

I. Application

Project Name:	Apollo Scriber Lake Apartments
File Numbers:	PDR-25-0009
Location:	5723 & 5707 198th Street Southwest, Lynnwood, WA
Tax Parcel Numbers:	00565300000401 & 00565300000404
Current Use:	Place of Worship and Single-Family Residence
Proposed Use:	Multifamily Residential
Zoning:	General Commercial (GC) & HWY99 Mixed Use (HMU)
Future Land Use:	Regional Commercial & HWY 99 Node
Site Area:	1.21 Acres Total (0.41 acres (CG) & 0.80 acres (HMU))
Property Owner:	Zainab Organization of Greater Seattle
Applicant:	Tri Ly, BF Design Build
Applicable Design Guidelines:	Citywide Design Guidelines for All Districts; Citywide Design Guidelines for Commercial Districts Highway 99 Design Guidelines
Related Permits:	SEPA-26-0001, Boundary Line Adjustment (BLA) Permit, Associated Building and Construction Permits
Date of Application:	November 11, 2025
Date of Completeness:	December 5, 2025
Decision:	Approved with Conditions
Date of Issuance:	September 4, 2026
Days of Review:	113 Days (Extension Granted via Exhibits 8 & 9)
Expiration:	September 4, 2028
Staff Reviewer:	Brian Kirk, Planner 425-670-5409; bkirk@lynnwoodwa.gov

II. Exhibits

1. Project Narrative, received August 10, 2026
2. Architectural and Civil Plan Set, received August 10, 2026
3. Landscape and Maintenance Plan, received December 5, 2025
4. Title Report, received December 5, 2025
5. Design Guidelines Checklists, received December 5, 2025
6. SEPA-26-0001 MDNS, dated June 18, 2026

7. Landscape Buffer Reduction Letter, received August 10, 2026
8. Extension Email from Johnny Vong, Received August 13, 2026
9. Extension Email from Johnny Vong, Received September 1, 2026
10. Notice of Incomplete Application, dated November 25, 2025
11. Notice of Complete Application, dated December 5, 2025
12. Notice of Application, dated December 12, 2026
13. Public Comments, received during the public comment period, December 12-26, 2025
14. Lighting Plan, received June 18, 2026
15. Lighting Letter, received June 18, 2026
16. Traffic Impact Analysis, Received May 21, 2026
17. Survey, Received December 5, 2025
18. Brick Wall Example, Received August 10, 2026
19. Arborist Report, Received May 21, 2026
20. Preliminary Drainage Report, Received December 5, 2025
21. Letter of Authorization, Received December 5, 2025
22. Critical Areas Reconnaissance, Received December 5, 2025

III. Findings of Fact

a. **Proposal Description**

Tri Ly, of BF Design Build, on behalf of Blackfish Capital, applied for a Project Development Review (PDR) permit to construct 175 units of affordable housing in a 7-story building, averaging 69-ft with a maximum height of 77-ft. The project includes 172-ft of street frontage improvements (sidewalk, curb, and gutter), 54 parking stalls, associated site landscaping, and other building amenities. The housing is expected to be affordable for area median income (AMI) levels at or below 60%.

b. **Background**

The site consists of two mid-block parcels, located on 198th Street Southwest immediately adjacent to Scriber Lake Park. The site is approximately 0.20 miles east of Highway 99 and two blocks southeast of Community Transit's Blue Line and Orange line (bus rapid transit). The site is currently two parcels to be combined into a single split-zoned parcel with the western part of the property zoned Highway 99 Mixed Use (HMU) and the eastern part zoned General Commercial (GC). Each portion of the property will follow their respective zones development standards in LMC 8.30 and design guidelines. A summary table of the parcels is below:

Parcel Number	Current Use	Size	Zone	Applicable Design Guidelines
00565300000404 (East Parcel)	Single Family House	0.80 acres	HMU	H99 Design Guidelines.
00565300000401 (West Parcel)	Place of Worship	0.41 acres	CG	Citywide Design Guidelines + Commercial Districts

In order to develop single building crossing multiple property lines, the site must apply for a boundary line adjustment permit (lot combination) per Condition 2. The site would remain a split zone parcel unless a comprehensive plan and rezone was to occur. At the time of application, the applicant did not own the parcels. A letter of authorization (Exhibit 21) has been provided demonstrating the owner's consent to apply for this permit.

