



City of Seattle

Gregory Nickels, Mayor

**Department of Planning and Development**

Diane Sugimura, Director

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

**Application Numbers:** 3007032 and 3006747  
**Applicant Name:** Scott Williams  
**Addresses of Proposals:** 3420 Southwest Cloverdale Street  
8443 34<sup>th</sup> Avenue Southwest

**SUMMARY OF PROPOSED ACTION**

**3007032:** Land Use Application to expand existing religious facility (Gatewood Baptist Church) and change the use from parsonage to childcare center. Project includes a 775 sq. ft. covered playground area. Parking for 17 vehicles will be provided on the site.

The following approvals are required:

**Administrative Conditional Use**—to expand an institution in a SF 5000 zone.  
(Chapter 23.44.022, Seattle Municipal Code.)

**3006747:** Land Use Application to change the use of an existing private school (Montessori School) to a child care center accessory to a religious facility (Gatewood Baptist Church.).

The following approvals are required:

**Administrative Conditional Use**—to change from one institutional use to another in a SF 5000 zone. (Chapter 23.44.022, Seattle Municipal Code.)

**SEPA DETERMINATION (both projects):**

Exempt  DNS  MDNS  EIS

DNS with conditions

DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

## **BACKGROUND DATA**

### **Site and Vicinity Description**

The subject properties consists of the three parcels between 34<sup>th</sup> and 35<sup>th</sup> Avenues SW just north of SW Cloverdale Street, with the NE parcel (3006747) being separated from the other two (3007032) by an alley. It is the alley that requires processing of this single development under two separate permit numbers. The church/parsonage property is legally established for church use, as is the NE parcel. However, the NW parcel is still legally established for single family residential use, triggering the need for the ACU to expand the institutional site, which is being accomplished under the 3007032 project number. All the adjacent streets are paved and have curbs and sidewalks; there are some planting strips, but long strips of street frontage provide parking instead of planting strips, particularly along SW Cloverdale and 34<sup>th</sup> Avenue SW.

The surrounding zoning is SF 7200 with development consisting of single family residences within the immediate vicinity of the subject property. The yards tend to be nicely landscaped.

### **Proposal Descriptions (joint)**

The applicant proposes to convert the 2,000 square foot main level of the parsonage (including the garage) to become part of a licensed child care center which will also utilize the existing 1-story 1,826 square foot modular building on the NE parcel. The NW parcel will be used as an outdoor play area by the children of the center. A 775 square foot covered play structure is proposed to be located on the NW parcel. The 1,408 square foot basement of the parsonage will be used for church storage and for mechanical equipment. Access will continue to be provided by the alley off 34<sup>th</sup> Avenue SW and directly from SW Cloverdale Street. 17 surface parking spaces will be provided. The existing church building will continue to be used as a church with accessory facilities.

The child care center will be licensed by the DSHS to accommodate no more than 21 children 2-1/2 years of age or less, 46 older children, and 9 staff members. Hours of operation will be from 6AM to 6PM, Mondays through Fridays.

### **Public Comment**

Several comments letters were submitted, largely focusing upon traffic and safety impacts, particularly at the intersection of SW Cloverdale Street and 34<sup>th</sup> Avenue SW. One letter, from an adjacent property owner and resident, appears to be concerned about impacts to quality of residential life.

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

The Land Use Code allows the expansion of existing institutions in residential zones through the administrative conditional use process. This proposal is subject to the development standards outlined in section 23.44.008 through 23.44.016 of the Seattle Municipal Code (SMC). The director's decision has the authority to approve, condition or deny a conditional use application. This decision shall be based on the whether the proposed use will be materially detrimental to the public welfare or injurious to property. In addition to the general single family development standards institutions are subject to the standards of SMC 23.44.022. The applicable criteria used for evaluating and or conditioning the applicant's proposal 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.*

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.*

At this location there are no other institutions in single family zoned properties within 600 feet of the project site.

