



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: 3008123
Applicant Name: David & Anne Gilbert
Address of Proposal: 12583 Densmore Ave N

SUMMARY OF PROPOSED ACTION

Land Use Application to change the use of an existing 758 square feet single family residence to accessory offices for an existing adjacent institution, Haller Lake Community Club.

The following approval is required:

Administrative Conditional Use: - To allow the expansion of an institution in a Single Family zone (SMC Chapter 23.44.022).

SEPA DETERMINATION: Exempt DNS MDNS EIS

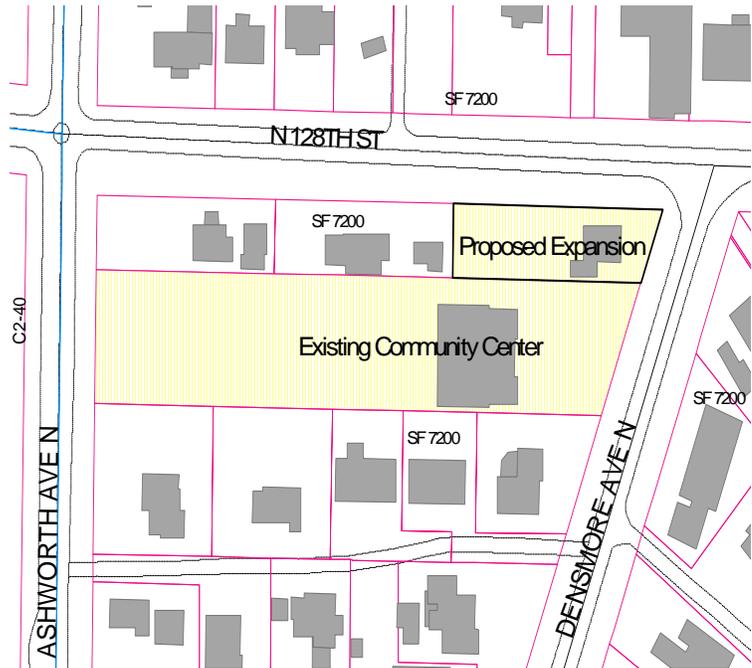
DNS with conditions

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

BACKGROUND DATA

Site and Vicinity Description

The proposal site is an 8,766 sq. ft. lot with an existing 758 sq. ft. house located at the southwest corner of N 128th Street and Densmore Avenue N. The Haller Lake Community Center is directly adjacent to the south. The intent of the application is to expand the boundary of the institution to include the described lot, and change the use of the existing single family structure to accessory administrative offices for Creative Dance Center (CDC). The CDC is a non-profit organization that has been offering dance lessons and performances at the Community Center for twelve years.



The subject lot is rectangular in shape and is currently developed with a one story house and an attached garage. Access to the site is available from Densmore Avenue N. All the surrounding zoning is designated Single Family 7200 except west of Ashworth Avenue N where the SF7200 zone abuts on the C2-40 zone. Development in the vicinity is predominantly a mixture of single family and institutional uses.

Proposal Description

The proposal is to change the use of an existing single family residence to accessory administrative offices for the Haller Lake Community Center and to expand the boundary of this institution. The structure will contain administrative offices for three CDC employees. There are no plans to change the size or exterior of the existing structure.

Public Comment

Notice of the proposed project was published on November 29, 2007. The required public comment period ended on December 12, 2007 without receipt of any comments.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

The Seattle Land Use Code (SMC 23.44.022 A) provides that institutions such as community centers may be permitted as conditional uses in single-family zones. Sections 23.44.022 D through M set forth criteria to be used to evaluate and/or condition the proposal. The general criteria for conditional uses in single family zones are listed at SMC 23.44.018C. The applicable criteria are discussed below.

SMC 23.44.022

D. General Provisions

1. 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.

The proposed expansion site consists of a structure established on a lot that exceeds the minimum lot size for the zone. The lot coverage of 758 sq ft is less than the 3,068 sq ft allowed. The building height is 17' 6" which is lower than the 30' height allowed by the SF zones. The existing house with attached garage meets the standard 20' front yard, 25' rear yard and 5' side yard on the north property line. The side yard on the south (adjacent to the Community Center) is only 3'6", see discussion under G. One parking space is available in the driveway of the house, though the garage door is blocked by a set of stairs.

3. Institutions seeking to establish or expand on property which is developed with residential structures may expand their campus up to a maximum of two and one-half (2 1/2) acres. An institution campus may be established or expanded beyond two and one-half (2 1/2) acres if the property proposed for the expansion is substantially vacant land.

The current size of the Community Center property is 39,872 sq. ft. After the proposed expansion it would be 48,267 sq. ft. or 1.1 acres.

