



City of Seattle

Gregory J. Nickels, Mayor

**Department of Planning and Development**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3006424  
**Applicant Name:** Dan Garvida for Co Lam Temple  
**Address of Proposal:** 3503 South Graham Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to expand an existing religious facility (Co Lam Temple) by installing a 40 foot by 23 foot entry gate.

The following approval is required:

**Administrative Conditional Use** - To allow an institution in an SF 5000 zone.  
(Seattle Municipal Code Chapter 23.44.022)

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS  
 DNS with conditions  
 DNS involving non-exempt grading or demolition  
or involving another agency with jurisdiction.

**BACKGROUND DATA**

Proposal Description

The applicant proposes to construct a pedestrian and vehicular entry gate to the grounds of a Buddhist Temple. The proposed gateway would be 23 feet high and 40 feet across and straddle the existing entry driveway into the site. Two openings within the gate would allow pedestrians to pass through.

Site and Vicinity Description

The subject property, located at 3503 South Graham Street within a Single Family 5000 zone (SF 5000), houses a Vietnamese Buddhist Temple. At least two existing buildings serve the religious organization's members. The Temple controls four rectangular shaped parcels with approximately 79,000 square feet. The principal building sits in the center of the parcels on axis with the 36<sup>th</sup> Avenue South undeveloped right of way. Martin Luther King Jr. Way South which lies approximately 335 feet to the east has primarily commercial uses along its corridor. An undeveloped wooded area to the north includes steep slopes and wetlands according to the DPD's environmentally critical area mapping. Scattered single family residences occupy lots to the west and to the east along South Graham St.

South of Graham St., including the development site, has a Single Family 5000 zoning classification. The undeveloped land to the north is zoned Lowrise Three (L 3). To the east of the unimproved 36<sup>th</sup> Ave. S. right of way, the zoning changes to Commercial One with a 65 foot height limit (C1 65) along MLK Jr Way. S. and C1 with a 40 foot height limit south of Graham St. along the MLK Jr. Way S. corridor.

Public Comment

No comment letters were received during the official public comment period, which ended March 14, 2007.

**ANALYSIS - ADMINISTRATIVE CONDITIONAL USE GENERAL PROVISIONS**  
**(SMC 23.44.018)**

- A. *Only those conditional uses identified in this subchapter as conditional uses may be authorized as conditional uses in single family zones. The Master Use Permit process shall be used to authorize these uses;*

The Land Use Code allows religious facilities as an institutional use allowed through the Administrative Conditional Use approval process.

- B. *Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright;*

This proposal is subject to development standards SMC 23.44.008 through 23.44.016.

- C. *A conditional use may be approved, conditioned or denied based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located;*

This decision shall be based on whether the proposed use meets the development criteria and conditional use criteria as described in SMC 23.44.022 A through M. The City recognizes the public benefit that institutions, such as these have made by providing religious, educational and cultural opportunities to their communities. The criteria for this expansion shall be examined, and the project will be conditioned if necessary to prevent detriment or injury to property in the vicinity.

- D. *In authorizing a conditional use, the Director or Council may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located;*

The criteria described in SMC 23.44.022 A through M is used to evaluate the proposal and condition, if necessary, to protect other properties and the public interest.

- E. *Any use which was previously authorized by a conditional use permit but which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit.*

The use at this site has been not been discontinued.

- F. *Minor structural work which does not increase usable floor area or seating capacity and does not exceed the development standards applicable to the use shall not be considered an expansion, unless the work would exceed the height limit of the zone for uses permitted outright.*

Due to the gate's size, it qualifies as more significant than minor structural work. An expansion is proposed with this application.

#### **ANALYSIS - ADMINISTRATIVE CONDITIONAL USE (SMC 23.44.022)**

The Seattle Land Use Code (SMC 23.44.022 A) provides that institutions such as religious facilities may be permitted as conditional uses in single family zones. Sections 23.44.022D through M set forth criteria to be used to evaluate and/or condition the proposal. The applicable criteria are discussed below.