F. Demolition of Residential Structures

*No residential structure shall be demolished nor shall its use be changed to provide for parking. This prohibition may be waived if the demolition or change of use proposed is necessary to meet the parking requirements of this Land Use Code and if alternative locations would have greater noise, odor, light and glare or traffic impacts on surrounding property in residential use. If the demolition or change of use is proposed for required parking, the Director may consider waiver of parking requirements in order to preserve the residential structure and/or use. The waiver may include, but is not limited to, a reduction in the number of required parking spaces and a waiver of parking development standards such as location of screening.*

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. Existing structures which do not meet these yard requirements may be permitted to convert to institution use, provided that the Director may require additional mitigating measures to reduce impacts of the proposed use on surrounding properties.*

The proposal is for new construction of an addition to an existing institution, and for change of use from one institutional use to another; therefore, this criterion is 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. In order to mitigate identified noise and/or odor 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 proposed institutional expansion and change of use in the single family zone is not expected to generate substantially increased noise and odors. For one thing, due to its distance from the two child care center buildings, the play structure area will likely be used sporadically, not constantly; for another, the structure will contain most of the children's sounds. No new trash and refuse storage areas are proposed. None of the activities proposed as part of the typical use of the site are expected to exceed the maximum permissible sound levels as established and modified in the SMC Chapter 25.08.

I. Landscaping

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

*Landscaping plant materials shall be species compatible with surrounding flora. Existing plant material may be required to be retained. Maintenance of landscaped areas shall be the continuing responsibility of the owner.*

All of the existing mature trees will be preserved, and considerable additional landscaping will be added, including at the residential perimeter in all directions. Several new trees that will achieve outstanding mature canopy will be added. The existing landscaping on the NE parcel will be maintained and enhanced. Overall the combination of existing and new landscaping will result in successful integration of the site into the surrounding neighborhood. Project approval is conditioned upon installation of maintenance of landscaping per plan to assure consistency with this criterion.

J. Light and Glare

*Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots. The Director may also require that the area and intensity of illumination, the location or angle of illumination be limited.*

*Non-reflective surfaces shall be used to help reduce glare.*

All exterior lighting will be shielded and downwardly directed, on motion sensors or timers set to cut off at 8 p.m. No additional parking lot light is proposed. No adverse impacts are anticipated.

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 be 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 ramp and porch that will be added to the east face of the parsonage will be of low scale, more than adequately mitigated by the proposed landscaping. However, it is essential that this landscaping be installed and maintained per plan for the life of the project for this to be so. Accordingly, project approval is conditioned upon same.

- 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 and uses in the immediate area.*

The east street-facing façade is very long, but it will be adequately mitigated by the proposed front porch and landscaping.

2. *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.*

Only one of the yards on site will be altered as a result of the proposals, and that is by construction of the play structure on the NW parcel. The proposed 10-foot setback in that area meets code standards.

3. *Institutions Located on Lots in More Than One (1) Zone Classification. For lots which include more than one (1) zone classification, single-family zone provisions shall apply only to the single-family-zoned lot area involved.*

This provision is not applicable.

4. *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.*

The proposals do not include roof mounted religious symbols; therefore, this criterion is not applicable.

5. *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.*

The proposals include only one new structure exceeding 30' in length – by one foot. The row of evergreen trees between that façade of the structure and adjacent residential property will provide adequate mitigation, particularly since the structure is somewhat downslope from the residential neighbor. An existing building also exceeds 30 feet in length, but it will be mitigated by construction of a porch of sorts, which will function as modulation. No further mitigation is required.

L. Parking and Loading Berth Requirements

1. *Quantity and Location of Off-street parking.*

- a. *Use of transportation modes such as public transit, vanpools, carpools and bicycles to reduce the use of single-occupancy vehicles shall be encouraged.*
- b. *Parking and loading shall be required as provided I Section 23.54.015.*
- c. *The Director may modify the parking and loading requirements of Section 23.54.15, Required parking, and the requirements of Section 23.44.016, Parking location and access, on a case by case basis using the information contained in the transportation plan prepared pursuant to Subsection M of this section. The modification shall be based on adopted City Policies and shall:*
  - i. *Provide a demonstrable public benefit such as, but not limited to, reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light and glare; and*

The proposal is to share parking between the child care center and the existing church. The proponent has credibly urged that there will be minimal overlap between times of operation of the two uses. There is no reason not to approve such an arrangement, as there is not likely to be an adverse spillover parking demand on the neighborhood. The minor adjustment in parking requirements is approved.

