
DIRECTOR'S DECISION – CHO OFFICE BUILDING PROJECT DESIGN REVIEW (PDR)

I. Application

Project Name:	Cho Office Building - Project Design Review
File Numbers:	PDR-010076-2023
Location:	4820 196th St SW
Tax Parcel Number(s):	00608400200103
Zoning:	General commercial (CG)
Property Owner:	Steve Cho, 1Concentric LLC
Applicant:	2812 Architecture C/O Paul Douglas
Project Reviewer:	Brian Kirk, Planner
Applicable Design Guidelines:	Citywide Design Guidelines for all districts and commercial districts
Related Permits:	Associated construction permits
Decision:	Approved with Conditions

II. EXHIBITS

1. Title Report received June 8, 2023
2. Cho Office Building Plan Set, received June 8, 2023
3. Project narrative, received June 8, 2023
4. Comments Received

III. Background

The subject property is 0.91 acres (39,640 square feet) and currently the site is occupied by a building in disrepair due to fire. Alfy's restaurant occupied the site prior to its vacation and subsequent fire.

IV. Proposal Description

The Proposed two-story building that will house retail, a coffee shop, and offices. The building will be 6,291 square feet and a total of 14,430 gross square footage. Site improvements will include a plaza, pedestrian paths, and landscaping, as well as a drive-through. The property is 0.91 acres (39,640 square feet) and is zoned General Commercial (CG).

V. Noticing and Review Timeline

The application was submitted June 8, 2023 and deemed complete on June 12, 2023. On June 12, 2023, 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 June 26, 2023. In accordance with Lynnwood Municipal Code (LMC) 1.35.333, all written comments received prior to the date this decision have been considered.

LMC 1.35.025 requires a decision within 120 calendar days after the city notifies the applicant that the application is complete (June 12, 2023), except as provided in subsections LMC 1.35.025(A) through (C). as such, a decision must be issued on or prior to September 20, 2023.

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.

RC Land Use Designations: Table LU-3. E, Commercial and Industrial Land Use Designations, provides the following description of the RC 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 are encouraged.

Staff Analysis:

The following is an analysis of the proposal in relation to the RC land use designation.

Primary Land Use: The subject property is designated on the City of Lynnwood Comprehensive Plan Future Land Use Map as Regional Commercial (RC). The site is currently occupied by a vacant building in disrepair. The proposed land use includes eating and drinking facilities while simultaneously providing office space which aligns with the land use of the RC code as designated in LU-3.

These uses are currently permitted under the General Commercial (CG) zoning of the site per LMC 21.46.100(A) and pose no conflict for the future zoning designation in the comprehensive plan.

Location:

The existing building is in the center of the property with parking and emergency access provided on the west, south, and east sides of the of the structure. The proposed building will be located in a similar position with parking located only on the west and south sides of the structure. The site has direct access from, 196th St SW, which is a major arterial street. The 196-bus line, which serves the 196th St SW corridor, is immediately adjacent and will provide transit service for the site.

Design: The new structure, which is 43' at its highest point, is a mid-rise building which is street oriented. Due to elevation changes, shared access to the site is limited, thus the proposed plan provides reasonable access to on-site parking despite not sharing access. Thus, the design is consistent with the future land use designation of RC.

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.

Policy LU-49: Non-residential developments that adjoin residential properties shall provide transitional screening so that non-residential activities do not significantly affect the livability of the residential properties.

Staff Analysis:

The site is in the transition zone between commercial and residential development (CG and RMH) with Residential Multi-High structures to the rear of the property. There are no code requirements for landscape buffers between these zones, however, plantings and tree retention on site provide adequate screening between these uses.

Land Use Policy LU-8: Land development regulations should be consistent with and implement the Comprehensive Plan, and address the following issues:

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

Staff Analysis:

Adjacent adverse impacts are mitigated through the reasoning provided for LU-4 and LU-49 in the staff analysis above. The proposed designs provide adequate amenities adjacent to the right of way which comply with the design guidelines for commercial and public districts. The site's compliance with design guidelines also meets the requirement for architectural design standards.

