



City of Seattle

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**Department of Planning & Development**

D. M. Sugimura, Director

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

**Application Number:** 3006799  
**Applicant Name:** Jeff Woodward for Duoc Su Monastery  
**Address of Proposal:** 6924 42<sup>nd</sup> Ave. S.

**SUMMARY OF PROPOSED ACTIONS**

Land Use Application to demolish four single family residences and construct a 27,829 square foot religious facility (Duoc Su Monastery) in an environmentally critical area. Existing facility to remain. Surface parking for 32 vehicles will be provided on site.

The following approvals are required:

**Administrative Conditional Use** - To allow expansion of a religious facility institution in a single family zone (SF5000).

**SEPA - Environmental Determination** - Chapter 25.05, Seattle Municipal Code.

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

**BACKGROUND DATA**

**Site and Vicinity Description**

The subject site is located in the Brighton neighborhood of Rainier Valley. The existing Monastery is located on the southwest corner of a large block zoned single family (SF5000) that is bounded to the north by S Willow Street, to the east by 44<sup>th</sup> Ave. S, to the south by S. Frontenac Street and to the west by 42<sup>nd</sup> Ave. S. The block is bisected by an unopened 16 foot alley, running east to west that ends at the east property line of the subject site. There is a small, 310 square foot, Class Four wetland located at the southeast corner of the property.

Two of the surrounding streets, 42<sup>nd</sup> Ave. S and S. Willow St., are fully improved with curb gutter and sidewalk. South Frontenac Street, which ends at the subject site and does not extend

through the right-of-way as far as 42<sup>nd</sup> Avenue S., is not improved with curbs or sidewalks between the site and 44<sup>th</sup> Avenue S., the next through north/south street located to the east. Forty Second Avenue S., a major north/south street bordering the site on the west, is blocked at the intersection of S. Myrtle Street by a curb that prevents north/south travel beyond that point. There is a similar curbed traffic diversion at 46<sup>th</sup> Ave. S and S. Willow Street as well as traffic circles at the intersections of 42<sup>nd</sup> Ave. S and 44<sup>th</sup> Ave. S. along S. Willow Street. These traffic-calming measures are designed to discourage traffic from cutting through between Martin Luther King Jr. Way S. to the west and Rainier Avenue S. which is two blocks to the east of the subject site. There are sidewalks along the west side of 42<sup>nd</sup> Ave. S. and the south side of Myrtle that provide pedestrian access to and from the commercial zone to the southwest. The surrounding streets, 42<sup>nd</sup> Ave. S and S Willow St are fully improved with curbs gutters and sidewalk.

Properties along the west side of 42<sup>nd</sup> Ave. S are zoned multifamily (L-2) and the 60,000 square foot parcel due west of the subject site is developed with four greenhouses and operates as a commercial a nursery. Single family zoning continues to the north, east and south of the subject site. Brighton Elementary, a Seattle Public School, is located one block east of the subject site on S. Willow Street and 45<sup>th</sup> Ave S. Othello Park, a six acre open space, is located two blocks south of the subject site. A 350 unit apartment building is under construction west of the park. There are two churches located on 43rd Ave. S. between Othello and Myrtle.

Martin Luther King Jr. Way S., a major arterial, runs from northwest to southeast one block west of the subject site and a light rail line now operates along MLK Jr. Way S. with a station at S. Othello Street, two blocks south and one block west of the Monastery. Properties along Martin Luther King Jr. Way S. are zoned neighborhood commercial (NC3-65). The nearby commercial areas along the arterial are characterized by small store fronts (“strip malls”) and “mini-malls” with small to mid-sized retail shops and businesses such as bakeries, laundries, video rental, banks and restaurants. There are two mid-sized grocery stores near the light rail station.

