



City of Seattle
Edward B. Murray, Mayor

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: 3014560
Applicant Name: Brian Herrin, for Church of Jesus Christ Latter Day Saints
Address of Proposal: 130 N 132nd St

SUMMARY OF PROPOSAL

Land Use Application to expand an existing religious institution (Church of Jesus Christ Latter Day Saints), demolish a single family residence, and establish 20 accessory parking spaces.

The following approvals are required:

- Administrative Conditional Use** – to allow expansion of an institution (religious facility) (SMC23.44.022)
- Variance** – to allow for demolition of housing (SMC23.40.006)
- Variance** – to allow for not meeting dispersion requirements (SMC23.44.022.E)
- Variance** – to allow for demolition of a residential structure (SMC23.44.022.F)

SITE AND VICINITY

Site Location: The institution property is located at the corner of N 132nd St and 1st Ave NW, one block west of Greenwood Ave N. The area of the proposed parking is located midblock along N 132nd St between 1st Ave NW and Greenwood Ave N.

Zoning: The institution property is mostly zoned Single Family 7200 (SF 7200) with a portion at the northeast corner in a Lowrise 3 (LR3) zone. The area of the proposed parking is located within the SF 7200 zone.



Parcel Size: The existing institution property is approx. 93,694 sq. ft. The size of the parcel that is proposed to be developed with parking is approximately 8,100 square feet.

Existing Use and Site: The existing use on the parcel to be developed with parking is a single family residence.

The parcel to be developed includes several existing trees. Two trees are Exceptional Trees: a 37" diameter Douglas fir tree near the southwest corner of the parcel and a 31" diameter Douglas fir near the northwest corner of the parcel. Three trees do not meet Exceptional Tree thresholds: a 29" Douglas fir, a 24.5" Douglas fir, and a 16" Willow tree are located near the north edge of the parcel. One tree (22" diameter Western Red cedar) is located in the public right of way and is therefore reviewed by Seattle Department of Transportation.

Description of Proposal: The institution purchased an 8,100 sq. ft. parcel that abuts a portion of the existing institution's east and south property lines. The existing single-story single family residence was built in 1948. The applicant states that the existing residence has been unoccupied for over 11 years.

The proposal is to demolish the existing residence and develop the site with 20 angled parking spaces, accessed via a 15' one-way curb cut from N. 132nd St and connected to the existing institution's parking lot. Vehicles would exit the parking through the existing surface parking for the institution. The vehicles would then exit the site from existing curb cuts on N. 132nd St or 1st Ave NW. The plans show a new sidewalk and curb along the 60' street frontage of the parcel at N. 132nd St.

The two Exceptional Trees located at the southwest and northwest corners of the parcel will be retained and must be protected during any site work. Two others trees, a 29" Douglas Fir and a 24.5" Douglas Fir, located near the north edge of the parcel will be retained. A 16" willow tree near the northwest corner of the parcel is proposed to be removed.

The applicant also proposes to remove the existing street tree in the public right of way at N. 132nd St. Removal of that tree requires separate review and approval by Seattle Department of Transportation.

The proposed parking will be setback 20' from the street facing lot line at N. 132nd St, as the Land Use Code does not allow parking within the required 20' front yard setbacks in single family zones. These non-paved areas will be landscaped as will an approx. 7.5 foot buffer along the east lot line.

Public Comment: The public comment period ended on July 29, 2015. Comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to parking, traffic, visual impacts, trees, and landscaping. Comments were also received that are beyond the scope of this review and analysis per SMC 23.40.020 and 23.44.022.

I. ANALYSIS - ADMINISTRATIVE CONDITIONAL USE (SMC 23.44.022)

The Land Use Code allows the expansion of existing institutions in residential zones through the administrative conditional use process. This proposal is to allow the lot lines of an existing religious facility to expand by demolishing a single family house to provide additional parking area for the facility.

Expansion of a religious facility is allowed in a single family zone through an administrative conditional use approval. 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.

D. General Provisions

New or expanding institutions in single family zones shall meet the development standards for uses permitted outright in Section 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution Master Plan.

The plans submitted for the additional parking meet applicable development standards detailed in Section 23.44.008 through 23.44.016.

E. Dispersion

The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred feet (600') or more from any lot line of any other institution in a residential zone, with certain exceptions.

- b. A proposed institution may be located less than six hundred (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 existing institutional boundaries are expanding with this proposal, so this criterion applies. Two institutions are located within 600' of the subject property and proposed expansion.

An elementary school is located on the east side of Greenwood Ave N., approximately 440 feet from the closest point of the subject property. The existing situation doesn't conform to the dispersion requirement, but the separation is legally non-conforming. With the proposed expansion, the two institutions will be 370 feet apart, increasing the non-conformity.