c. Noticing and Review Timelines

The application received on November 11, 2025, was deemed incomplete on November 25, 2025 (Exhibit 11). The applicant later submitted the required materials and was deemed complete on December 5, 2025 (Exhibit 12). On December 12, 2025, in accordance with Lynnwood Municipal Code (LMC) 8.90.0320(E), a Notice of Application and Impending Decision was posted at the City of Lynnwood official posting sites and was published in the Everett Herald (Exhibit 13). Owners of property and tenants within a 300-foot radius of the subject property were mailed a Notice of Application and Impending Decision. The comment period ended on December 26, 2026. In accordance with LMC 8.90.0320(E)(4), all written comments received prior to the date this decision have been considered. Those who made comments are parties of record.

LMC 8.90.0310 requires a decision within 100 calendar days after the city notifies the applicant that the application is complete. On August 13, 2026, Johnny Vong, on behalf of Blackfish Capital granted an extension to the review period to 110 days (Exhibit 8) and another extension to 117 days (Exhibit 9) to finish final processing of the permit. This decision was issued on the 113th day of active permit processing.

d. Environmental Review

This project is subject to SEPA review, per LMC 17.02.230.B.2, as it exceeds the exemption threshold of 60 multifamily units. SEPA review was conducted through associated permit number SEPA-26-0001. A Mitigated Determination of Non-significance (MDNS) was issued on June 18, 2026 (Exhibit 6).

Due to the site's configuration, proximity to Scriber Lake Park, and the concern from the public regarding the removal of trees on the site, a condition is needed to address the protection of trees on the properties immediately to the east. The site is limited in its configuration by setbacks, fire access, and topography, which lead to a design that required the construction of a retaining wall along the east property line. To mitigate the impacts of the wall on adjacent properties, the applicant proposes using a soldier pile wall, which spans its piles outside of critical root zones. This is done in combination with Condition 4 from SEPA-26-0001 to protect trees on adjacent properties. Condition 5 has also been added to reduce parking impacts on Scriber Lake Park during construction.

During this process, the City received an additional comment from the Tulalip Tribe regarding stormwater considerations on site (Exhibit 13). Due to the project's proximity to Scriber Lake and adjacent critical areas, additional stormwater analysis may be required during Development Engineering permit review to demonstrate compliance with LMC Chapter 13.40 and the adopted Stormwater Management Manual for Western Washington, including preservation of natural drainage systems and compliance with applicable flow

control and water quality requirements. The proposed impervious surface will not result in significant adverse impacts to the hydrology of adjacent wetlands, critical areas or Scriber Lake Park.

Appeal of the MDNS closed on July 21, 2026. No appeals were filed.

IV. PDR Decision Criteria

a. Street & Neighborhood Design

Lynnwood Municipal Code (LMC) 8.20.0100 states the purpose of street and neighborhood design in the City. Map 8.20.01, LMC identifies the street typology assignments for specific locations.

i. 198th St SW- Other Streets

“Other Streets” have a minimum standard that is outlined by Table 8.20.05.

Staff Analysis:

The “other streets” standard includes a minimum standard of 5-ft sidewalk and 6-in curb, 8-ft for on street parking, an 11-ft travel lane with sharrow. On street parking totals 7 stalls. Bike lane and striping is not required. The submitted site plan (Exhibit 2) shows 10-ft sidewalk along 198th St SW frontage, with 6-in curbing, and 11-ft travel lane. A landscape strip of 12-ft containing trees, shrubs, and groundcover is provided along 198th St SW. As shown the project complies with this requirement.

b. Subareas & Zoning Districts Development Standards

Lynnwood Municipal Code (LMC) 8.30.0120 states that zoning district standards apply based on types of project activities proposed. Per Table 8.30.02, New Construction type project activities must meet the following District Standards.

i. Density

There is no density requirement for the HMU and GC zone per LMC 8.30.0530 and LMC 8.30.0550.

Staff Analysis:

The proposal has a density of approximately 145 units per acre.

ii. Building Coverage

LMC 8.30.0530.B and 8.30.0550.B state that the maximum building coverage in the GC Zone and HMU is 90%.