### Proposal Description

The existing institutional use was established in 1996 (MUP 9604083), in a portion of the single family structure, at 6924 42<sup>nd</sup> Ave. S., on a 31,400 square feet lot located on the corner of 42<sup>nd</sup> Ave. S and an unopened portion of S. Frontenac Street. There are five additional single family zoned lots (SF5000) on the same block involved in the proposed expansion of the religious institution and construction of a new religious facility. The expanded campus would include a total area of 69,280 square feet. Two of the lots involved are located along S. Willow Street and four of the lots are on 42<sup>nd</sup> Ave. S. (one being an interior lot accessed via a private easement off 42nd Ave. S). Three of the six lots have rear lot lines on an unopened alley that bisects half of the block.

The proposal includes demolition of four single family residential structures (three principal residential structures at 6910, 6912 and 6918 42<sup>nd</sup> Ave. S. (and one detached accessory dwelling unit at 6918), directly north of the existing Monastery, and construction of a new three story 27, 829 square foot building.

The new building will includes approximately 2,000 square feet of formal assembly area (i.e. main hall) on the second floor. There will be an additional 5,000 square feet of space accessible

to those attending services, including: covered porches, restrooms, hallways and displays, these primarily on the second floor. Approximately 11,000 square feet of the structure will be private living space for up to 16 monks, this located primarily on the first floor. Most of the third story is open to the main hall below except for approximately 800 square feet of mechanical and storage areas at the east and west ends of the building.

The existing single family structures at 6924 42<sup>nd</sup> Ave. S and at 4229 and 4233 S Willow Street would remain and be used to house visitors or interns. The expanded institutional campus would also include 28 additional surface parking stalls on the two lots off of S Willow Street. Five parking stalls accessory to the established institutional use, located at 6924 42<sup>nd</sup> Ave. S., will remain, providing a total of 33 parking spaces. Access to the two parking areas, one driveway off 42nd Ave. S. and one off S. Willow Street, would remain the same.

When approved in 1996, the institutional use was required to retain a tree and other landscaping. Since that time there has been a significant increase in the landscaping on the existing institutional site including plum and apple trees and a large vegetable garden in the unopened right-of-way, S Frontenac Street. There is also a courtyard on the eastern portion of the lot with a Buddhist statue that is currently used for some services, which include drumming and chanting.

Duoc Su Monastery requested an exception to the required street improvements along S. Frontenac Street including: paving, curb, gutter and sidewalk. The Seattle Department of Transportation arborist recommended reduced requirements in order to preserve trees established in the unopened portion of S. Frontenac Street. An exception was granted from the requirement to open that portion of the unopened right-of-way (S. Frontenac Street) along the south property line. Instead, a turn-around (cul-de-sac) meeting Seattle Department of Transportation standards is required at the end of the paved right-of-way on S. Frontenac. A sidewalk (also meeting SDOT standards) is required through the unopened portion of the right-of-way, making a pedestrian connection between S. Frontenac Street and S. 42<sup>nd</sup> Ave. Street improvements including curbs, sidewalks, lighting, street trees and drainage are under review by Seattle Department of Transportation.

### Public Comment

Four (4) comment letters were received during the public comment period for the project which ended on February 25, 2004. Concerns were raised about noise, including: “lost peace of mind”, loss of sleep, failing grades, shaken nerves and ringing in the ears associated with the accessory outdoor Institutional use, such as: chanting, drumming, use of a gong and use of a leaf blower. Concerns about dust from the leaf blower; clearing vegetation and backfilling; moving trees; hours of operations; and dispersion from other Institutional uses were also raised. These comments were considered during the analysis for this Decision.

### ANALYSIS – ADMINISTRATIVE CONDITIONAL USES

SMC 23.44.022 provides that the Director may approve, condition, or deny an application for an administrative conditional use. The Director’s decision shall be based on a determination 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. The following criteria were used to evaluate the proposal:

***SMC 23.44.022.D Administrative Conditional Uses***

***SMC 23.44.022.D.1 General Provisions.*** *New or expanding institutions in single-family zones shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.016 unless modified elsewhere in this subsection...*

*SMC 23.44.008 Permitted Use.* Per 23.44.022.A, Religious Institutions are permitted, as conditional uses, in single family zones.

