



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**

**Project Number:** 3012540  
**Applicant:** Rico Quirindongo for First Place School  
**Address of Proposal:** 172-20<sup>th</sup> Ave.

**SUMMARY OF PROPOSAL**

Land Use Application to allow a reduction in the number of parking spaces accessory to First Place School. 29 existing parking spaces, 0 parking spaces proposed.

The following approval is required:

**Administrative Conditional Use** – institution not meeting development standards.

**SITE AND VICINITY**

Site Location: The school building is located on the southeast corner of 20<sup>th</sup> Ave. and E. Spruce St. The existing accessory parking lot is located south of the building, on 20<sup>th</sup> Ave.

Zoning: The parking lot is zoned Lowrise 3 (LR3), while the school building is zoned Lowrise 2 (LR2).

Parcel Size: 12,800 sq. ft.

Existing Use: Private School and accessory parking. DPD is currently reviewing an application for redevelopment of the parking lot, which proposes 16 low-income multifamily units (#3010954).

A previous administrative conditional use permit (#2008336) established the school in its current location, moving from the building located immediately to the east (2017 E. Spruce St.). This permit was approved with the following conditions, applicable for the life of the project:

1. The 6 foot visual screen and landscaping along property lines will be maintained in good condition.
2. A transit information center will be established on site to encourage patrons and employees to use transit alternatives.
3. Bicycle parking will be provided.
4. The playshed will provide and maintain noise abatement in the playshed ceiling.
5. A landscape screen will be maintained in the play yard at the south property line.
6. Playground hours will be limited to Monday through Friday 8 a.m. to 6 p.m.
7. The play yards will not be open to the public at any time.
8. Perimeter gates will be locked when the facility is not open to discourage unauthorized use.

The school serves approximately 70 children, grades K-6, with approximately 20 staff members.

Public Comment: The public comment period ended on September 18, 2011. One public comment was received.

### **ANALYSIS - ADMINISTRATIVE CONDITIONAL USE**

Institutions, such as private schools, are allowed outright in multifamily zones if they meet development standards. First Place School is an existing institution which does not meet current development standards, but more relevant to this application is the proposal to eliminate required on-site accessory parking. This proposal requires approval through the administrative conditional use process pursuant to SMC 23.45.506 as the school would not meet applicable parking standards.

The DPD Director has the authority to approve, condition or deny a conditional use application. This decision shall be based on whether the proposed use will be materially detrimental to the public welfare or injurious to property. The applicable criteria used for evaluating and or conditioning the applicants' proposal are discussed below.

#### **SMC 23.45.506.C.**

Institutions other than public schools not meeting the development standards of 23.45.570, Institutions, and Major Institution uses as provided in Chapter 23.69, may be permitted subject to the following:

1. *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. 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.*

This is not applicable since no changes to the bulk and siting of the school building are proposed.

2. *Dispersion Criteria. An institution that does not meet the dispersion criteria of Section 23.45.570 may be permitted by the Director upon determination that it would not substantially worsen parking shortages, traffic safety hazards, and noise in the surrounding residential area.*

This is not applicable since the institution already exists and no expansion is proposed. There will be no affect on the location of the institution in relation to any other institutions in the area.

3. *Noise. The Director may condition the permit in order to mitigate potential noise problems. Measures the Director may require for this purpose include, but are not limited to the following: landscaping, sound barriers, fences, berms, adjustments to yards or the location of refuse storage areas, location of parking areas and access, structural design modifications, and regulating hours of use.*

Noise currently associated with on-site parking will occur on adjacent streets. The playground component of the school's program will be relocated to the Boys and Girls Club at 201 19<sup>th</sup> Ave., and existing community club. As a result of these proposed actions, existing MUP conditions #1, 4,5,6,7 and 8 are no longer applicable to the project.

4. *Transportation Plan. A transportation plan is required for proposed new institutions and for those institutions proposing to expand larger than 4,000 square feet of floor area and/or required to provide 20 or more new parking spaces. The Director may condition a permit to mitigate potential traffic and parking impacts pursuant to a Transportation Management Plan or Program as described in directors rules governing such plans or programs. The Director will determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution*

The applicant submitted a Traffic Study and Parking Utilization Study (Oct. 3, 2011) which indicates that there is adequate on-street parking capacity to accommodate the vehicles that currently park in the existing accessory parking lot. The study indicates that the school currently uses about half (13 average, 16 peak) of the 29 on-site parking spaces. There are 363 on-street parking spaces within 800 feet walking distance from the site. Current on-street parking utilization during school hours averages 77%; the City defines capacity as 85% utilization. The elimination of the school's on-site parking lot would result in an average parking utilization of 80% during school hours.

The code requires 16 parking spaces, thus the proposal to eliminate existing parking would not meet this development standard. Off-site parking for First Place staff is proposed at a nearby church (Tolliver Temple, 1915 E. Fir St.) during construction of the apartment building in order to alleviate the temporary combined impacts of the construction workers and loss of school parking. Conditions #2 and 3 from MUP 2008336 cited above are still appropriate, and are intended to discourage the use of single occupant vehicles and reduce parking demand. In the long term, the applicant proposes to use on-street parking; no other parking mitigation is proposed.

**23.42.042 - Conditional uses**

- A. *Administrative conditional uses and uses requiring Council approval as provided in the respective zones of Subtitle III, Part 2, of this Land Use Code, and applicable provisions of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, may be authorized according to the procedures set forth in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.*
- B. *In authorizing a conditional use, the Director or City Council may impose conditions to mitigate adverse impacts on the public interest and other properties in the zone or vicinity.*

Conditions to address the potential adverse impacts associated with the removal of on-site parking are found at the end of this report.

- C. *The Director may deny or recommend denial of a conditional use if the Director determines that adverse impacts cannot be mitigated satisfactorily, or that the proposed use is materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

The proposal can be approved because adverse impacts are minimal (on-street parking capacity is adequate to accommodate the spillover), and the proposal is not materially detrimental or injurious to property in the vicinity.

- D. *A use that was legally established but that is now permitted only as a conditional use is not a nonconforming use and will be regulated as if a conditional use approval had earlier been granted.*

Not applicable.

- E. *Any authorized conditional use that has been discontinued may not be re-established or recommenced except pursuant to a new conditional use permit. The following will constitute conclusive evidence that the conditional use has been discontinued:*

1. *A permit to change the use of the lot has been issued and the new use has been established; or*
2. *The lot has not been used for the purpose authorized by the conditional use for more than 24 consecutive months. Lots that are vacant, or that are used only for storage of materials or equipment, will not be considered as being used for the purpose authorized by the conditional use. The expiration or revocation of business or other licenses necessary for the conditional use will suffice as evidence that the lot is not being used as authorized by the conditional use. A conditional use in a multifamily structure or a multi-tenant commercial structure will not be considered discontinued unless all portions of the structure are either vacant or committed to another use.*

Not applicable.

