th</sup>. This corner of Hwy 99 and 188<sup>th</sup> is considered a prominent intersection with improvements to the pedestrian space of the corner. Due to the steep slope behind the corner, many of the recommended corner features are difficult to include in the design. A design letter explaining the proposed design departures was provided (Exhibit 5).

The Goddard School Project Design Review project is subject to all other requirements in the Lynnwood Municipal Code and relevant design guidelines.

### b. Proposal Description

Summary of Proposal – The applicant proposes construction of an approximately 12,000 square foot Goddard preschool with eleven classrooms, kitchen, and staff areas. The project includes a playground, parking lot, prominent corner treatment, and landscaping. A 36-stall parking lot is proposed including an area for a trash enclosure. The site will be heavily landscaped with a retaining wall topped by a fence on the south property line. Frontage improvements include prominent corner treatment of the portion of the site abutting Hwy 99, new sidewalks along 188<sup>th</sup>, and new curb, gutter, and sidewalk on 55<sup>th</sup> Ave W.

Design – The site will contain the preschool building, play area, parking lot, fencing, and pedestrian connections to 188<sup>th</sup> and to the parking lot. Landscaping is proposed along the frontages, within the interior of the

site, and along the south property line abutting single family homes. New pole and building mounted lighting will be installed on site.

The school is a one-story building is of a contemporary design with shed-style rooflines and building wall articulation. The main entrance is oriented towards 55<sup>th</sup> Ave W with a double door main entrance flanked by large windows. Materials consist of Hardie panel siding, wood siding, and stone along the base of portions of the walls all in shades of taupe and grey-blue. Dark bronze metal canopies are proposed above doorways facing the public right-of-way and the roof includes black metal trim (Exhibit 3).

Site Information – The site is an approximately 1.22-acre sloped and vegetated rectangular parcel. It is located at the southeast corner of the intersection of Hwy 99 and 188<sup>th</sup> St SW. There are no critical areas on-site nor are the slopes considered steep or landslide hazard slopes according to the geotechnical report. The site abuts two rights-of-way: 188<sup>th</sup> St SW to the north and 55<sup>th</sup> Ave W to the east. The south property line abuts four single-family (RS-8) zoned properties and to the west abuts a single General Commercial (CG) zoned property. About 45 feet of the property line abuts Hwy 99 right-of-way at the northwest corner. Parcels across 188<sup>th</sup> St SW are zoned General Commercial (CG) and Public (P-1) and across 55<sup>th</sup> Ave W are zoned Residential Multiple Low (RML) and Residential Single-Family 8400 (RS-8).

Future Land Use and Zoning – The Comprehensive Plan future land use designation of this site is Local Commercial (LC). The property is zoned Neighborhood Commercial (NC) on the Official Zoning Map. NC is the only zone identified in the Comprehensive Plan as a consistent implementing zone for the Local Commercial (LC) zone. (2015 Comprehensive Plan, page 11.5).

**c. Noticing**

The application was initially deemed incomplete on April 20, 2022, however after receiving additional submittal items it was deemed complete on April 22, 2022 (Exhibit 21). In accordance with Chapter 1.35 Lynnwood Municipal Code (LMC), a Notice of Application and Impending Decision was posted at the City of Lynnwood official posting sites and published in the Everett Herald on May 6, 2022 (Exhibit 22). Owners of property and tenants within a 300-foot radius of the subject property were also mailed a Notice of Application and Impending Decision on that date. The comment period ended on May 20, 2022. In accordance with LMC 1.35.333, all written comments received prior to the date this decision have been considered.

**d. Environmental Review (SEPA)**

The project is categorically exempt from SEPA because it does not meet the threshold requirement for office, school, commercial, recreational, service, storage building, and parking facilities. The raised exemption thresholds are 30,000 square feet of building area and 90 parking spaces. The proposal is for 12,000 square feet of building area and 36 parking spaces and therefore is categorically exempt from SEPA review.

