

DIRECTOR'S DECISION – PROJECT DESIGN REVIEW (PDR)

I. Application

Project Name:	Zainab Worship Center - Project Design Review
File Numbers:	PDR-009884-2022
Location:	5707 198 th St SW
Tax Parcel Number(s):	00565300000404
Zoning:	General Commercial (CG)
Property Owner:	Zainab Organization of Greater Seattle
Applicant:	Danielle Fowler c/o Zainab Organization of Greater Seattle
Project Reviewer:	Zack Spencer, Planner
Applicable Design Guidelines:	Citywide Design Guidelines for all districts and commercial districts
Related Permits:	Associated construction permits (Civil Construction and Building Permits)
Decision:	Approved with Conditions

II. EXHIBITS

1. Project Applications (combined), dated December 6, 2021
2. Affidavit of Ownership, dated September 16, 2020
3. Project Narrative, dated August 22, 2022
4. Approved Plan Set, dated March 15, 2023
5. Landscape Buffer Reduction Request, dated November 10, 2021
6. Drainage Report, dated September 22, 2021
7. Critical Areas Assessment, dated November 2, 2021
8. Geologically Hazardous Areas Memo, dated September 16, 2021

III. Background

The subject property is 35,020 square feet with and currently contains one single family residence. The site includes the 1,112 square foot single family residence and wooded area. The site does not currently have any designated parking stalls.

IV. Proposal Description

The proposed project is development of a three story with basement, 23,345 square foot worship center with incidental guest rooms. A 51-stall surface parking lot, landscaping, and small pedestrian plaza will also be added.

V. Noticing and Review Timeline

The application was submitted November 5, 2021 and deemed complete on December 16, 2021. On December 22, 2021, a Notice of Application and Impending Decision 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 and Impending Decision. The comment period ended on January 5, 2022.

VI. Relevant Legal Citations and Analysis for Project Design Review

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

1. Consistency with the Comprehensive Plan

The proposed project site is designated Regional Commercial (RC) on the future land use map and 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.

Regional Commercial Land Use Designations: Table LU-6.E, Commercial and Industrial Land Use Designations, provides the following description of the Regional Commercial land use category and a description of the primary land use, locations, and design:

- **Primary Land Use:** Retail, office, and service uses, eating and drinking, hospitality and entertainment uses.
- **Locations:** Direct access from an arterial street with transit service available nearby
- **Design:** Low and mid-rise buildings oriented toward the public street. Onsite landscaping to buffer and screen nonresidential uses. Shared access and parking is encouraged.

Land Use Policy LU-4: Land use policies and regulations should:

- A. Provide separation and/or buffering between incompatible land uses; and
- B. Facilitate the co-location of dissimilar uses where desired and where compatibility can be achieved.

Staff Analysis:

The reduction in landscape buffering provides adequate separation between the dissimilar uses of a place of worship and both neighborhood commercial and park zones. The dissimilar uses will be separated by a landscape buffer less than the standard, but the compatibility of the uses along the East border of the parcel means that the requested landscape buffer reduction is allowable for this project. Please see item 4 Compliance with Chapter 21.08 – Landscaping: Buffer Reduction Approval below.

Land Use Policy LU-34: Institutional and quasi-commercial land uses such as churches, child care, group homes, schools, and transit, utility and public facilities shall be allowed in commercial (non-residential) areas.

Staff Analysis:

The worship center is allowed in commercial zones by Policy LU-34.

Land Use 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 worship center is a complementary use. The worship center serves as a community gathering place and a landmark.

Community Character 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 site is located near Highway 99 and is in close proximity to goods and services as well as transit connections. The project has gone through several rounds of design review and has been deemed to be consistent with citywide design guidelines.

Community Character Policy CC-3.7: Encourage landscaped edges along residential corridors on collector streets, improving neighborhood character and providing a more livable environment.