Staff Analysis:

The proposed building will span the two underlying parcels which have different zoning. The east parcel is 0.41 acres in size and zoned HMU. The portion of the building footprint on this parcel is 10,583 square-ft which is 58% lot coverage. The west parcel is 0.80 acres in size and zoned GC. The portion of the building

on this parcel is 16,075 square-ft, which is 46% lot coverage. Each portion of the building on their respectively zoned parcel meets this requirement. The total site development building coverage is 51%.

iii. **Building Placement**

LMC 8.30.0530.B and 8.30.0550.B state that the minimum setback for buildings in both the HMU and GC zone is 10-ft from any public street or interior property line. In the HMU zone, per LMC 8.30.0530.B, buildings have a maximum street setback of 20-ft.

Staff Analysis:

The site plan shows that the building ranges from 15-ft - 16-ft from the street (south) property line along the entire street frontage, which meets the minimum and maximum street setbacks for both zones. The building is setback 11-ft from the north property line (interior) for the HMU zoned portion and 20-ft from the GC portion of the parcel, 10-ft from the west property line (interior), and ranges from 44-ft to 46-ft (depending on the location) from the east property line (interior) at the building's closest points. The proposal meets the required setbacks.

iv. **Parking Location**

LMC 8.30.0530.B and LMC 8.30.0550.B both require 5-ft street and interior setbacks.

Staff Analysis:

Parking is located under and along the eastern side of the structure. Parking is setback appropriately to property lines with a minimum dimension of approximately 6-ft at its closest point to the eastern property line.

v. **Bike Parking**

LMC 8.30.0530.B and LMC 8.30.0550.B both require bike parking in accordance with LMC 8.40.0620.F. This bike parking must be located in a secure bike room or within units in a designated area. The required bike parking capacity is 0.5 spaces per unit.

Staff Analysis:

The project proposes 175 units which require a total of 88 bike parking spaces. The plan set (Exhibit 2) identifies 35 bike parking stalls in a locked bike room on the bottom floor, and 53 in-unit bike stalls located in 2-bedroom units for a total of 88 bike parking spaces meeting this requirement.

vi. **Building Height**

LMC 8.30.0530.B and LMC 8.30.0550.B both state that maximum building height is 8 stories or 90-ft for GC and HMU zones.

Staff Analysis:

The submitted building elevations (Exhibit 2) show the building at its maximum height is 69-ft from average grade. This leaves enough room for mechanical equipment or roof access. The building ranges from 6 to 7 stories. This requirement is met.

vii. Amenity Space

LMC 8.30.0530.C, Table 8.30.43 requires that mixed use developments provide minimum amenity space per unit in the HMU zone. Each unit must have either 50 sf of shared, at grade amenity space, or 20 sf of shared amenity space in or on the structure. All amenity spaces must have a 10-ft width minimum to be counted as amenity space. The GC zone, per LMC 8.30.0550, requires that developments provide 1% of the floor area as amenity space.

Staff Analysis:

The proposal includes a total of 4,928 square-ft of amenity space, including an entry plaza (1,450 sf accounts for 20 units), a small plaza (255 sf accounts for 5 units), a garden on the structure for residents (1,479 sf accounts for 73 units), and an indoor community space on the bottom floor (1,780 accounts for 89 units). All areas provided meet the dimensional standards. The proposal provides sufficient amenity space for all units. This exceeds the minimum required amenity space per unit. The GC portion of the building requires 1% of the building's 85,768 sf (on the GC zoned land), which is 858 sf of shared amenity space. The plaza provides this space on the GC portion of the building. All amenity space requirements are met.

viii. Building Massing

LMC 8.30.0530.B, Table 8.30.44 states that buildings in the HMU zone must meet a building massing requirement of 3.5 Floor Area Ratio (FAR), a max building width of 275-ft. LMC 8.30.0550.B states that buildings in the GC zone must meet a building massing of 3.5 and a max building width of 275-ft.

Staff Analysis:

Exhibit 2 shows that the total area of the lot for the HMU zone is approximately 18,010 square-ft while the gross square footage on the HMU side of the lot totals 55,684 square-ft. This yields a FAR of 3.1, which complies with the required FAR limits.

The total area of the lot for the GC zone is approximately 35,013 square-ft while the gross square footage on the GC side of the lot totals 85,768 square-ft. This yields a FAR of 2.5, which complies with the required FAR limits.