**e. Review Time Limit**

LMC 1.35.025 requires a decision within 120 calendar days after the city notifies the applicant that the application is complete, except as provided in subsections LMC 1.35.025(A) through (C). This decision has been issued on the 89<sup>th</sup> day of active permit processing.

**f. Zoning Analysis**

**i. Compliance with the Neighborhood Commercial (NC) Zone (LMC 21.46)**

The Neighborhood Commercial (NC) zone is intended to “provide for compatible retail, professional, and personal service uses, and offices and services including municipal services of not more than two stories which generally serve the everyday needs of the residents of the surrounding neighborhood.” (LMC 21.46.050).

The proposal complies with the development standards of LMC 21.46.200 for the NC zone:

	RMM Standard	Proposal
Minimum lot area	none	Complies- Site is 1.22 acres
Minimum front yard setback	15 feet	Complies- all buildings are set back at least 15 feet
Minimum side yard setback – street	15 feet	Complies- all buildings are set back at least 15 feet from the north property line.
Minimum Side Yard Setback – abutting RS zone	10 feet	Complies – all buildings are

		set back at least 10 feet from south property line abutting RS zoned properties.
Minimum side yard setback abutting to RM zone	10 feet	Complies – Not abutting any RM zone.
Minimum Side Yard Setback – Abutting all other zones	None	Complies – does not abut zone covered by this criterion.
Minimum Rear Yard Setback – Abutting to RS zone	25 feet	Complies – Rear yard does not abut an RS zone.
Minimum Rear Yard Setback – Abutting to RM zone	25 feet	Complies – Rear yard does not abut an RM zone.
Minimum Rear Yard Setback – Abutting to all other zones	None	Complies – Rear yard abuts General Commercial zone. All buildings meet this minimum.
Maximum Building Height	35 feet	Complies – building is approximately 25 feet 10 inches tall at highest point.
Maximum Lot Coverage	35 percent	Complies – lot coverage is approximately 20 percent.

## ii. Compliance with Landscaping (21.08 LMC)

The applicant has provided a landscape plan as part of the design package (Sheets L1.00 to L2.02, Exhibit 3) in accordance with Chapter 21.08 LMC and the Citywide Design Standards.

Due to its proximity to single-family uses, the southern property line requires a 10-foot medium landscape buffer. The applicant requests a design departure due to constraints on the site due to topography and requirement for an emergency exit pathway for children in the classrooms. The building itself is set back 10 feet and a solid 6-foot-tall steel fence will be erected atop the retaining wall between the building and property line. The smaller landscape strip will be filled with 6'-8' tall emerald green arbor vitae. Landscape buffers are not required along the other property lines.

Other landscaping requirements include a parking lot frontage landscape strip along 55<sup>th</sup> and interior parking lot landscaping per LMC 21.08. For the parking lot landscape strip, the City's design guidelines and landscaping code have conflicting requirements: the design guidelines require a 20-foot-wide landscape strip while the landscape code requires only a 15-foot-wide landscape strip. The applicant provides 15-feet of landscaping between the parking lot and east property line along 55<sup>th</sup> Ave W meeting the landscaping code. This should be sufficient as the design guidelines only supersede any development standards in Chapter 21.46, not Chapter 21.08 – Landscaping. That said, the applicant submitted a design departure request. Furthermore, the city-owned 55<sup>th</sup> Ave W right-of-way includes an additional 14 feet of landscaped area between the property line and sidewalk and roadway.

Interior parking lot landscaping and tree requirements are found in LMC 21.08.350. The parking code requires 36 parking spaces and the applicant proposes to provide exactly that number. Therefore, LMC 21.08.350 table 21.08.04 says that 28 square feet of interior landscaping is required per parking space resulting in a total of 1,005 square feet of interior parking lot landscaping. The applicant proposes approximately 2,140 square feet of interior parking lot landscaping, exceeding this requirement. Interior parking lot tree requirements are one large tree per seven parking spaces. This equates to 5 large trees ( $36 \div 7 = 5.14$  or 5 trees). The applicant proposes five *Fraxinus Americana* (Autumn Applause Ash) trees which are listed as medium/large trees in the City Tree Preservation and Protection Guidelines, meeting this standard.

