



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**

Application Number: 3010727
Applicant Name: Shawn Sullivan for Pacific Color Lab
Address of Proposal: 7107 Woodlawn Avenue NE

SUMMARY OF PROPOSED ACTION

Land Use Application to change the use of a 12,908 square foot portion of an existing 19,715 square foot light manufacturing building (Pacific Color Lab) to a child care center. Parking for two vehicles will be provided on the site and six on-street load and unload spaces will be provided.

The following approvals are required:

SEPA - Environmental Determination. Seattle Municipal Code (SMC) 25.05.

Administrative Conditional Use Review - to allow a change of use from one non-conforming use (light manufacturing) to another (institution – child care center)
SMC Section 23.42.110.

SEPA DETERMINATION: [] Exempt [X] DNS [] MDNS [] EIS
[] DNS with conditions.
[] DNS involving another agency with jurisdiction.

BACKGROUND INFORMATION

Site and Vicinity Description

The property is located in a Neighborhood Commercial 2 65' (NC2 65') Pedestrian (P) zone in the Green Lake Community. The site is bordered by Woodlawn Avenue NE on the east and northeast 71st Street on the south with commercial structures on the north and west sides of the site. The site is relatively flat and is developed with a commercial structure and surface parking with vehicle access from NE 71st Street.

Existing Uses and Adjacent Zoning

The site is currently developed with the Pacific Color Building, which is approximately 19,715 square feet and is used as a photo processing center (office/light manufacturing use). Development in the vicinity consists primarily of retail and commercial uses. Green Lake is west of the site, across East Green Lake Drive North. The site is zoned Neighborhood Commercial 2 with a 65' height limit with a Pedestrian Overlay (NC2-65'/P), and is surrounded by NC2-65'/P on all sides. Green Lake is zoned single family (SF 5000).

Proposal Description

The applicant proposes to change the use of 12,908 square feet of an existing 19,715 square foot light manufacturing building (Pacific Color Lab) to a child care center for 138 children. Parking for two vehicles will be provided on-site and six on-street, load and unload spaces are proposed. A new lobby, staircase and elevator will also be constructed. Remodeling of the basement and upper floor and interior demolition will occur to accommodate the new use. Exterior upgrades are proposed which will include window replacement and reconfiguration, new siding, new awnings at the primary entry door locations as well as roof repair and replacement.

Public Comments

The public comment period for this project ended February 21, 2010 and two comment letters were received from neighboring property owners.

ADMINISTRATIVE CONDITIONAL USE CRITERIA AND ANALYSIS

All conditional uses are subject to the procedures described in Seattle Municipal Code (SMC) Chapter 23.76, and must not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located per SMC 23.42.042. In authorizing a conditional use, the director may require that adverse impacts be mitigated by imposing conditions to mitigate adverse impacts on other properties in the zone or vicinity, and to protect the public interest. The Director may deny or recommend denial of a conditional use if the Director determines that adverse impacts cannot be mitigated satisfactorily.

SMC Section 23.42.110 provides that a nonconforming use may be converted by administrative conditional use authorization to a use not otherwise permitted in the zone based on the following factors:

B. The proposed new use must be no more detrimental to properties in the zone and vicinity than the existing use. This determination shall be based on consideration of the following factors:

- 1. The zones in which both the existing use and the proposed new use are allowed;*
- 2. The number of employees and clients associated or expected with the proposed use;*
- 3. The relative parking, traffic, light, glare, noise, odor and similar impacts of the two uses and how these impacts could be mitigated.*

D. Parking requirements for the proposed use shall be determined by the Director.

The proposal is to change the use of approximately 12,908 sq. ft. from light manufacturing to institutional (child care) use. Child care facilities are permitted either outright or by administrative conditional use in single family and multifamily zones, whereas light manufacturing is not permitted until the more intensive neighborhood commercial 2 zone.

The proposed child care use will have a staff of 18 teachers, most of whom will use public transportation according to information in the project file. Monthly bus passes are part of the staff compensation package. Metro bus service is available on NE 71st St. and Woodlawn Ave. NE. The project applicant will also facilitate car pooling by staff and customers by posting car pool information on site and online on their website. The child care facility is expected to provide care for about 138 children.

Vehicular activities will peak between the hours of 6:30 AM and 8:00 AM and 4:00 PM and 6:00 PM. Many of the students have siblings enrolled in the school, which will also serve to mitigate the number of trips (in addition to the use of public transportation and car pooling described above). Light and glare impacts are not anticipated as a result of the proposal. While noise is sometimes a concern with daycares located in residential zones, it is not anticipated to have an adverse impact in this commercial zone located so close to Green Lake (which has ambient vocal/outdoor noises).

Regarding parking, according to the plans eight parking spaces are required by the Land Use Code. The applicant is providing two spaces on site, and a total of six on-street loading and unloading spaces to accommodate the drop off and pick-up of children. A total of eight spaces available (two parking spaces, one of which is van accessible, and six on-street loading areas) and the use of public transportation and carpooling described above, should be adequate to provide for the identified parking needs of the facility.

CONCLUSION - ADMINISTRATIVE CONDITIONAL USE

The proposed project is consistent with the Administrative Conditional Use criteria of the City of Seattle Municipal Code as it applies to a change from one nonconforming use to another. The proposed child care facility will provide a benefit to families with children in the Green Lake vicinity and will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The Administrative Conditional Use application is **GRANTED**.

SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and Seattle's 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 dated January 26, 2010. The information in the checklist, any supplemental information provided by the applicant and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, 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 certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to hydrocarbon emissions from construction vehicles and equipment; increased noise; increases in carbon dioxide and other greenhouse gas emissions and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The building code provides for construction measures and life safety issues. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Greenhouse Gas Emissions

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other green house gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this specific project. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675.A.