The total width of the façade is 189-ft, which complies with the maximum permitted 275-ft building width for both zones.

c. Project Development Review Criteria

Per LMC Table 8.90.02, Project Development Reviews (PDR) are a Type 1c permit. LMC 8.90.0720.E states the decision criteria that the Administrator will use in determining if a proposal meets the merits of Project Development Review. In addition to these criteria, the proposal must comply with all applicable zoning regulations.

i. It is consistent with the Comprehensive Plan

The proposed project site is zoned General Commercial (GC) and Highway 99 Mixed Use (HMU). The excerpts below are from the Land Use, Transportation, Community Health, and Housing sections of the Imagine Lynnwood Comprehensive Plan and have been found to be relevant to the proposal.

1. Land Use Goal 1:

Ensure development regulations and land use patterns effectively plan for and accommodate Lynnwood's anticipated growth.

Staff Analysis:

This project accommodates the growing demand for affordable housing in Lynnwood.

LU Goal 3:

Encourage compact commercial and mixed-use neighborhoods surrounding high-capacity transit corridors to serve residents and people traveling to and from Lynnwood.

LU Policy 3.1

Promote dense residential and employment uses near high-capacity transit stations to provide residents with greater access to transportation, housing, and economic opportunities.

Staff Analysis:

This project will provide 175 affordable housing units near two high-capacity transit lines, Community Transit's Swift Blue Line and Orange Line bus rapid transit services are both located approximately 0.20 miles from the project site which can connect residents to opportunities in the region.

2. Transportation Goal 3:

Create an All Ages and Abilities non-motorized transportation network that provides high-quality connections throughout Lynnwood.

TR Policy 3.1:

Prioritize opportunities to implement and maintain the strategies laid out in the Connect Lynnwood Plan and Complete Streets Ordinance.

Staff Analysis:

This project will construct a 10ft wide sidewalk along 198th St SW for the entire length of the project site. This pathway provides opportunities for walking, rolling, and biking.

3. Transportation Goal 7:

Minimize the impact of the transportation system on the City's environment and quality of life.

TR Policy 7.4

Encourage landscaping, street trees, and low impact development along transportation facilities for stormwater management, noise reduction, visual appearance, and air quality.

Staff Analysis:

This project will provide a roughly 12-foot planting strip between the right of way and the proposed building containing trees, shrubs, and ground cover to improve the visual appearance, mitigate environmental impacts to the residents, and reduce noise along 198th St SW.

TR Policy 7.5:

Support a reduction in vehicles miles traveled (VMT) the shift from single-occupancy vehicle trips to other modes of transportation to reduce environmental impacts.

Staff Analysis:

This project will provide 88 bike stalls in a secure room to encourage residents to bike to nearby destinations or transit hubs, such as Lynnwood City Center Station.

4. Housing Goal 4:

Incentivize affordable, sustainable, and workforce housing near transportation and employment centers.

Staff Analysis:

This proposal will create 175 units of affordable housing at 60% AMI in an area with access to transportation and employment opportunities. The project is less than .20 miles from high-capacity transit lines on the Highway 99 corridor. This corridor, and the area immediately adjacent to the site, have a variety of businesses that may provide employment opportunities or access to employment centers.

ii. **It is consistent with all applicable provisions of the Unified Development Code**

LMC Chapter 8.40 contains development standards that apply to proposed projects based on the type of proposed project. According to LMC 8.40.0100,

New Construction type proposed projects, require the proposed project to comply with development standards for the following:

1. Landscape (Chapter 8.40, Article 02)

Per LMC 8.40.0210.A.1.a, any new development or redevelopment subject to a project design review land use application approval, must meet landscaping requirements.

Per LMC 8.40.0220, general landscaping and maintenance standards.

Per LMC 8.40.0230, parking area landscape standards.

Per LMC 8.40.0240, transition buffers requirements.

Staff Analysis:

Exhibit 3 shows a landscape maintenance plan that meets general landscaping and maintenance standards. This plan outlines yearly weeding, removal of litter, and repair and replanting of dead/dying plants.

The landscaping plans in Exhibit 3 show that all parking lot areas meet the standards of section 8.40.0230 including the area of landscaped areas and distance of parking stalls from landscape areas.