*SMC 23.44.010 Lot Size.* The proposed 69,280 square feet lot area exceeds the minimum lot area of 5,000 square feet for the six underlying lot and the project as proposed would not exceed the lot coverage limits for the single family zoned lot. A maximum 35 percent lot coverage is permitted in the underlying zone and 32 percent lot coverage is proposed.

*SMC 23.44.012 Height.* The proposed structure meets the height requirement for this religious institution.

*SMC 23.44.013 Transportation Concurrency Level of Service.* The level of service standards found in Chapter 23.52 were considered utilizing screen line 4.11 (from Martin Luther King Jr. Way S. to Rainier Ave S) and screen line 9.13 (south of Spokane Street from 15<sup>th</sup> Ave S. to Rainier Ave S.). The proposed project will not exceed the capacity of MLK Jr. Way S. or Rainier Avenue S., available for both north and south bound travel.

The proximity to transit service available on the arterial (Martin Luther King Jr. Way S.) may result in fewer vehicle trips than estimated. Further, neither the weekday daily trip volumes (up to 8) nor the trip volumes projected for the three annual holiday celebrations at the site (up to 100) would cause the level of service at nearby intersections to fall below acceptable levels.

As analyzed in the Transportation Study, the proposed expansion of the religious facility is not expected to require any additional traffic mitigation measures.

*SMC 23.44.014 Yards.* In single family zones the front and rear yard requirements are the same for conditional uses (i.e. 20 foot front yard and 25 foot rear yard) and uses permitted outright however, side yards abutting a single family zoned lot with a residential use increase from 5 foot to 10 foot for institutions. All yards requirements are met (as noted on the site plan).

*SMC 23.44.016 Parking.* Parking for the project is based on the area used for public assembly. The proposed main assembly hall is 2,240 square feet and the existing public assembly area in the existing single family structure is 300 square feet for a total public assembly area of 2,540. One parking stall is required for each 80 square feet of parking area and 32 spaces are required for the project. Thirty-three spaces are proposed. As noted previously, five parking spaces off of 42<sup>nd</sup> Street S required when the Institution was

originally established will remain and 28 additional spaces, accessed off of Willow Street, are proposed. In addition, the applicant will be required, as a Condition of this Decision to continue the practice of identifying an overflow parking area for guests on the three annual holidays celebrated at the site.

**SMC 23.44.022.D.3. Expansion.** Per Code, the campus of an institution may expand, up to 2.5 acres, on to property that is developed with residential structures. As noted above, the proposed expansion of the religious facility includes demolition of four single family structures on three of the five additional lots to be incorporated in the Monastery's campus. The proposed .87 percent of an acre campus expansion is less than the 2.5 acre maximum expansion limit.

**SMC 23.44.022.E Dispersion.** Seattle Municipal Code requires that the lot line of a new or expanding institution be located 600 feet or more from other institutions in a residential zone. An institution which does not meet the dispersion criteria of Section 23.44.022.E may be located less than 600 feet from a lot line of another institution if the Director determines that the intent of the dispersion criteria is achieved due to the presence of physical elements such as bodies a water, large open spaces or topographical breaks or other elements such as arterials, freeways, or nonresidential uses, which provide substantial separation from other institutions

The proposed institution is located near Brighton Elementary, a Public School, and the Samoan Congregational Church. The School is 497 feet east of the existing campus and 340 feet from the lot line of the expanded campus on Willow Street. The Church is located approximately 360 feet to the south from lot line to lot line "as the crow flies". However, it is approximately 648 feet following the street grid, to the south on 42<sup>nd</sup> Ave. S. and east on Myrtle and 43<sup>rd</sup> Ave S. The Director approved the initial establishment of the institution, in the single family structure at 6924 42<sup>nd</sup> Ave. S., in 1996, when it found that "...the hours of operation and types of uses associated with this proposed institution are not expected to conflict with the neighborhood ...".

