



City of Seattle

Department of Planning & Development

Diane M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3014110
Applicant Name: Steve Southerland
Address of Proposal: 2728 NE 100th St.

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a 2,166 sq. ft. expansion of an existing institution (Seattle Waldorf School) in an environmentally critical area. Project includes interior alterations. No change in parking.

The following approvals are required:

Administrative Conditional Use - To allow expansion of an institution in a single family zone.

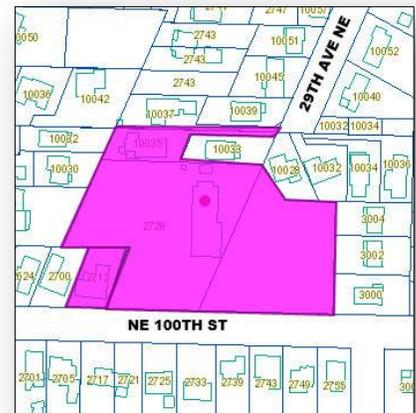
SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

- SEPA DETERMINATION [] Exempt [X] 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 subject site is located in the Meadowbrook neighborhood of Northeast Seattle. The existing Seattle Waldorf School is located on NE 100th St., east of Ravenna Ave NE. The vacated 29th Ave NE right-of-way runs through the campus. The existing campus is 131,620 sq. ft. and is zoned Single Family (SF 7200). The surrounding properties are also zoned SF 7200 and are developed with single family homes.



Proposal Description

The proposal consists of renovation of an existing 14,460 sq.ft. two story classroom building and the construction of additions totaling 2,166 sq.ft. Project includes changes to the entry walk, landscaping and plaza as well as possible changes to the building's color.

No changes to the number of students or staff are anticipated as a result of this proposal. No changes to the amount of traffic or parking required are anticipated.

Expansion of an institution in a single family zone requires administrative conditional use approval. The existing campus is located 398 feet from the nearest institution (Maple Leaf Lutheran Church, located at the corner of NE 100th St. and 32nd Ave. NE). Due to the presence of environmentally critical areas on-site, environmental review under Seattle's SEPA ordinance is also required.

Public Notice and Comment Period

The extended public comment period for this project ended on January 16, 2013. The Land Use Application information is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000¹.

ANALYSIS – ADMINISTRATIVE CONDITIONAL USES

SMC 23.44.018 and SMC 23.44.22 provide that the Director may approve, condition, or deny an application for an administrative conditional use. The Director's decision shall be based on a determination 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 following criteria were used to evaluate the proposal:

SMC 23.44.022.D .1. General Provisions. *New or expanding institutions in single-family zones shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution master plan.*

SMC 23.44.008 Permitted Use. Per 23.44.022.A, Institutions (including private schools) are permitted as conditional uses in single family zones.

SMC 23.44.010 Lot Size. The 131,620 square-foot lot area exceeds the minimum lot area of 7,200 square feet for the zone. The project as proposed would not exceed the lot coverage limits for the single family zoned lot. A maximum of 35 percent lot coverage is permitted and about 12.4 percent lot coverage is proposed.

SMC 23.44.012 Height. The subject structures are below the maximum height limit for the zone.

SMC 23.44.013 Transportation Concurrency Level of Service. This project is exempt from the requirement for Transportation Concurrency Review, per SMC 23.52.002.

¹ <http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>

SMC 23.44.014 Yards. In single family zones, yard requirements for institutions are the same as for uses permitted outright provided that no structure other than freestanding walls, fences, bulkheads or similar structures shall be closer than ten feet to the side lot line, per SMC 23.44.022K.2.

The existing and proposed structures are not changing their location relative to property lines.

SMC 23,44.016 Parking. Parking for the project is based on the area used for public assembly. One parking stall is required for each 80 square feet of assembly area and twenty-one spaces are required for the project. Fifty-four spaces are provided.

SMC 23.44.022.D.3. Expansion. Per this code section, the campus of an institution may expand on property developed with residential structures, up to 2.5 acres. A previous application/decision has resulted in the institution's boundary being expanded to an area of 3.02 acres².

SMC 23.44.022.E. Dispersion. Seattle Municipal Code requires that the lot line of a new or expanding institution be located 600 feet or more from other institutions in a residential zone.