**iii. Compliance with Outdoor Lighting Standards (21.17 LMC)**

The site is in Lighting Zone 2 (LZ-2) and the applicant proposes using the Performance method. The applicant has provided a site lighting plan and cutsheets on sheet LDE-1 of the design package (Exhibit 3) demonstrating compliance with the requirements of Chapter 21.17 LMC. The lighting plan utilizes the performance method for determining lighting compliance according to LMC 21.17.080(B). A maximum of 62,000 lumens are allowed, and 54,093 lumens are proposed. All lighting will be a maximum of 15 feet in height. The lighting plan indicates no light emits above 90 degrees and the luminaires comply with the performance requirements for off-site impacts (LMC 21.17.080(B)).

**iv. Compliance with Parking (21.18 LMC)**

The Lynnwood Municipal Code calls for 36 parking stalls for this proposal unless an administrative parking reduction is approved. Table 21.18.08 specifies the amount of parking required for Preschools is as follows:

- i. When enrollment is known and more than 45 students:  
8 stalls plus 1 stall per 40 students.
- ii. 1 stall per staff member.

The applicant says enrollment will be 172 students, resulting in:

8 plus (172 ÷ 40, or 4):	12 stalls
<u>24 staff (1 per staff):</u>	<u>24 stalls</u>
Total:	36 stalls

Six of the proposed stalls are compact parking (up to 20 percent of required parking may be compact stalls, or in this case, up to seven stalls).

The applicant proposes 36 parking stalls complying with the required amount of parking.

**v. Compliance with other applicable code requirements**

Critical areas, specifically wetlands and steep slopes, were reviewed by the City's critical areas specialist and no critical areas were determined to be on-site (Exhibit 14). In all other respects the proposal complies with the applicable code requirements.



### III. PROJECT DESIGN REVIEW DECISION CRITERIA (LMC 21.25.145(B))

#### a. It is consistent with the comprehensive plan.

The property is designated on the Future Land Use Plan Map in the Comprehensive Plan as Local Commercial (LC). The LC category calls for:

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. (2015 Comprehensive Plan, Page 2.9)

The following policies and strategies from the Comprehensive Plan are relevant to this Project Design Review and action on this application:

#### i. **Land Use Policy LU-3:** Comprehensive Plan land use designations are as provided by Table LU-3:

**Designation:** Local Commercial

**Primary land use:** Neighborhood-oriented retail and service

**Locations:** Direct access from an arterial or collector street, and locations where non-residential uses will adversely impact nearby residences.

**Design:** 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:*

Primary Land Use and Location: The subject property is designated on the City of Lynnwood Future Land Use Map as Local Commercial which corresponds to the Neighborhood Commercial zone designation. Neighborhood Commercial zoning has no minimum lot area. Setbacks of 15 feet are required abutting any street and a 10-foot setback is required where a side lot line abuts a residential zone (in this case, the south property line – side yard – abuts single family zoned properties. The minimum setback is 10 feet per LMC 21.46.200<sup>1</sup>).

The proposal for a preschool meets the intent of this policy. The primary land use is for neighborhood-oriented retail and service – a preschool will serve the local neighborhood and other neighborhoods in Lynnwood. The proposed preschool building and use will meet required setbacks as noted above where it abuts single family zoned properties and will be compatible with the nearby residences.

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<sup>1</sup> LMC 21.46.230 refers to the B-3 zone which was a scrivener's error. Section 21.46.230 was removed by Ordinance 3415 passed on May 26, 2022 and the setback requirements consolidated into Table 21.46.14.

Design: The proposed building is a single-story low-rise structure oriented towards 55<sup>th</sup> Ave W and 188<sup>th</sup> St SW. The applicant proposes extensive landscaping and screening between the preschool building and single-family residential uses to the south. Due to the topography of the site, parking is located where the property fronts 55<sup>th</sup> Ave W which is allowed per the design guidelines. Parking exactly meets minimum requirements.