The school operates between 9 a.m. and 4 p.m. weekdays with peak employee and student trips split between 8 a.m. to 9 a.m. and in the morning and 3:30 to 4:30 in the afternoon. The Samoan Church has an 8 a.m. Sunday School Service and a 10 a.m. Worship Service. The applicant reports that the weekday religious services (meditation sessions) on site are primarily intended for the resident Monks. However approximately eight guests join the Monks for meditation during the week between 9 a.m. and 6 p.m. In addition there are weekend activities the first and third Saturday from 11 a.m. to 1:30 p.m. and 10 a.m. to 5 p.m. and on the second and fourth Saturdays and 10 a.m. to 4:30 p.m., which typically attract up to 35 guests. There are also three annual holiday celebrations, in February, May and August held at the Monastery.

The site of the proposed expanded religious institution is at the western edge of a residential area bordered on the west side of 42<sup>nd</sup> Ave. S. by a multifamily zoned site that is developed and operated as a nursery. The multifamily zoning transitions to the west (behind the nursery) to neighborhood commercial zoning along Martin Luther King Jr. Way S. The traffic restrictions (or redirections) at 42<sup>nd</sup> Ave. S. and S. Myrtle Street and 46<sup>th</sup> Ave S. and S. Willow Street mean that guests accessing the Monastery are unlikely to cut through the residential area and parishioners accessing the parking lot at the Samoan Church will likely use Othello Street.

The combination of location (on the edge of a residential area) near a major arterial with transit, existing restrictions to cut through traffic, that serve as a physical barrier or separation between the institutional uses and the low number of visits expected to the subject site during the overlapping hours of operations with the two other institutions within 600 feet, are sufficient to allow an exception to the Dispersion criteria for the proposed Monastery.

**SMC 23.44.022.F Demolition of residential structures.** Housing cannot be removed to establish parking. The Applicant proposes location of a new structure on three lots currently occupied by single family structures. Four single family structures are slated for demolition. Three other single family structures on adjoining lots will remain and be used for visitors or interns. All new accessory parking will be established in the rear yard behind two existing single family structures on S. Willow Street. No housing units will be demolished to provide parking.

**SMC 23.44.022.G Reuse of existing structures.** Existing structures can be converted to an institutional use if the yard requirements for the underlying zone are met. As noted above the new Monastery and the three remaining single family structures meet the required front, rear and side yard requirements.

**SMC 23.44.022.H Noise.** In order to mitigate identified noise impacts, the Director may require measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yard or parking development standards, design modifications, setting hours of operation for facilities or other similar measures. The City's Noise Ordinance Chapter 25.08 sets standards for sending and receiving noise levels depending on the zoning of the subject properties. Permissible noise levels are further reduced between the hours of 10 p.m. and 7 a.m. weekdays and 10 p.m. and 9 a.m. on weekends.

Noise, including chanting and drumming during services and use of a leaf blower, were noted in public comment as sound associated with the current operations and these same sounds are anticipated with the expanded Institutional use. The sound level established in the Noise Ordinance for sending and receiving levels is 53dB(A) in residential zones. Sound levels at the subject site were documented and discussed in a Sound Study produced by SSA Acoustics, LLP (dated May 19, 2010). Equipment was located at the mid-point of the north and east property lines where there are "residential receivers" (i.e. single family homes).

The report by SSA Acoustics found that noise levels during the day exceed the decibel levels set by code, for up to 15 minutes intervals, by activity associated with patrons arriving and departing from religious services, as well as when a large bell was rung at 4:30 a.m. and 6:30 p.m. daily. Noise levels were also exceeded during drumming on Saturday afternoons. However, after the sound was adjusted for distance and "barriers" (i.e. walls) it was found that the noise levels for the indoor use of bells and drums fell below the dB(A) for residential area, at the (north and east) property lines.