- ii. *Not cause undue traffic through residential streets nor create a serious safety hazard.*

Public comment has asserted that the proposed use could generate adverse traffic impacts on the residential streets, particularly at the intersection of SW Cloverdale Street and 34<sup>th</sup> Avenue SW. The issue is the size of the proposed child care center which, although split between two permits; will serve 67 children and 9 staff. This would be a large child care center in comparison with the typical one. There is no question but that substantial traffic would be generated during peak periods. Based on ITE statistics, the developments are projected to generate about 253-300 trips/day, 44-54 at AM peak, and 43-55 at PM peak. The uncontrolled intersection of Southwest Cloverdale Street and 34<sup>th</sup> Avenue Southwest would likely be adversely impacted, warranting measures to calm traffic. Following consultation with Seattle Department of Transportation, which prefers physical controls over signage in such situations, DPD concludes that installation of a traffic circle at this location would provide adequate mitigation of the adverse impact. Accordingly, project approval is conditioned upon installation of the traffic circle prior to issuance of a temporary or permanent certificate to occupy the development.

M. Transportation Plan

*A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of the structure area and/or required to provide twenty (20) or more spaces. The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. Discussion of the following elements and other factors may be required:*

1. *Traffic. Number of staff on site during normal working hours, number of users, guest and others regularly associated with the site, level of vehicular traffic generated, traffic peaking characteristics of the institution and in the immediate area, likely vehicle use patterns, extent of traffic congestion, types and numbers of vehicles associated with the institution and mitigating measures to be taken by the applicant;*
2. *Parking. Number of spaces, the extent of screening from the street or abutting residentially zoned lots, direction of vehicle light glare, direction of lighting, sources of possible vibration, prevailing direction of exhaust fumes, location of parking access and curb cuts, accessibility or convenience of parking and measures to be taken by the applicant such as preference given some parking spaces for carpool and vanpool vehicles and provisions of bicycle racks;*
3. *Parking Overflow. Number of vehicles expected to park on neighboring streets, percentage of on-street parking supply to be removed or used by the proposed project, opportunities for sharing existing parking, trends in local area development and mitigating measures to be taken by the applicant;*
4. *Safety. Measures to be taken by the applicant to ensure safe vehicular and pedestrian travel in the vicinity;*
5. *Availability of Public or Private Mass Transportation Systems. Route location and frequency of service, private mass transportation programs including carpools and vanpools, to be provided by the applicant.*

Not applicable.

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

- A. *Only those conditional uses identified in this subchapter may be authorized as conditional uses identified in this subchapter as conditional uses may be authorized as conditional uses in single family zones. The Master Use Permit process set forth in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions shall be used to authorize conditional uses;*

The Land Use Code allows religious facilities (including accessory child care centers) 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 in Sections 23.44.008 through 23.44.016;*

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. A Church has operated at this location prior to 1952 per historical DPD permits. The City recognizes the public benefit of having religious institutions including child care centers in neighborhoods. The development as conditioned below meets development standards and conditional use requirements, and will not pose a likely 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 or conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located.*

Project approval has been conditioned to mitigate adverse impacts.

*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, provided that such permit is required for the use at the time re-establishment or recommencement is proposed;*

N/A

*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. Such work includes but is not limited to roof repair or replacement and construction of uncovered decks and porches, bay windows, dormers and eaves.*

N/A

### **DECISIONS - ADMINISTRATIVE CONDITIONAL USES**

The conditional use applications are **APPROVED**.

### **CONDITIONS - ADMINISTRATIVE CONDITIONAL USES**

Prior to Issuance of a Temporary or Permanent Certificate of Occupancy, and For the Life of the Project:

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

1. Install and maintain landscaping per plan.
2. Secure final approval of construction of a traffic circle to be located within the intersection of South Cloverdale Street and 34<sup>th</sup> Avenue South.

Signature: (signature on file)

Paul Janos, Land Use Planner  
Department of Planning and Development

Date: October 22, 2007