- D. *General Provisions*

*New or expanding institutions in single family zones shall meet the development standards for uses permitted outright in Section 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution Master Plan.*

According to the plans submitted with the application, the proposal meets the applicable development standards enunciated in Section 23.44.008 through 23.44.016.

- E. *Dispersion*

*The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred feet (600') or more from any lot line of any other institution in a residential zone, with certain exceptions.*

The proposal does not include any changes to the lot boundaries of the institution therefore the proposal satisfies the dispersion requirement. The lot line of this property is less than 600 feet from another institution, the Greater Glory Church of God, at 6419 Martin Luther King Jr. Way S. However, the Greater Glory Church of God lies within a Commercial One with a forty foot height limit (C-4) zone.

F. Demolition of Residential Structures

*No residential structure shall be demolished nor shall its use be changed to provide for parking.*

No demolition of residential structures is proposed for parking; therefore, this criterion is not applicable.

G. Reuse of Existing Structures

*Existing structures may be converted to institution use if the yard requirements for institutions are met.*

Not applicable.

H. Noise and Odors

*For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational area, trash and refuse storage areas, ventilating mechanisms, sport facilities, and other noise generating and odor-generating equipment, fixtures or facilities. The institution shall be designed and operated in compliance with the Noise Ordinance, Chapter 25.08.*

The proposed structure is not expected to generate increased noise or odors.

I. Landscaping

*Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive stormwater runoff, screen parking from adjacent residentially zoned lots or streets or to reduce the appearance of bulk of the institution.*

The gateway will screen the parking lot from traffic along S. Graham St. Co Lam Temple owns the immediate properties to the east and west of the parking lot and the sanctuary. These properties also serve to screen the parking from neighboring residential uses by their sloping topography and vegetation.

J. Light and Glare

*Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots.*

The applicant does not propose to light the gate.

K. Bulk and Siting

1. Lot Area. *If the proposed site is more than one (1) acre in size, the Director may require the following and similar development standards:*

- a. *For lots with unusual configuration or uneven boundaries, the proposed principal structures are located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum.*

The property does not have an unusual configuration or uneven boundaries nor is the gate a principal structure.

- b. *For lots with large street frontage in relationship to their size, the proposed institution reflect design and architectural features associated with adjacent residentially zoned block faces in order to provide continuity of the block front and to integrate the proposed structures with residential structures.*

The proposed design is quite distinct but in keeping with the culture of the Temple's congregation. Currently, much of the opposing block face remains either undeveloped due to environmentally critical areas or comprises a sizable parking lot from a nearby office building.

*Yards. Yards of institutions shall be as required for uses permitted outright in Section 23.44.008, provided that no such structure other than freestanding walls fences, bulkheads or similar structures shall be closer than ten feet (10') to the side lot line. The Director may permit yards less than ten feet (10') but not less than five feet (5') after finding that the reduced setback will not significantly increase impacts, including but not limited to noise, odor and comparative scale, to adjacent lots zoned residential and there will be a demonstrable public benefit.*

The entry gateway would sit five feet from the property line at S. Graham St. It would not create noise or odor impacts on the nearby properties. The placement of the gate would create a grand entry axis from the street to the steps leading up to the temple. Its large scale, so close to the street, would appear unusual in most single family neighborhoods; however, the lack of development directly across St. Graham St., the Temple's ownership of adjacent parcels, and the sizeable open parking lot across the street, mitigate the scale of the gateway. The gateway's presence in the neighborhood would add to the cultural and religious diversity of the community.

2. *Height Limit. A religious symbol and that portion of the roof supporting it, including but not limited to a belfry or spire, may be extended an additional twenty-five feet (25') above the height limit.*

This provision is not applicable.

3. *Facade Scale. If any facade of a new or expanding institution exceeds thirty feet (30') in length, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of the bulk. Design features which may be required include, but are not limited to, modulation, architectural features, landscaping or increased yards.*