Outdoor activities, including the arrival and departure of guests (including barking dogs) and engine noises and the use of a leaf blower, were not attenuated by walls and these activities take place near property lines. The Code allows grounds maintenance equipment to exceed the noise standard for up to fifteen minute and in the four days of study the code limit was not

exceeded. In response to public comment, limits on hours of operation of the use of the leaf blower will be set as a noise mitigation measure. A schedule provided of a typical day at the Monastery suggested that “general gardening” takes place between 1 p.m. and 4:30 p.m. Use of the leaf blower will be limited to this time.

The noise study (produced by SSA Acoustics, LLP, dated May 19, 2010) found that the single family homes along the north property line receive most of the sound associated with the Institutional use. However it has been reported that in the past the use of the outdoor courtyard (near the east property line) has caused conflicts with the neighboring single family use. The Applicant anticipates that outdoor religious services will be moved inside when a larger facility is available and the porches facing the north property line will not be open to guests.

As recommended by SSA Acoustics, a condition on this Decision will require the Applicants to install plywood on top of existing fencing at north, south, west and east property lines. The applicant also proposes retaining trees at both the north and east property lines. In addition, advance notice to the residents along the east property line will be required as a Condition of this Decision, whenever use of the outdoor courtyard for religious services is proposed.

**SMC 23.44.022.I Landscaping.** Monks rarely leave the site and gardening is a common activity for residents of the Monastery. As a result the existing institutional campus is heavily landscaped. The planting plan for the expanded campus includes extensive landscaping including many trees, shrubs and annuals and preserves the landscaping required when the initial institutional use was established. The applicant will also be responsible for trees and groundcover plantings in the rights-of-way, 42<sup>nd</sup> Ave. S. and S Frontenac Street. Further, the applicant has applied for a Street Use permit to continue gardening in the unopened portion of the S Frontenac Street. The landscaping proposed serves to preserve the single family appearance of the site and will also mitigate the height bulk and scale of the proposed new building and buffer the institutional use from abutting properties.

**SMC 23.44.022.J Light and Glare.** The applicant proposes adding two 10 foot-high lights for the parking area off of S. Willow Street. The lighting diagram provided shows that light will not leave the property. In addition, plywood will be added to the fencing (for noise mitigation) that will also screen neighboring properties to the west and south of the parking area from vehicle headlights.

**SMC 23.44.022.K Bulk and Siting.** In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards for location, landscaping and yards. In determining whether to allow such modifications, the Director shall balance the needs of the institution against the compatibility of the proposed institution with the residential scale and character of the surrounding area.

In order to accommodate traditional architecture of the Monastery the Height of the proposed structure will exceed the height limit for the zone by 5.5 feet. The scale of the building’s façade will be mitigated by the location of the site on the western edge of a single family zone, the 20 foot setback from 42<sup>nd</sup> Ave. S. and the extensive landscaping proposed (as shown on the approved plans).

The new structure is proposed on the north and west portion of the expanded campus. There are several single family structures along S. Willow Street with back yards along the north property line of the subject site. The existing trees in the 10 foot setback from the north property line will be retained and the porch proposed on the north side will be for the private use of the resident Monks at the Monastery. As previously noted the lot area exceeds the minimum lot area for the underlying zoning and the proposed lot coverage meets the limits of the underlying zoning. All of the yards requirements for the institutional use in a single family zone are met.

No further modifications of the development standards for location, landscaping or yards are required for the proposed Monastery.