- ii. **Land Use 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 proposed preschool abuts a small portion of Hwy 99 at the corner, 188<sup>th</sup> Street SW, and 55<sup>th</sup> Avenue W. Potable water and sanitary sewer mains already exist along 188<sup>th</sup> to serve the site and storm sewers are already in place along 188<sup>th</sup> and 55<sup>th</sup>.

- iii. **Land Use 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 site is located at the southeast corner of Highway 99 and 188<sup>th</sup> Street SW with an approximately 56-foot property line segment abutting Highway 99. According to the applicant, the school will employ about 24 staff and serve 172 children when at full capacity.

- iv. **Land Use Policy LU-26:** Non-residential land uses customarily located within residential areas, such as churches, daycare, public schools, public utilities, and home occupations should be allowed on residentially designated property. Such uses should serve the surrounding residential area without generating adverse land use or environmental impacts.

*Staff Analysis:* The proposed preschool is a non-residential land use, similar to a daycare or public school, that are customarily located within residential areas. This site is on the northern edge of a single-family residential area but is zoned Neighborhood Commercial, not single-family residential. The proposed site plan design, landscaping, and fencing provides screening from adjacent single-family residences. Vehicular access to the site is proposed via curb cuts along 188<sup>th</sup> Street SW (a minor arterial) and 55<sup>th</sup> Ave W.

- v. **Land Use Policy LU-34:** Institutional and quasi-commercial land uses such as churches, childcare, group homes, schools, and transit, utility and public facilities shall be allowed in commercial areas.

*Staff Analysis:* The site is zoned Neighborhood Commercial, a Commercial zone per LMC Chapter 21.46, and the proposed preschool is a school use and similar to childcare which are considered institutional or quasi-commercial uses.

**b. It is consistent with all applicable provisions of Chapter 21.25 LMC (PDR).**

The proposal is subject to the Citywide Design Guidelines for all districts and commercial districts because it is for construction of a commercial project over 1,000 square feet. Project design review is intended to:

- Review the proposal for compliance with design guidelines;
  - Help ensure that the proposal is coordinated, as is reasonable and appropriate, with other known or anticipated development on private properties in the area and with known or anticipated right-of-way and other public improvement projects within the area; and
- a. Encourage proposals that embody good design principles that will result in high quality development on the subject property.

The applicant has provided materials (refer to exhibits) to demonstrate consistency with Chapter 21.25 LMC.

**c. 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 this chapter as fully as if herein set forth.**

**i. Design Guideline Analysis**

This project is consistent with the purpose of design review as defined in Chapter 21.25 LMC. Site plans and elevations were provided to the City (Exhibit 3) as well as design checklists and descriptions (Exhibit 4) and a design departures letter (Exhibit 5). The proposal has pedestrian connections and amenities, is designed with high-quality materials, and provides ample landscaping that provide a buffer between Hwy 99 and 188<sup>th</sup> and residential properties to the south.

**ii. Design Departures (21.25.150)**

The applicant has requested five design departures described below.

Location of Parking Lots – the guidelines state that where a double-loaded aisle of parking located between a building and street right-of-way, a 20-foot-wide landscape strip should be provided between the parking lot and right-of-way. The applicant says that due to the slope of the site, the parking lot cannot be moved further west and maintain the parking lot slope. The applicant also points out that the right-of-way along 55<sup>th</sup> Ave W, adjacent to the site has a 15-foot-wide vegetated area that the applicant is proposing to landscape. This will provide an effective 30-foot-wide landscape strip between the roadway and the parking lot.

Staff Analysis: The site is constrained due to steep slopes along the west and northwest sides of the site and due to the narrowness of 55<sup>th</sup> Ave W, the right-of-way does include an approximately 15-foot-wide area suitable for vegetation. Due to site constraints and the total amount of vegetated area between the parking lot and street, staff feels the buffer size is adequate.

