



City of Seattle

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

Project Number 3001244
Applicant Name: Aaron Castillo
Address of Proposal: 1115 Broadway East

SUMMARY OF PROPOSED ACTION

Land Use Application to install a 10 foot by 18 foot parking pad for an existing single family residence and driveway to street access.

The following approvals are required:

Variance to allow parking between a principal structure and a street lot line in a Lowrise zone. (SMC 23.45.536 B2a)

Variance to allow parking in the required front setback in a Lowrise zone. (SMC 23.45.536 B2b)

Variance to allow parking within seven (7) feet of any street lot line in a Lowrise zone. (SMC 23.45.536 B2c)

BACKGROUND DATA

Site Description

The approximately 3,000 square foot property is located in the Capitol Hill neighborhood on Broadway East between East Prospect Street and East Highland Drive. The parcel is in a Lowrise 1 (LR1) residential zone. There is a zone change to Single Family 5000 (SF5000) on the west side of the block and a zone change to Lowrise 3 (LR3) across Broadway East to the



east. The site slopes slightly to the west. There is an existing single family dwelling on the site which was built in 1906. There is no alley in this block. There is no parking space on the property.

Area Development

The subject property is located in a Lowrise 1 (LR1) zone in the Capitol Hill neighborhood. Surrounding uses include single family homes and multifamily residential buildings. Volunteer Park is three (3) blocks to the east. The LR1 zone at this location includes nine lots along Broadway East, including eight lots on the subject property block face and one lot across East Prospect Street. Some of the structures on these lots are single family homes that have been converted to multifamily uses and many were built, and remain in use, as single family residences. Through the years parking has been established on six of the eight lots usually as a parking pad in the front setback.

Proposal Description

The proposal is to establish a 10 foot by 18 foot paved parking space in the front setback of the single family home in a Lowrise 1 (LR1) zone. The parking space is proposed to be served by one curb cut as allowed by SMC 23.54.030F.

Public Comments

Public comments were received during the official public comment period which ended on August 28, 2013. Public comments were also received and considered after the end of the official comment period.

ANALYSIS - VARIANCES

Pursuant to SMC 23.40.020 C, variances from the provisions or requirements of the Land Use Code shall be authorized when all the facts and conditions listed below are found to exist. Analysis of the variance requested follows each statement of the required facts and conditions.

The City of Seattle regulates parking pursuant to SMC 23.54, *Quantity and Design Standards for Access, Off-street Parking, and Solid Waste Storage*. The structure of the Parking Chapter is to regulate the amount of required parking, parking stall sizes, access and exceptions based on the City's interest in the impacts of parking, safety, and in promoting aesthetics appropriate to each zone. As a result, different parking standards are outlined for different zones and different uses.

Chapter 23.45.536 of the Seattle Municipal Code, Parking location, access, and screening outlines the development standards for parking in Multi-Family zones. Off-street parking spaces are required to the extent provided in Chapter 23.54. Location of parking is outlined as well. Off-street surface parking may be located anywhere on a lot except between a principal structure and a street lot line; in the required front setback or side street side setback; and within seven (7) feet of any street lot line. These are the three variances the applicant seeks in this proposal.

Standards for new single family homes generally require one parking space per dwelling unit. New development in an LR1 zone, the zone of the subject property, would generally require one parking space per dwelling unit. Off street parking is either via an alley or via a street where a curb cut and driveway provide access. Specific standards for parking location on a lot in the Lowrise zones generally allow parking to the side and rear and under structures. Parking in the front setback is generally disallowed per SMC 23.45.536. A request to locate parking in the front setback is the subject of this variance proposal.

- 1. Because of unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity; and***

There are several unusual conditions applicable to the subject property. The lot is narrow, 30 feet wide. The lot is a small lot of 3,000 square feet with an existing house built in 1906. Most of the lots in the area are 5,000 square feet or larger. It appears that no parking area was established on the property in 1906 or since. Additionally, there is no alley in this block. Alley access is the preferred approach for parking in LR1 zones. Therefore there are site constraints to establishing parking on the subject property which were not created by the owner.