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 was previously occupied by a restaurant, is located centrally, and is served by utilities. Increasing the intensity of use on this site as proposed will allow for efficient use of infrastructure.

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 on 196th St SW 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.

Policy CC-1.3 The visual character of buildings shall 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 of the street and surrounding uses. These are consistent with both citywide design guidelines and design guidelines for commercial and public districts.

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

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 2 of the submittal package to the City.

The proposal includes the construction of a 14,430 square foot office building with retail space on the base story. As detailed within the following section of this report, the proposed additions/improvements to the site trigger compliance with the Lynnwood Citywide Design Guidelines for All Districts and Commercial Districts.

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 a paved parking area of 5,400 square feet or more.

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.

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 for review.

Design Departures

There are no requested design departures for this project. Review determined that no additional departures are necessary.

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.

VII. Environmental Review

The city has adopted raised exemption levels 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 proposal does not include the addition of any gross floor area nor is the construction of a parking lot/structure proposed therefore exempt from SEPA review.

VIII. PUBLIC AND AGENCY COMMENTS

A 14-day public comment period on the proposal ended on June 26, 2023. Referrals were sent to all applicable City Departments and outside agencies. All comments are available in the project file (Exhibit 7). A summary of the comments received are included below:

- **DBS Building Services** - A complete plan review is required for the Code Review Analysis, Life Safety, and Fire Resistance Assemblies in the Building permit set.
- **Snohomish County PUD**-On each of the north property corners are 3-phase transformer banks which prevent the future building from being fed underground. As a result, we would likely need to refeed the overhead service feeding Arby's from the pole on the east corner of the property in order to feed underground service to this proposed commercial building.
- **Snohomish County PUD**- See attached file.

IX. 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 Cho Office Building - Project Design Review application (PDR-010076-2023) subject to the following conditions:

1. No landscaping must be removed, relocated, or altered without approval. Any existing landscape that is otherwise damaged or altered at any time must be replaced.
2. All PDR land use notice signs associated with the proposal must be removed prior to issuance of the certificate of occupancy.
3. All signs to be displayed on any face of the building must acquire sign permits prior to installation.

REVIEWED BY:

Karl Almgren October 30, 2023
Karl Almgren, AICP, Community Planning Manager **Date**

X. DIRECTOR’S DECISION

I concur with the above conclusions and grant approval with conditions of the Project Design Review application for the Cho Office Building.

David Kleitsch Oct 30, 2023
David Kleitsch (Oct 30, 2023 14:37 PDT)
David Kleitsch, Development and 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 and Business Services Department within 14 calendar days. The appeal deadline shall be **November 13, 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 and 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.






PDR_Directors_Decision_Cho_Office_Building

Final Audit Report

2023-10-30

Created:	2023-10-30
By:	Karl Almgren (kalmgren@lynnwoodwa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA9VitWhZupX_-KDpma9gqAeG96m5NMYM8

"PDR_Directors_Decision_Cho_Office_Building" History

-  Document created by Karl Almgren (kalmgren@lynnwoodwa.gov)
2023-10-30 - 7:26:28 PM GMT- IP address: 174.127.205.70
-  Document emailed to David Kleitsch (dkleitsch@lynnwoodwa.gov) for signature
2023-10-30 - 7:27:09 PM GMT
-  Email viewed by David Kleitsch (dkleitsch@lynnwoodwa.gov)
2023-10-30 - 7:27:33 PM GMT- IP address: 40.94.29.173
-  Document e-signed by David Kleitsch (dkleitsch@lynnwoodwa.gov)
Signature Date: 2023-10-30 - 9:37:06 PM GMT - Time Source: server- IP address: 174.127.205.70
-  Agreement completed.
2023-10-30 - 9:37:06 PM GMT