**SMC 23.44.022.L Parking.** Per Seattle Land Use Code (SMC 23.54), the parking requirement for a Religious Institution is based on the area of the public assembly area. There are currently 5 required parking spaces for the existing Monastery. As stated previously in this Decision, the proposed assembly hall is 2,240 square feet and the existing public assembly area in the existing single family structure is 300 square feet for a total public assembly area of 2,540. One parking stall is required for each 80 square feet of parking area and 32 spaces are required for the project. Thirty-three spaces are proposed. Five of the required parking spaces will remain off of 42<sup>nd</sup> Ave. S and 28 additional spaces accessed off of S. Willow Street are proposed in the required rear yard which is a permitted location for parking under the single family zoning code. Access to parking is as required per SMC 23.54 and as may be modified by 23.44.022 L.

**SMC 23.44.022.M Transportation Plan.** A transportation plan is required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of structure area or providing 20 or more parking spaces.

The total gross floor area for the proposed project would exceed 4000 sq. ft. and more than 20 parking spaces will be added therefore, the above provision is applicable. A Transportation Study was prepared by Sound Engineering (November 2008) and reviewed by the City of Seattle Transportation Planner. Consideration of traffic volumes, pedestrian safety, on-site parking, parking overflow and the availability of transit were provided in the Transportation Study and are discussed at length under 23.44.013 and 016 and 23.44.022, above.

Briefly summarized the findings included: impact to the level of service in the area is considered minimal (1%); the Monastery is estimated to generate a total of eight daily trips on weekdays (1.1 during a.m. peak hours and 1.2 during p.m. peak hours) and as many as 35 trips are projected for typical weekend services. In addition, the site is within walking distance of transit, with bus stops and a light rail station at Othello Street for north and south bound travel along Martin Luther King Jr. Way S. The number eight bus line provides fifteen minute headways during weekday peak hours and the new light rail service offers a train every seven to ten minutes. It is expected that some of the guests will choose to use transit to travel to and from the site. Together with the fact that Monks do not own vehicles and will not be generating trips to or from the site and that there are no employees at the monastery, the Conditions identified in this Decision are expected to mitigate traffic and parking impacts. The Conditions of this Decision serve as a Transportation Plan for the proposed expansion of the Institutional use.

As a condition of the Decision the applicant will be required to continue the practice of hiring traffic control for the three annual religious celebrations and identifying an overflow parking location.

### **DECISION – ADMINISTRATIVE CONDITIONAL USE**

Based on the forgoing review and analysis and as conditioned by this Decision, the proposal will satisfy all relevant requirements of SMC Sections 23.44.022 governing an Administrative Conditional Use in a single family zone. The Administrative Conditional Use Permit to allow expansion of this religious institution is **CONDITIONALLY GRANTED**. As conditioned, the proposal is not expected to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the Institution is located.

### **ANALYSIS – SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the Applicant. Subsequently a wetland report, a noise study and a transportation study were provided. The information in the checklist, the additional information contained in the reports prepared for the proposed project and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans, as well as additional information provided; and public comments received regarding this proposed action have been considered. The proposed action may result in some adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant (as defined in SMC 25.05.794).

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the short-term and long-term impacts anticipated from the proposal is appropriate.

#### **Short-term Impacts**

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate

levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater, Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code.

The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit. Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction related vehicles. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles. These impacts are not considered significant as they are temporary in duration and no further SEPA conditioning for air quality is necessary.

Parking utilization along streets in the vicinity is moderate and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. In order to minimize adverse impacts, construction workers will be required to park on site. Storage of construction vehicles and equipment will also be required on site for the duration of construction per SMC 25.05.675B2g of the Seattle SEPA Ordinance.

Grading for the project is anticipated to include approximately 1,600 cubic yards of excavation and 300 cubic yards of fill. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. Trucks traveling to and from the site will be required to use Martin Luther King Jr. Way S. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading element of the project is warranted pursuant to SEPA policies.