The Waldorf School is located 398 feet away from a church to the southeast. An institution which does not meet the dispersion criteria of Section 23.44.022.E may be located less than 600 feet from a lot line of another institution if the Director determines that the intent of the dispersion criteria 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 applicant was granted a variance from this requirement under Master Use Permit 3011716, 12/22/2011.

SMC 23.44.022.F. Demolition of residential structures. This section, does not apply to this application.

SMC 23.44.022.G. Reuse of existing structures. This section, does not apply to this application.

SMC 23.44.022.H. Noise. In order to mitigate identified noise impacts, the Director may require measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yard or parking development standards, design modifications, setting hours of operation for facilities or other similar measures. The City's Noise Ordinance Chapter 25.08 sets standards for sending and receiving noise levels depending on the zoning of the subject properties. Permissible noise levels are further reduced between the hours of 10 p.m. and 7 a.m. weekdays and 10 p.m. and 9 a.m. on weekends.

Existing noise levels anticipated by the applicant will be reduced as a result of the proposal (including voices and sounds associated with outdoor activities). The children's outdoor play areas are located to the center of the campus. Six (6) foot solid wood fences have been constructed along the north and east property lines, existing landscaping will be retained and additional plantings will be added.

² See MUP 3011716, 12/22/2011.

SMC 23.44.022.I . Landscaping. Landscaping is required to integrate the institution with adjacent areas and reduce the appearance of bulk. The existing campus is heavily landscaped. The existing structure was built as a single family residence and has existing landscaping consistent with that use. The existing landscaping will be retained, new fences will be constructed along the north and east property lines, and additional landscaping will be added along the fence lines. The landscaping will be required to be maintained for the life of the project. No additional mitigation is warranted or required.

SMC 23.44.022.J. Light and Glare. No additional lighting is proposed.

SMC 23.44.022.K. Bulk and Siting. On lots larger than one acre, the Director may require changes in the location of the principal structure to minimize changes in existing development patterns. Yard standards may also be modified under this section, as noted above. Facades in excess of 30 feet may be required to provide mitigation, including design features or landscaping.

The proposed structures are designed, sited and landscaped consistent with the use. The existing landscaping will be retained, fences will be retained, and additional landscaping installed. The landscaping will be required to be maintained for the life of the project. No further mitigation is warranted is warranted or required.

SMC 23.44.022.L. Parking. Per Seattle Land Use Code (SMC 23.54), the parking requirement for private schools is based on the area of the public assembly area. Twenty-one parking spaces are required; 54 are provided.

SMC 23.44.022.M. Transportation Plan. A transportation plan is required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of structure area or providing 20 or more parking spaces. This criterion does not apply to the proposal since the expansion is less than 4,000 square feet.

SMC 23.44.022.N. Institutes for Advanced Study. This criterion also doesn't apply since the proposal is not an Institute for Advanced Study.

DECISION – ADMINISTRATIVE CONDITIONAL USE

Based on the forgoing review and analysis and as conditioned by this Decision, the proposal will satisfy all relevant requirements of SMC Sections 23.44.022 governing an Administrative Conditional Use in a single family zone. The Administrative Conditional Use Permit to allow expansion of this religious institution is **CONDITIONALLY GRANTED**. As conditioned, the proposal is not expected to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the Institution is located.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area, as noted above. Proposals located in landslide prone areas (i.e. known landslide areas, potential landslide areas, and steep slopes), wetlands, and fish and wildlife habitat conservation areas may require environmental review (SMC 25.05.908), thus this application is not exempt from SEPA review. However, the scope of environmental review of projects within these critical areas is limited to: 1)

documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle 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. The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file and any pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and Regulations for Environmentally Critical Areas (SMC 25.09).

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and 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 and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Short-term Impacts

Construction associated with the proposal is limited to interior alteration, exterior additions, and added landscaping. The following temporary or construction-related impacts on the environmentally critical area are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

No additional conditioning is warranted pursuant to SEPA policies.

Long Term Impacts

As described above, construction associated with the proposal is minimal, with an increase in impervious surface proposed. The exterior additions are not located in an environmentally critical area. Therefore, no long-term impacts on the environmentally critical areas are anticipated as a result of the project.

No additional conditioning is warranted pursuant to SEPA policies.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – ADMINISTRATIVE CONDITIONAL USE

For the Life of the Project

1. Landscaping, as shown on the approved plans, shall be retained and maintained.

CONDITIONS – SEPA

None.

Signature: (signature on file)
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

Date: February 21, 2013