The subject property has no off-street parking while six out of eight other properties in the zone on the same block face have one parking space. The land use code disallows parking within seven feet of any street lot line; in the required front setback of seven feet average and five feet minimum; and between a structure and a street lot line as mentioned above per SMC 23.45.536.

There is a 20 foot setback from the property line to the front wall of the house. (There is a two foot eave overhang). The land use code requires parking spaces to be at least eight feet by 16 feet for a medium sized car, (SMC 23.54.030.B.1). The parking pad is proposed to be 18 feet long. Therefore any location for the parking space in the front setback would intrude into the required front setback and within seven feet of the street lot line.

The two side setbacks, between the house and the side property lines, are three feet and six feet, thus not wide enough to locate an eight foot wide parking space between the house and the side property line. The location of the building on the lot and the lot width and size do not allow for a code complying area to locate the parking pad that is not between the structure and a street lot line.

Therefore due to unusual site conditions, a strict application of the Land Use Code would deprive the property of the rights and privileges enjoyed by others in the same zone and vicinity.

- 2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located; and***

One parking space 18 feet by 10 feet with a curb cut and driveway will provide parking space for one medium sized car and the minimum access for one vehicle. Six of eight other properties in

the zone on the same block have similar small parking spaces in the front setback with a curb cut and driveway access. If the parking pad were configured to be parallel to the front lot line and out of the front setback, the onsite maneuvering room would be increased and thus the impact of parking and the variance relief request would be greater. Therefore, the request does not go beyond the minimum necessary to afford relief nor grant any special privilege. Granting the variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located.

3. ***The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located; and***

Granting the variances may result in reducing one on-street parking space and other neighboring properties enjoy a similar parking condition. Granting the variances to park as proposed in this application, in a Lowrise 1 zone, will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located.

4. ***The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties; and***

The literal and strict interpretation of the applicable provisions or requirements of the Land Use Code regarding parking location would not cause undue hardship, however no code complying space is available on the property. Onsite parking is a circumstance that eases daily and practical difficulties of loading and unloading, can help give a sense of security, and can provide convenience for visitors. The area has a residential parking zone in place which allows residents to display parking permits for priority on street parking. However, no street parking spaces are owned or reserved so parking may be close or several blocks away. The literal interpretation and strict application of the applicable provisions or requirements of the Land Use Code would cause practical difficulties to the homeowner when a possible solution is available.

5. ***The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.***

The land use code regulations for the subject property zone, Lowrise 1, would require a parking space for each unit in new construction. The code offers many reductions to parking in the way of transit area reductions, square footage reductions, and administrative reductions. The code anticipates required parking will be made available to residential uses, under most circumstances. The code also allows ancillary curb cuts and driveways to access parking areas. In this case a 10 foot curb cut would be allowed with a 2 ½ foot flare on either side at the street as per Seattle Department of Transportation (SDOT) design standards. This would have the effect of reducing on street parking by 15 feet or approximately one parking space. This is the case anytime parking is provided on a development site in Seattle.

Allowing a parking space and access via a curb cut and driveway would not be in opposition to the intent of the Land Use Code and would not be incompatible within the zone and vicinity in which the development is proposed. The requested variance is consistent with the spirit and purpose of the Land Use Code for the zone and area in which the proposal is located.

DECISION – VARIANCE:

Variance to allow parking between a principal structure and a street lot line in a Lowrise zone is **approved**.

Variance to allow parking in the required front setback in a Lowrise zone is **approved**.

Variance to allow parking within seven feet of any street lot line in a Lowrise zone is **approved**.

CONDITIONS – VARIANCE

None.

Signature: _____ (signature on file) Date: November 11, 2013
Holly J. Godard, Land Use Planner
Department of Planning and Development

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