Adjacent properties along the western and eastern property lines have trees with critical root areas that may extend into the property. Condition 3 has been added to demonstrate what measures the proposal will take to ensure that trees are not harmed during construction.

Parking areas do not abut property lines, or ROWs and are contained underneath the structure and do not have to meet landscaping requirements. Only nine stalls are outside of this structure and located parallel along the east façade of the building and meet the requirements for landscaping.

The applicant has requested a landscape buffer reduction. See section V for landscape buffer reduction information.

V. Landscape Buffer Reduction

a. Compliance with LMC 8.40.0240

- i. Per LMC 8.40.0210.B, General Commercial zones abutting P-I Zones are required to provide a “medium” landscape buffer to mitigate adverse impacts between potentially incompatible uses. A medium buffer is defined as having the following:

1. A width of 10-ft;
2. And 1 large per 30 lineal feet, or 1 medium tree per 22 lineal feet, or 1 small per 15 lineal feet;
3. And a mix of natural groundcover that provides 75% cover with shrubs of any height and mulch or woodchips on rest of area;

4. And a 6-foot vision obscuring fence or row of shrubs reaching a height of three feet maximum.

A portion of the western property line abuts a lot zoned Residential Neighborhood, which requires a “high” buffer. A High buffer is defined as having the following:

5. A width of 20-ft;
6. And 1 large per 30 lineal feet, or 1 medium tree per 22 lineal feet, or a combination of sizes is allowed;
7. And a mix of natural groundcover that provides 75% cover with shrubs of any height and mulch or woodchips on rest of area;
8. And a 6-foot vision obscuring fence or row of shrubs reaching a height of three feet maximum.

This adjacent properties on the west boundary of the site are owned by the City of Lynnwood and are identified as park usage in the 2022 Parks, Arts Recreation and Conservation Plan (PARC) as part of Scriber Lake Park.

- b. Per LMC 8.40.0210.B, the applicant may request a landscape buffer if they demonstrate that, due to the intensity of existing or proposed landscaping, change in topography between properties, use of the properties along the abutting property line, or other characteristics of the abutting properties, a reduced buffer width or deviation from the landscape code requirements will provide adequate separation and screening between properties.

- c. Staff Analysis:

The adjacent parcels on the eastern border of the site contain a variety of mature trees and shrubs which have undergone recent maintenance including the removal of invasive species and the planting of native ground cover. Approximately 10 trees have critical root areas within 10-ft of the property line.

Due to the required setback of 42-ft for aerial fire apparatus access to the structure, encroachment into the landscape buffer was determined by the applicant to be necessary for project feasibility. This reduction is reasonable to approve as the adjacent use of the area as open space within Scriber Lake Park acts as a buffer from other park uses.

The adjacent RN zoned parcel is owned by the City of Lynnwood. The Lynnwood PARC (Parks, Arts, Recreation, and Conservation) Plan identifies the parcel as part of Scriber Lake Park and the parcel's current use is as park space.

The site provides adequate landscape buffer for the west property lines where required. This consists of a 5-foot buffer with a combination of a retaining wall, a vision obscuring fence, tree coverage, and ground plantings. Additionally, the applicant has taken steps to retain the existing trees, including spanning the piles for the retaining wall to avoid critical root areas. Retention of the existing trees will help mitigate the impacts of the structure on the site. Condition 4 has been added to provide sureties for the survival of the trees in Scriber Lake Park.

2. Wall, Fence, & Hedge (Chapter 8.40, Article 03)
Standards for vision-obscuring fences, hedges, and walls are outlined in LMC 8.40.03

Staff Analysis:

Exhibit 2 shows a 6-ft vision obscuring fence provided along the eastern property line as part of the required landscape buffer. Fencing on the site meets the requirements of this chapter.

3. Refuse & Recycling Areas (Chapter 8.40, Article 04)
Per LMC 8.40.0400.B.1, all refuse collection areas must be set back a minimum of 25-ft from a public street, and 25-ft from any interior property line abutting any residential or public zone. All refuse and recycling collection areas must be enclosed on three sides by a six-foot height vision obscuring fence and gate.