Staff Analysis:

This site is located at a point of transition between an area of commercial development (HMU) and an area of residential development (RMM & RS-8). Encouraging landscape buffers along the street at the point of transition to a more heavily forested and vegetated area will smooth the transition between zones, as well as allowing the worship center to blend with the collector street of 198th St SW for the residential area.

2. Compliance with Chapter 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.

LMC 21.25.145(B) requires that the following decision criteria be met for approval in the project design review process:

- It is consistent with the Comprehensive Plan.
- It is consistent with all applicable provisions of this chapter.
- 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.

- 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.

Staff's Analysis:

This project is consistent with the purpose of design review as defined in Lynnwood Municipal Code 21.25. Site plans and elevations are shown on Exhibit 4 in the submitted plan sets.

This Proposal is consistent with the purpose of design review as defined in Lynnwood Municipal Code 21.25. This development application proposal is for the construction of a new worship center, parking spaces, landscaping, and a pedestrian plaza, and has been reviewed based on an analysis of applicable design guidelines identified by the Director. The proposal is consistent with these applicable provisions.

3. Compliance with Chapter 21.46 – General Commercial Zone

The project site is zoned CG. LMC 21.46.100 identifies permitted structures and uses within the CG zone district. Additionally, LMC 21.46.200 details the development standards of the base zone district.

LMC 21.46.105(A) Design Guidelines for Nonresidential Uses. The following structures and parking facilities permitted outright or by conditional use permit in any commercial zone shall comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial 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:

1. Construction of any nonresidential structure or building with a gross floor area of more than 1,000 square feet.
2. Construction of any parking lot and/or parking structure with 20 or more stalls or paved parking area of 5,400 square feet or more.

Staff's Analysis:

The applicant has provided a completed Project Design Review Applicant Checklist for Commercial and Public Districts. While the proposal was initially deemed noncompliant with several of these guidelines at the time of first submittal, the applicant has since altered their proposal to meet these guidelines. Any guidelines yet to be fulfilled by the proposal will be addressed in later submittals related to this permit and/or established as conditions of approval later in this report.

LMC 21.46.200 (A) – General Area and Dimensional Standards. No building, structure or land shall be established, erected, enlarged or structurally altered, except in conformance with the following standards and in conformance with the adopted building code and applicable Lynnwood Citywide Design Guidelines, as adopted by reference in LMC [21.25.145\(B\)\(3\)](#) (for purposes of determining the required yards along public streets, the classification of streets indicated on the comprehensive plan shall apply).

Staff's Analysis:

The proposal meets the development standards listed in Table 21.46.14, including minimum area, setbacks, maximum building height, and maximum lot coverage. The applicant asserts that 51 parking spaces are required and that 57 are provided. Their calculation is based on the area of the worship room and guest bedrooms, indicating that classrooms, community rooms, and offices are not to be used for parking generating uses simultaneous with worship services.

LMC 21.46.900 (A) – Other Regulations Refuse and Recycling Collection Areas and Enclosures. On-site paved and enclosed refuse recycling collection areas shall be provided on sites where new buildings are being constructed or existing buildings are being remodeled or expanded, and shall comply with the requirements of this section. One-family dwelling units, two-family dwelling units, and public parks are exempt from the requirements of this section.

Staff's Analysis:

The proposal includes a refuse enclosure that meets the required development standards, including setbacks as listed in this section. The enclosure itself also meets dimensional standards described in this subsection. The proposal provides for full site utilization, as required for properties in the CG zone.

4. Compliance with Chapter 21.08 – Landscaping: Buffer Reduction Approval

The project site is neighboring the Scriber Lake Park property, zoned P-1 and NC across two different parcels. LMC 21.400 requires a medium buffer between CG and P-1 zones which includes 10' width of landscape buffer which includes a minimum coverage of 1 large tree every 30 lineal feet, (or equivalent as defined by LMC 21.08.400 Table 21.08.09) and a mix of natural ground coverage via shrubs of at least 75% of the buffer area. On November 10, 2021, the applicant applied for a reduction to the buffer along the P-1 zone at the north end of the east side of the property. This request reduces the requirement to 5' along the entire eastern boundary line of the property.