Marking Gateways and Prominent Intersections – The guidelines require certain intersections marked as prominent intersections of gateways to provide additional features on intersection corners. The SE corner of Hwy 99 with 188<sup>th</sup> St SW is a designated prominent intersection. Prominent intersection frontage should include at least three visually prominent features such as: public art, monuments, special landscape treatment, open space/plazas, water feature, special paving or surface treatments, or pedestrian scale lighting or bollards. The applicant states that the steep slope behind the existing corner sidewalk prevents additional intersection features. The applicant proposes to provide special paving and special landscaping and in lieu of a third item, provide decorative concrete on the sidewalks near the entrances to the building.

Staff Analysis: The corner at Hwy 99 and 188<sup>th</sup> does back up against a steep slope that limits the ability of the applicant to expand the corner plaza without additional site work. The applicant does provide two of the three features listed and staff believes a departure from the requirement is reasonable.

Ground Floor Transparency – A minimum of 60 percent of the ground floor façade (defined as between 2 feet and 12 feet above grade) should be comprised of windows with clear “vision” glass. The applicant requests a departure claiming increasing vision glass in classrooms along 188<sup>th</sup> invites people look into the classroom. The applicant proposes increased vision glass at the entrance facing 55<sup>th</sup> Ave W.

Staff Analysis: Staff raised the issue of the amount of glazing facing 188<sup>th</sup> with the applicant and the proposal to provide additional glazing on the front was accepted as an adequate alternative due to the concerns about classroom visibility from the street.

Access Driveways – The design guidelines say that access driveways connecting a double-loaded aisle of parking to the street right-of-way shall not be impacted or interrupted by additional parking drive aisles or stalls for a distance of at least 30 feet from the edge of the right-of-way. The proposed parking lot access drive is 15 feet from the edge of right-of-way.

Staff Analysis: The design guidelines on this issue seem unduly burdensome for medium to small properties that require parking. Due to the western side of the site being sloped and the relative narrowness of the lot (north to south), a 30-foot entrance drive from edge of right-of-way (not edge of roadway) would make it almost impossible for the applicant to provide the required 36 spaces. Staff believes this departure is justified.

Buffer Area Landscape Standards – A minimum 10-foot landscape buffer along the south edge of the property is required between the building and property line. Buffer requirements include either large, medium, or small trees and shrubs with a mix of natural groundcover. The applicant states that screening the site from residential neighbors to the south was considered in the design of the site. Fire apparatus and access requirements along the sides of the building increased the non-vegetated area within the 10-foot buffer (access paths for egress in case of emergency). A section approximately 168 feet long along the 399-foot-long south property line includes the access pathway, retaining wall, fencing, and arbor vitae to buffer the school from the residential properties.

Staff Analysis: The applicant responded to staff request to increase the amount of fencing along the south side of the property to help further screen the building. The most of the 168-foot section is where the egress path is located and will be screened by a 6-foot solid wood fence, retaining wall, and a row of arbor vitae. Though less than required in that section staff believes the additional screening in this constrained space will provide similar visual and auditory screening between the building and south property line.

- d. For development applications for remodeling or expansion of an existing development, it is consistent with those provisions in the Lynnwood Citywide 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.**

This provision does not apply since the proposal is for new development.

**IV. PUBLIC AND AGENCY COMMENTS**

A 14-day public comment period on the proposal ended on May 6, 2022. Request for comments or corrections were also sent to all applicable City Departments and outside agencies. All comments are available in the project file (Exhibits 16 and 18). A summary of the comments is included below:

**a. Public Comments** – Many public comments were received (Exhibit 16) and the topics of concern are summarized below:

- Light and noise from site will disturb residents.
- Safety of children due to traffic and air pollution.
- Site will no longer have green space and act as a buffer.
- Claim that River Otters are on site.
- Claim that there is a wetland on-site.
- Flooding concerns.
- Traffic and congestions on 55th and 189th St SW.
- Request for additional streetlights on 55th and 188th.

The applicant addressed these concerns in a letter addressed to neighborhood residents dated June 3, 2022.

City staff notes that the request for additional street lights on 55th and 188th was reviewed by Development Engineering and Public Works and they stated there is sufficient light for the intersection and streets based on the number of existing street light luminaries along 188th and a streetlight at 189th and 55th.

