



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: 3011076
Application Name: Chang Soo Lee For Sky Garden NW, LLC
Address of Proposal: 1321 Seneca Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow temporary surface parking for six months for 35 vehicles.

The following approval is required:

Temporary Use Permit - to allow temporary parking for up to six months in a DMC zone. Seattle Municipal Code (SMC) 23.42.040.C.

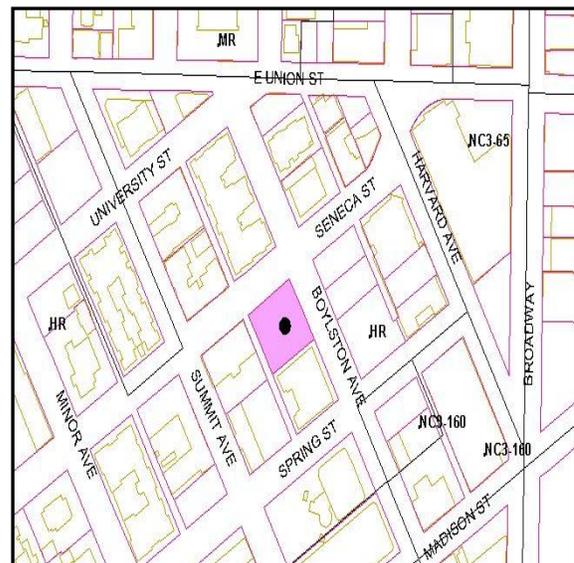
BACKGROUND

Site:

Sited at the southwest corner of Seneca Street and Boylston Avenue on First Hill, the proposed structure would provide 35 parking spaces on a relatively flat site. Its Highrise (HR) zoning designation permits primarily multifamily buildings.

Vicinity

First Hill rises above downtown Seattle and comprises a mix of older stately homes and apartment buildings with a plethora of structures housing support for several major medical institutions. The graciousness of Seattle's historic



neighborhood and the transformations wrought by a medical service economy stand starkly juxtaposed in the surrounding vicinity. Landmarks such as the Stimson Green Mansion, First Baptist Church, the Northwest School and Firehouse No. 25 Condominiums and many four to five story apartment buildings contrast with high rise apartment condominiums and a variety of medical clinics. First Hill Park lies at the corner of University Street and Minor Ave. approximately 2.5 blocks from the project site.

The immediate area surrounding the subject parcel has a similar Highrise zoning. To the north across E. Union St., the zoning classification shifts to Midrise (MR). At Madison, St., Neighborhood Commercial Three with a 160 foot height limit lines the arterial on both sides of the street. The HR designation gives way to NC3 with a 65 foot designation (NC3 65) on the east side of Harvard Ave.

The First Hill Neighborhood Plan does not directly address the specific project site. The Plan targets Seneca St., considered a key pedestrian street, for pedestrian scale lighting and crossing improvements.

ANALYSIS – TEMPORARY USE

SMC 23.42.040 provides that the Director may grant, deny, or condition a temporary use application for uses not permitted or not meeting development standards in the zone where the use is proposed.

SMC 23.42.040 Subsection C provides that a Master Use Permit for a period of up to six months may be authorized for any use that does not involve the erection of a permanent structure and that meets the requirements of SMC 23.42.040 A.1.a-c:

- a. The use shall not be materially detrimental to the public welfare; and
- b. The use shall not result in substantial injury to property in the vicinity; and
- c. The use shall be consistent with the spirit and purpose of the Land Use Code.

A. The use shall not be materially detrimental to the public welfare.

The City's Land Use, Housing & Building Maintenance, and Building Code are intended to protect the public welfare, including matters of health, safety, and order. The proposed parking benefits the welfare of the individuals it serves; however, it is unlikely to benefit the welfare of those individuals and property owners disinclined to use the parking facility.

Surface parking lots are not an inert or passive land use. Without adequate fencing and oversight, parking lots may attract individuals using it for purposes other than the temporary parking of vehicles, particularly during hours of least demand. Fencing and a maintenance and security oversight plan are required for operations that will mitigate potentially unintended consequences of the proposed parking lot.

B. The use shall not result in substantial injury to the property in the vicinity.

The site is surrounded by two busy streets and an alley, buffering physically and visually many of the neighboring properties from the proposed use. Proposed landscaping along Seneca Street

and Boylston Avenue will provide planting along a perimeter between the parking lot and neighboring property. The owners and the operators of the proposed parking lot shall provide a 24-hour phone number to neighboring property owners and residents to call if they have concerns about activity in the area. The temporary nature of the use limits injury to the property in the vicinity, particularly potential injury to property values. As conditioned, the proposed use will not likely result in substantial injury to the property in the vicinity.

C. The use shall be consistent with the spirit and purpose of the Land Use Code.

SMC 23.02.020 provides that the purpose of the Land Use Code is to: “protect and promote public health, safety and general welfare through a set of regulations and procedures for the use of land...” Recognizing that the Land Use Code does not authorize the use of property for principal use parking, the temporary use, as conditioned, is not entirely inconsistent with the spirit and purpose of the Land Use Code. Allowing the use for an extended period of time would be inconsistent, however, the temporary use, as conditioned, may be allowed for this six month time period.

DECISION AND CONDITIONS OF APPROVAL

The Temporary Use Application is granted subject to the following conditions. The applicant shall:

For Life of the Project

1. Vacate the parking lot within six months from the date of this decision.

Prior to Issuance of MUP

2. Provide drawings of the proposed perimeter fencing in order for DPD to evaluate its effectiveness.
3. Provide maintenance and security oversight plans to ensure the upkeep and safety of the site and the neighborhood respectively.

Signature: _____ (signature on file) Date: May 19, 2011

Bruce P. Rips, Senior Land Use Planner
Department of Planning and Development

BPR:bg

Ripsb/doc/Temporary Use/3011076 1321 Seneca St.