E. Dispersion

1. 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 (600') or more from any lot line of any other institution in a residential zone, with the following exceptions:

b. A proposed institution may be located less than six hundred (600) feet from a lot line of another institution if the Director determines that the intent of the dispersion is achieved due to the presence of physical elements such as bodies of 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 subject site for the proposed expansion and change of use from single family residence to administrative offices is located within 600 feet of another institution, Ingraham High School. However the two institutions are located on opposite sides of N 130th Street which is classified as an arterial. The presence of the arterial street provides a substantial separation from both institutions. Therefore, the development standard exception provision is applicable to this criterion.

F. Demolition of Residential Structures

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

No demolition is proposed as part of the conditional use permit application. Parking will be provided in the existing residential driveway and in the existing Community Center parking lots.

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 institutional use, provided that the Director may require additional mitigating measures to reduce impacts of the proposed use on surrounding properties.

The existing garage on the proposed expansion site is only 3'6" from the south side lot line at its closest point. This is the yard adjacent to the Community Center so the non-conforming setback would not cause any impacts to surrounding residential properties. Additional review of the yard requirement is found below under criterion K.2.

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 areas, 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 office use in the single family structure would not be expected to generate any additional odors since trash generation will be lower than that of the existing residential use. The potential noise anticipated for this project would be related mostly to traffic activities. Up to three CDC staff members will work in the building from 9:00 a.m. and 3:00 p.m. Monday through Friday. The applicant has stated that no drop-in traffic is anticipated and that visitors are by appointment only. The hours of use for the structure as an office would be significantly less than for the current residential use, resulting in a lower potential for noise impacts. The extent of noise generated by the vehicular traffic related to the office will be minor and no further conditioning of noise impact is warranted by this criterion.

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.

There are several mature trees at the corner of N 128th Street and Densmore Avenue N and some along the rear property line as well as some shrubs. No landscape removal or increased impervious surface is proposed with the application. No increase in height or bulk of the existing buildings is proposed, so no additional screening is required.

J. Light and Glare

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

The existing lighting will not change any light and glare impacts already existing on site and no new exterior lighting has been proposed by the applicant.

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:*

If the expansion were approved the total site would be 1.1 acres in size.

- 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;*

No new structures or changes to lot lines are proposed as part of this expansion.

- 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 existing Community Center lot is long and narrow, with minimal street frontage. The proposed expansion would add frontage along N 128th Street, however no exterior changes are proposed to the existing buildings.

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.*

According to the plans submitted by the applicant, the proposal site has an existing 3'6" side yard on the south side abutting the Community Center and 10'6" side yard setback on the north side abutting N 128th Street. In this case since the reuse of an existing structure is proposed SMC Section 23.44.022.G allows for the smaller side setback.

3. Institutions Located on Lots in More Than One (1) Zone Classification

Both the existing Community Center and the proposed expansion site are zoned SF7200 so this criterion does not apply.

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 (25') above the height limit.*

The single family residence is a one story structure with an approximate height of 17'6" inches from the existing and finished grade to the top of the roof. No religious symbol is proposed to be constructed. Therefore, this provision 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 proposed single family structure is similar or smaller in scale and bulk to other nearby single family structures. Therefore, no bulk and scale mitigation is warranted.

L. Parking:

SMC 23.44.022.L provides that 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:

The Land Use Code requires one parking space per one thousand (1:1000) square feet of Administrative office space. The existing structure on site will provide 758 square feet of administrative office space. As a result, one parking space is required by the Land Use Code. Parking for one car is currently available in the existing driveway on site, therefore no modification to the requirements are needed.

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.

A transportation plan is not included because the net increase in parking is less than 20 parking spaces and the expansion is less than 4,000 square feet of structure area.

SMC 23.44.018

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.

The project has been analyzed against the specific conditional use criteria above. The proposed use change will have little operational impact that exceeds that of a typical single family house in terms of traffic, noise, odor or parking. No exterior physical changes to the property are proposed therefore no injury to surrounding property is anticipated.

CONCLUSIONS - ADMINISTRATIVE CONDITIONAL USE

The Land Use Code allows institutions in single family zones but establishes the conditional use process as a mechanism for the screening and mitigating of likely impacts related to the uses. 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, with the exception of the south side yard setback. The existing 3'6" side yard is adjacent to the Community Center. In this case since the reuse of an existing structure is proposed SMC Section 23.44.022.G allows for the smaller side setback.

The proposed expansion is located within 600 feet of another institution, Ingraham High School. However the two institutions are located on opposite sides of N 130th Street which is classified as an arterial. The presence of the arterial street provides a substantial separation from both institutions. Therefore, the development standard exception provision is applicable to this criterion.

The fact that this institution is already established and that this expansion does not increase impacts indicates that this proposal neither constitutes a material detriment nor is injurious to property in the zone or vicinity. No additional requirements or conditions are imposed because the minor extent of this expansion will not result in the need for such measures to protect other properties.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The proposed Administrative Conditional Use to allow the expansion of an institution in a single family zone is **GRANTED**.

Signature: _____ (signature on file) Date: December 24, 2007
Nora Gierloff, Land Use Planner
Department of Planning and Development

NG:bg

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