Staff Analysis:

The service area is located along the west property line and is setback 102-ft from the street property line, 198th St. SW and does not abut a public or residential zone. It is enclosed on three sides with 6-foot solid walls and does not interfere with parking stalls, meeting the standards in LMC 8.40.0400.B.1, 2 and 3. While visible from the public ROW, this site design cannot accommodate a refuse and recycling area that is not visible from the right of way. This location also addresses potential impacts to the neighboring Scriber Lake Park property.

4. Outdoor Lighting (Chapter 8.40, Article 05)
Per LMC 8.40.0510.D, outdoor lighting installations and fixtures located in or within 50-ft of a residential zone shall be no higher than 15-ft above grade, designed and shielded in a manner so that the fixture does not directly illuminate on adjacent residentially zoned property and be of a type or adequately shielded so as to prevent glare from normal viewing angles; and, where feasible, additional landscaping may be required by the city to provide light screening between commercial zones and residential zones to help prevent light trespass onto the residentially zoned properties. Where landscaping is used for light screening, the City shall take into consideration the applicable landscaping standards and citywide design guidelines.

Staff Analysis:

The proposed project keeps lighting to a minimum where possible, proving bollard fixtures along the eastern property line and downcast lights attached to the structure no higher than 7-ft 6-in off the ground on its eastern façade. All lights use internal directional lenses to provide shielding to the sky and nearby properties. Additionally, lighting

provided in the garage, along walkways, and in plaza meets the standards for lighting security as outline Highway 99 Design Guidelines. B.10.

5. Walkways & Non-Vehicular Access (Chapter 8.40, Article 06)

Pedestrian access must meet requirements listed under LMC 8.40.0610.A.

Bicycle Parking requirements are listed under LMC 8.40.0620, referring back to district standards.

Staff Analysis:

Exhibits 2 demonstrate clear pedestrian access paths from the public right-of-way to building entrances. The access paths are 4-ft wide, made of concrete, ADA accessible, and clearly delineated from areas for vehicles.

Bike parking is provided in a bike room as required per LMC 8.30.0550 (B). Bike parking is provided to meet the 88 required stalls both in a locked bike room (35 stalls) and in 2-bedroom units (53 stalls).

6. Parking & Vehicle Access (Chapter 8.40, Article 07)

LMC 8.40.0770 outlines parking lot development standards, including landscaping and stall dimensions. Per LMC 8.40.0720.A.3, uses listed as 'Affordable Housing' are exempt from required parking.

Staff Analysis:

While no parking is required for affordable housing the project will provide a total of 54 parking stalls and provide public, on-street parking of 7 stalls immediately adjacent to the site in the right of way.

7. Signs (Chapter 8.40, Article 8)

Signage is not reviewed or regulated as part of Project Development Review. All signage must be submitted separately under a sign permit application.

Staff Analysis:

Signage must be submitted separately under a sign permit application to be permitted. This PDR decision does not approve or permit any signage shown in exhibits.

- i. It is consistent with any applicable design guidelines, adopted by this reference and incorporated in the provisions of the LMC and this chapter as fully as if set forth here

1. The purpose of Chapter 8.45: Design Standards is to implement design standards that provide a high quality of life for residents and uphold Lynnwood's vision and goals.

LMC 8.45.0110.C states that any project located on sites zoned General Commercial (GC), is subject to Citywide Design Guidelines. Sites zoned Highway 99 Mixed Use (HMU) are subject to the Highway 99 Design Guidelines per LMC 8.45.0110.F. The property, once a boundary line adjustment is completed, will be split zoned, which means the guidelines for each zone will apply to their respective portions of the site.

Staff Analysis

The applicant submitted building elevations (Exhibit 2) that demonstrate compliance with the design standards of Citywide and Highway 99. A description is provided below.

Architecture: The proposal demonstrates compliance with all design guidelines by providing a structure where massing utilizes articulation; ample transparency is provided on lower and upper floors; a variety of materials and textures including a decorative brick pattern on the bottom floors to provide visual interest at street level; and ample amenity spaces in the form of street facing plazas and a rooftop terrace.

The applicant at this stage was unable to meet the requirement from Highway 99 Design Guidelines B 5.1.F for locating and screening utility meters, for which Condition 6 has been added to the approval.

The applicant at this stage was also unable to meet Highway 99 Design Guidelines E.8.1.C, for which Condition 7 was added to the approval.