A condition of approval will require the applicant to work with the City's traffic engineer to provide for stop signs at the intersection of 55th and 189th and two speed bump improvements, one on 55th (between 188th and 189th St SW) and one on 189th (between 55th and 52nd Ave W) with requisite signage. The applicant has agreed to funding or installing these improvements.

**b. City and Agency Comments** - Comments were received from the Lynnwood Building, Development Engineering, and Traffic Engineering divisions; from the Lynnwood Police Department; and South County Fire. These comments were addressed by the applicant or incorporated into this staff report as recommended conditions of approval.

The Tulalip Tribe sent several questions regarding critical areas and requested environmental documents, but after reviewing had no concerns

Community Transit also provided comments– specifically a request for the sidewalks on 188th to accommodate future ADA transit boardings. The City cannot require improvements if no bus service is currently active or proposed – the request was denied.

## **V. 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).

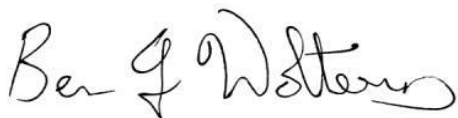
### **b. Conditions of Approval**

Staff recommends approval of the Goddard School Project (PDR-009959-2022) application subject to the following conditions:

1. The site plans and elevations (Exhibit 3) received July 15, 2022 shall be the approved plan.
2. Any changes to the design of the project will require additional review and may delay issuance of subsequent development permits for the proposal and/or inspections during construction. Requests for modification shall be subject to the review fees in LMC 3.104.210.
3. Stormwater quality facilities (swales, vaults, and ponds) shall be provided as required by the City of Lynnwood. The stormwater detention system for the proposed plat shall be designed to meet the requirements of the 2019 Washington State Department of Ecology Puget Sound Basin Stormwater Manual.
4. All structures connected to the sanitary sewer shall be fitted with backwater check valves.
5. Provide two connections to the City water main in 188th: a) One 2" domestic service and meter as indicated; b) One 8" Fire service as indicated (the fire hydrant may be tapped into this service); c) New irrigation service may be tapped off fire service or domestic service on site.
6. Side Sewer Cleanout (SSCO) at the property line is required. Refer to City of Lynnwood Standard Plans Index.
7. A Class II tree permit calculation sheet shall be completed and submitted with grading and construction permits. 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.

8. The applicant shall work with the Traffic Engineer to provide two asphalt speed humps (one on each road segment: 55th Ave W between 188th St SW and 189th St SW and on 189th St SW between 55th Ave W and 52nd Ave W) and the intersection of 55th Ave W and 189th shall be converted into a two-way stop sign-controlled intersection with painted stop installed at locations to be determined.
9. All landscaping shall be installed prior to issuance of the last building's certificate of occupancy.
10. The 6-foot wooden fence shall be placed along the top of the retaining wall where the wall runs between the building and south property line.
11. All waste shall be stored in trash enclosure in the parking lot as shown on the site plans and elevations (Exhibit 3). All areas shall be kept free from nuisances, including overflow waste, leaks, or pests.
12. All park impact fees shall be paid prior issuance of building permit.
13. All traffic impact and concurrency fees shall be paid prior to issuance of building permit.
14. Sewer connection charges shall be assessed at the current rates at issue of building permit.
15. All electric utilities shall be installed underground.

**REVIEWED BY:**



8/19/22

**Ben Wolters, Interim Community Planning Manager**

**Date**

**VI. DIRECTOR'S DECISION**

I concur with the above conclusions and grant approval with conditions of the Project Design Review for the Goddard School Project.



8/22/22

**David Kleitsch, Development and Business Services Director**

**Date**



**VII. NOTICE OF DECISION AND RIGHT TO APPEAL**

Administrative decisions of the director may be appealed by filing a written request for appeal with the Development and Business Services Department within 14 calendar days. The appeal deadline shall be **September 8, 2022**. An appeal filed within this time limit shall be processed pursuant to Process II, as identified in LMC Section 1.35.200.

**VIII. 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 and Business Services Department requesting a one-time extension of those time limits of up to one year per LMC 21.25.170(A).

**IX. 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.