Staff's Analysis:

The proposed landscape buffer reduction is approved as it does not adversely affect the boundary between the proposed project and the park in the adjoining parcel(s). The worship center is a community gathering place and while dissimilar to the park parcel(s) adjacent, it. Please see Exhibit 5, which details the applicant's justification for the landscape buffer reduction.

VII. Environmental Review

The city has adopted flexible exemption thresholds as allowed by WAC 197-11-800(1)(c) and stipulated in LMC 17.02.230(B).

Office, school, commercial, recreational, service, storage building, and park facility projects have a raised exemption level for projects up to 30,000 square feet of building area and 90 parking spaces. As stated, the proposed project of a 23,345 square foot worship center and 51-stall surface parking lot are lower than the limits set in WAC 197-11-800(1)(d) and the project is therefore exempt from SEPA review.

VIII. PUBLIC AND AGENCY COMMENTS

A 14-day public comment period on the proposal ended on January 5, 2022. No public comment was received. Additionally, referrals were sent to all applicable City Departments and outside agencies. Three rounds of city and agency comments were responded to in order to bring the project into compliance with all applicable codes and standards.

IX. CONCLUSION AND CONDITIONS OF APPROVAL

a. Conclusion

Based on the application materials (Exhibits 1-8) 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 Zainab Worship Center - Project Design Review application (PDR-009884-2022) subject to the following conditions:

1. The applicant will provide detailed irrigation system plans with their application materials for all other future permits related to this proposal.
2. The applicant shall coordinate with the City of Lynnwood for all future development to avoid or mitigate damage to trees at the adjacent Scriber Lake Park property.
3. No landscaping shall be removed, relocated, or altered without approval. Any existing landscape that is otherwise damaged or altered at any time shall be replaced.
4. The applicant shall pay a transportation impact fee to the City of Lynnwood in the amount of \$71,505.40 (\$3.18 / UNIT) (3.104.030 LMC), in accordance with the provisions of Chapter 3.105 Transportation Impact Fees LMC. This fee shall be paid at the time of building permit.
5. This project is subject to park impact fees which will be assessed at the time of complete building application.
6. Upon application for the related building permit, the men's entrance elevator lobby exit door (see page A2.2) will need to swing in the direction of egress (2018 IBC 1010.1.2.1 Direction of Swing).
7. Reference the prayer hall occupant load factor of 12 on page A2.0. When the building permit is applied for, this number will need to come from IBC Table 1004.5 assembly use. If chairs are brought in for worship, the occupant load factor will be 7. If tables and chairs are brought in for multi-purpose, the occupant load factor will be 15. If this room is to be available for standing room only events, then the occupant load factor will be 5. The highest calculated occupant load will need to govern the fire-life-safety plan and the total occupant load (2018 IBC Table 1004.5 Maximum Floor Area Allowances per Occupant).
8. FIRE: For all future applications related to this permit, the applicant will provide a vehicle tracking report showing that a fire engine and ladder truck can navigate the S curves within the parking areas.
9. All PDR land use notice signs associated with the proposal shall be removed prior to issuance of the certificate of occupancy.

REVIEWED BY:

Karl Almgren
Karl Almgren, AICP, Community Planning Manager

9/12/2023

Date

X. DIRECTOR'S DECISION

I concur with the above conclusions and grant approval with conditions of the Project Design Review application for the Zainab Worship Center.

David Kleitsch

Sep 12, 2023

David Kleitsch, Development & Business Services Director

Date

XI. 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 & Business Services Department within 14 calendar days. The appeal deadline shall be **September 28, 2023**. An appeal filed within this time limit shall be processed pursuant to Process II, as identified in LMC Section 1.35.200.

XII. 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).

XIII. 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.

XIV. 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.