Site Design: The proposal meets design guidelines for site design by providing a variety of plantings along the street frontage, including street trees, shrubs, and a variety of ground covers. Pedestrian plazas along street frontages have planters, benches, and decorative lighting to contribute to a walkable, human-scale environment. The impacts of on-site parking are largely mitigated by the design of the building, which locates all parking stalls behind the front façade of the structure, with most parking located underneath the structure. With most parking located underneath the structure, many design guidelines do not apply and thus are met.

- ii. 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 Administrator as being applicable. For such applications, the Administrator may modify

applicable design standards and guidelines to provide continuity between existing and new development or proposed phases of development.

Staff Analysis:

The proposed project is a new development of an existing site and not subject to this requirement.

VI. Public and Agency Comments

Six public comments were received during the public comment period for this proposal.

Public comments expressed concerns for increased local traffic, existing congestion in the neighborhood, the presence of biodiversity on the site and in Scriber Lake Park that the project may impact public safety for elders walking in this area, and protection of existing trees on site and adjacent to the site.

The public comments were provided to the applicant. The applicant provided a response to the public comments (Exhibit 13) and revised the plan sets including revising the traffic study, improving the retaining wall located along the west property line to protect the critical root zones of trees on City Park's property. Additionally, Conditions 3 and 4 were added to support the protection of trees on nearby parcels.

One agency comment was received from the Snohomish Tribe of Indians who approved of the plan but expressed concerns for stormwater runoff into the Scriber Lake Creek watershed. A similar comment (Exhibit 13) expressing concerns over maintaining the existing stormwater runoff characteristics of the site was received during the SEPA process from the Tulalip Tribe.

VII. Conclusion and Conditions of Approval

a. Conclusion

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

b. Conditions of Approval

Staff recommends the approval of Apollo Scriber Lake Apartments (PDR-25-0009), subject to the following conditions:

1. The approved plan sets shall be Exhibits 2, 3, & 14. Minor modifications may be approved by the Development & Business Services Director or their designee per LMC 8.90.0720.F.
2. Prior to building permit issuance, a Lot Combination must be approved by the City and recorded with the Snohomish County Auditor.
3. Prior to issuance of development engineering permits, tree protection must be shown for trees and critical root zones located immediately adjacent to the site.

4. The applicant must provide a 5-year cash bond prior to issuance of the Development Engineering permit for the replacement of trees on the adjacent parcels (00565300000100) owned by the City of Lynnwood Park and Recreation Department. The subject trees and associated root zones along the subject site's eastern property line may be impacted by construction of the retaining wall (solid pile wall). This condition is in addition to mitigation measures required by the City of Lynnwood's development regulations.
 5. Under no circumstances will parking during construction be allowed on City of Lynnwood Park properties. This includes, but is not limited to, Scriber Lake Park.
 6. All utility meters, electrical conduits, and other service utilities must be located so they are not visible from adjoining properties or nearby streets.
 7. Plans must demonstrate compliance with Highway 99 Design Guidelines E.8.1.C prior to building permit issuance using brick patterns similar to those found in Exhibit 18, or similar as approved by the administrator.
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VIII. Director's Decision

Reviewed by: Karl Almgren
Karl Almgren, AICP
Community Planning Manager

Date: 9/4/2026

Approved by: Ben Wolters
Ben Wolters, AICP
Development & Business Services Director

Date: 09/10/26

IX. 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 **September 24, 2026**. An appeal filed within this time limit will be processed pursuant to Process II, as outlined in LMC Section 8.90.350(E).

X. 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 24 months** 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 60 months** after the final decision of the city on the matter, or the decision becomes void per Table 8.90.05. Prior to the expiration, the applicant may submit a written application in the form of a letter with supporting documentation to the Development &

Business Services Department requesting a one-time extension of those time limits of up to one year per 8.90.0720.G.2.

XI. 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. For more information on modifications and revisions, please refer to 8.90.0720.F.

XII. Other Permits

The approval of Project Development 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 limited to, those of the Public Works, Permits & Inspections, and Fire Departments.

PDR_Directors-Decision_PDR-25-0009 (002)

Final Audit Report

2026-09-10

Created:	2026-09-04
By:	Karl Almgren (kalmgren@lynnwoodwa.gov)
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