The proposal site is located in a residential zone where construction of this scale would impact the noise levels. The SEPA Noise Policy (SMC 25.05.675B) lists mitigation measures for construction noise impacts. It is the department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance (SMC 25.08) is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the proximity of residential structures to the proposal site. The proposal is, therefore, conditioned to limit demolition and construction activity to non-holiday weekday hours between 7:30 A.M. and 6:00 P.M and on Saturdays from 9:00 AM to 6:00 PM. After the structure is enclosed, interior construction may be done in compliance with the noise ordinance. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

#### Long Term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased surface water runoff from greater site coverage; 2) increased height, bulk and scale on the site; 3) incompatible land uses; 4) increased light and glare; and 5) increased noise levels; and 6) reduced on street parking availability and increased traffic volumes. These impacts correspond to and were discussed above under the Decision Criteria for an administrative conditional Institutional Use in a Single Family zone

The long-term impacts will in part be mitigated by the adopted City Codes and Ordinances. Specifically these are: The Stormwater Grading and Drainage Control Code; landscaping and parking requirements found in the Seattle Land Use Code (SMC 23.44 and SMC 23.54 respectively) and the City's Noise Ordinance (SMC 25.08). Most of these long term impacts were evaluated under the Administrative Conditional Use (ACU) analysis. Conditions were identified to mitigate specific impacts identified in the ACU analysis. A summary of the relevant SEPA policies related to potential long-term impacts of the proposed expansion of the Monastery is provided below.

### Drainage

Rainwater on new roof and parking areas will be the primary sources of water runoff on site. There currently is a catch basin, discharging to a public storm drain line in S. Frontenac Street, near the southeast corner of the lot which collects run-off from the site. The proposed development is greater than 5000 sq. ft. of new impervious surface which will require a drainage control plan that will be reviewed at the time of the building permit. Plans currently include an onsite catch basin consistent with the new Stormwater Code requirements to provide for the maximum retention of stormwater feasible on the site. The applicant will also be required to maintain or improve the drainage infrastructure in the immediate area when work in the right-of-way is installed.

A Wetland Delineation Study prepared by Keith Fabing Inc. was provided for review by the Department of Planning and Development's Environmental Analyst, Rob Knable. The report concluded that the wetland on the site met the Washington State Delineation Manual's criteria for a Class IV wetland. Per SMC 25.09.160.C, the Environmentally Critical Area Ordinance Class IV wetlands have no required buffer and may be removed if their functionality is replaced. An Environmentally Critical Area Exemption was granted by the City's Environmental Analyst.

Approval of the project is not expected to cause significant adverse impacts (as defined in 25.05.794) and no further SEPA conditioning for drainage is required.

### Height, Bulk and Scale

As noted in the review of the decision criteria for the Administrative Conditional Use above, the project meets or exceeds the required setbacks from property lines and the extensive landscaping (existing and proposed) on the 69,280 square foot site, provides mitigation to the height, bulk and scale of the project. Landscaping at the site will contribute to compatibility with the residential neighborhood. No further SEPA conditioning is required for height, bulk and scale.

### Land Use

Religious Institutions are traditionally located in residential areas to be near residents who attend religious services. The project proposed is a residence for associated Monks and Nuns. The number of residents at the site is not expected to exceed the number of unrelated residents permitted if the site were developed with single family dwelling units. Furthermore, some characteristics of the Monks life (the Monks, for example, do not own or operate motor vehicles)

may also contribute to less intense impacts. Approval of the project, as conditioned by this decision, is not expected to cause significant adverse impacts (as defined in 25.05.794). The project as mitigated under the Conditional Use analysis for the Institutional use of the site is not expected to be significantly adverse and no further SEPA conditioning is required.

### Light and Glare

As noted under the Conditional Use analysis, mitigation for light and glare will include shielding of all exterior lighting to prevent light from spilling over property lines as shown on the approved plans. Fencing will be required at the property lines around the new parking area to prevent headlight from disturbing neighbors. No further SEPA conditioning for light and glare is warranted.

