



## 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:** 3014032  
**Application Name:** David Lee  
**Address of Proposal:** 2400 11<sup>th</sup> Ave E

#### SUMMARY OF PROPOSED ACTION

Land Use Application to allow food processing use (catering) for up to six months within Seattle Preparatory school building.

The following approval is required:

**Temporary Use Permit** – Chapter 23.42.040

#### BACKGROUND INFORMATION

Site Location: The property is located south of East Interlaken Boulevard and Delmar Drive East, north of East Miller Street, east of 11th Avenue East and west of East Interlaken Boulevard.

Zoning: The site is zoned Single Family 5000. Properties surrounding the subject site are also zoned Single Family 5000.

Parcel Size: Approximately 3.45 acres (upper campus).

Existing Use: Institution (Seattle Preparatory School).



#### PUBLIC COMMENT

The public comment period ended October, 17 2012, after a 14-day extension. No written comments were received.

## ANALYSIS

Pacific Northwest Catering has been contracted to provide meals to Seattle Preparatory School student and staff for about three years. The food for the school is prepared in the on campus kitchen and served in the cafeteria. This is a permitted use as it is accessory to the school use.

The company has also been using the kitchen to prepare food for non school related event off campus, as part of its catering business. The Land Use Code defines this use as Food Processing. This is a use that is not permitted in residential zones.

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.**

According to information supplied by the applicant, Pacific Northwest Catering prepares and delivers food to off-site events up to two to four times a week, although sometimes less often. Catering events may be for breakfast, lunch or dinner and occur during the week, on weekends or holidays. An additional two to four staff members beyond what is required to service the school may be involved in the catering operation. Food is transported by two or three vans. The vendor trucks that make deliveries of items for the school cafeteria use typically also deliver the items that will be used for the catered events.

Catering kitchens and operations are not permitted in Single Family zones; however the amount and scale of the events being catered by Pacific Northwest Catering is relatively small, occurs within an enclosed building on an institutional campus and is somewhat isolated from single family uses in the vicinity. Therefore, the proposal is not materially detrimental to the public welfare.

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

The vendor food deliveries and loading and unloading of the vans happen through the doors at the western end of Peyton Hall, into the kitchen. Given the area topography, this section of the facility is lower in elevation than the single family residences across 11<sup>th</sup> Ave E. Also, trees and landscaping partially screen the loading area. The driveway entry into the site occurs a little over 100 feet off of Delmar Drive East. Perhaps four to five residences would be aware of the movement of the catering vans.

Catering kitchens and operations are not permitted in Single Family zones; given the circumstances described, The movement of vans and other operational activities associated with Pacific Northwest Catering would not result in substantial injury to 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 food processing in residential zones, the temporary use process provides flexibility for such uses based on an assessment of potential impacts on the neighboring residents as well as the public welfare. The proposal is conditioned to minimize potential impacts. Thus, the proposal may be approved as a temporary use meeting the applicable criteria, consistent with the spirit and purpose of the Land Use Code.

**IV. DECISION AND CONDITIONS OF APPROVAL**

The temporary use application is granted subject to the following conditions:

For Life of the Project

1. All catering (food processing) uses at Seattle Preparatory School shall cease after this temporary use permit expires.
2. Hours of deliveries for items used for catering uses shall be limited to non-holiday weekdays from 7am to 6pm.

Signature: \_\_\_\_\_ (signature on file) Date: December 10, 2012  
Beth Hartwick, Senior Land Use Planner  
Department of Planning and Development

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