### Noise

Public Comment was received during the comment period regarding the negative impacts the noise associated with the existing Institutional use has had on nearby residents, especially outdoor services and tools used for grounds maintenance. Existing City Codes and Ordinances address some of the potential impacts associated with noise.

However, based on the location of nearby residences, to the outdoor courtyard area on the Monastery campus, that is sometimes used for drumming and chanting a sound wall will be required along the southern portion of the east property line (near the outdoor courtyard) and advance written notice will be required to neighboring residents prior to use of the courtyard for services.

With application of the conditions of this Decision (as sited above and listed below), these long term impacts are not considered significant (as defined in SMC 25.05.794) because the impacts are intermittent and mitigations are proposed. Further the expansion of the facility itself is expected to move the outdoor religious services indoors where barriers (walls) are expected to keep decibel levels at receiving sites below thresholds set in Municipal Code. Therefore no additional SEPA conditioning for noise is required.

### Traffic and Parking

As stated above in the analysis for the Conditional Use review the long term traffic impacts identified for the proposed expanded Institutional use are not expected to be significant (as defined in SMC 25.05.794). On a typical weekday there is only one A.M. and P.M. Peak Hour trip anticipated for the proposed project. The thirty-five projected weekend trips are only one percent of the capacity on Martin Luther King Jr. Way S. The Applicant will be required to continue the existing practice of hiring traffic control for the three annual holiday celebrated by the Monks and an overflow parking area will be identified for guests. No further mitigation or SEPA conditioning for parking or traffic is required.

## **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the Department. This

constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2)(C).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (C).

**CONDITIONS – ADMINISTRATIVE CONDITIONAL USE**

*For the Life of the Project*

1. To mitigate sound, three quarter (3/4) inch plywood shall be added on to the perimeter fencing at the north, south, east and west property lines that are shared with single family residential uses.
2. To mitigate light and glare fencing shall be maintained at the property lines to the west and south of the proposed new parking area off of S. Willow Street.
3. Landscaping, as shown on the approved plans, shall be retained and maintained at the north and east property lines that are shared with single family residential uses.
4. To mitigate height bulk and scale the landscaping, as shown on the approved plans, along the western side of the property, shall be maintained.
5. Use of grounds maintenance equipment for more than fifteen minutes shall be limited to the hours of 1 p.m. to 4:40 p.m. daily.
6. Traffic and parking control shall be provided for the three major holiday events at the site and a designated overflow parking site shall be provided for guests.
7. Written notice shall be provided to the residents along the southeast property line at least two weeks prior to use of the outdoor courtyard for religious services.
8. Public access from the turn-around at the end of S. Frontenac Street to 42<sup>nd</sup> Ave. S. shall remain open and unobstructed and signage for the same shall remain posted.
9. All exterior light shall be shielded to prevent any light from spilling over the property line onto adjacent lots with single family residences.

*Prior to Final Inspection or Issuance of a Final Certificate of Occupancy*

The owner(s) and/or responsible party(s) shall

10. Install ¾ inch plywood on fencing and all required landscaping along the perimeter fencing on the north and east property lines that are shared with single family uses, as shown on the approved plans.

11. Complete and receive final approval from Seattle Department of Transportation for all required Street Improvements as shown on the approved SDOT Street Improvement Plans.
12. Remove all fencing from the unopened right-of-way, unless approved by Seattle Department of Transportation, under an annual street use permit.

**CONDITIONS – SEPA**

*During Construction*

The following conditions to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

13. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturday (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturday). This condition may be modified by DPD to allow work of an emergency nature or to allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.
14. Parking for construction workers and equipment shall be on site for the duration of construction.
15. Under the direction of Bill Ames, SDOT Arborist, identify existing street trees that will remain and protect them with construction fencing at the drip line as shown in the tree protection detail on the approved plans.

Signature: \_\_\_\_\_ (signature on file) Date: December 30, 2010  
Michael M. Dorcy, Senior Land Use Planner  
Department of Planning and Development

MMD:bg

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