Greenwood Ave N. is a busy arterial, and the public school experiences peak parking and traffic during weekdays. The arterial separates the subject property from the school institution, which serves to provide the intent of dispersion between these institutions. The school's hours of operation are opposite those of the institutions, which helps to further reduce any impacts from reduced dispersion.

Another institution, the Luther Memorial Evangelical church, is located across N 132nd St from the subject property in a Lowrise 3 residential zone. The existing institution boundary is approximately 80 feet from the Luther Memorial Evangelical church property at the closest point. The existing situation doesn't conform to the dispersion requirement, but the separation is legally non-conforming since the two institutions existed prior to the Land Use Code requirement for dispersion. With the proposed expansion, the two institutions will be 60 feet apart, increasing the non-conformity.

The site topography is relatively flat, N. 132nd St is not an arterial, and there are no physical elements to provide substantial separation from the institution across the street to the south and achieve the intent for dispersion.

Therefore the proposal does not meet the criterion for dispersion from the institution to the south. A variance is required for the dispersion between the subject property and the institution across the street to the south.

F. Demolition of Residential Structures

No residential structure shall be demolished nor shall its use be changed to provide for parking. This prohibition may be waived if the demolition or change of use proposed is necessary to meet the parking requirements of this Land Use Code and if alternative locations would have greater noise, odor, light and glare or traffic impacts on surrounding property in residential use. If the demolition or change of use is proposed for required parking, the Director may consider waiver of parking requirements in order to preserve the residential structure and/or use. The waiver may include, but is not limited to, a reduction in the number of required parking spaces and a waiver of parking development standards such as location or screening.

Demolition of a residential structure to provide area for parking is proposed, so this criterion applies.

According to the plans provided by the applicant 158 spaces are required by Code. 158 parking spaces are currently provided on site. If there were less than 158 parking spaces, that deficit would be allowed to continue per Land Use Code minimum parking requirements and exceptions.

The proposal does not meet this criterion. The proposal also doesn't meet the related exceptions to allow demolition of housing for surface parking, described in SMC 23.44.006.

Therefore, a variance is required to allow demolition of the existing residential structure to add non Code-required parking.

G. Reuse of Existing Structures

Existing structures may be converted to institution use if the yard requirements for institutions are met.

The proposal does not include reuse of an existing structure; therefore, this criterion is not applicable.

H. Noise and Odors

For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational area, trash and refuse storage areas, ventilating mechanisms, sport facilities, and other noise generating and odor-generating equipment, fixtures or facilities. The institution shall be designed and operated in compliance with the Noise Ordinance, Chapter 25.08.

The proposed parking will be adjacent to the condo development to the east which could create some noise impacts to the neighboring residences. The applicant has stated that the parking lot will be used on Sundays between the hours of 8am and 5pm, which will reduce overall noise impacts to the adjacent property.

The paved parking area and curb will start approx. 7.5 feet from the east property line. There is currently a thick laurel hedge on the subject property along a portion of the east property line that abuts the condo property. The Master Use Permit application plans show that additional laurel plants will be installed for most of the remainder of the shared property line. The existing and proposed landscaping will be located in the approximately 7.5 foot buffer area.

There are no outdoor recreation areas, trash and refuse storage areas, ventilation mechanisms, sport facilities or other noise or odor generating equipment, fixtures, or facilities proposed with this application.

Given the landscaped buffer and the limited use of the parking area, additional mitigation of noise and odors is not warranted.

I. Landscaping

Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive stormwater runoff, screen parking from adjacent residentially zoned lots or streets or to reduce the appearance of bulk of the institution.

As noted above, an existing thick laurel hedge will be retained along a portion of the east property line that abuts the condo property. The plans show that additional laurel plants will be installed for the most of the remainder of the shared property line. The existing and proposed landscaping will be located in the approximately 7.5 foot buffer area.

Two Exceptional Trees at the northwest and southwest corners of the parcel are to be preserved. Another tree located at the northeast corner of the lot will also be preserved. The areas around the tree trunks will be landscaped at all four corners of the parcel.

The areas on either side of the driveway between the street lot line and parking area will be landscaped.

The proposed tree retention, retention of the laurel hedge, and the additional proposed planting will sufficiently screen the parking from adjacent residentially zoned lots and streets. The Administrative Conditional Use decision is conditioned to include these items.

J. Light and Glare

Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots.

The plans do not show any proposed lighting. The Administrative Conditional Use decision is conditioned to require that any lighting related to the parking lot will be required to be shielded and directed away from residentially zoned lots.

K. Bulk and Siting

1. *Lot Area. If the proposed site is more than one (1) acre in size, the Director may require the following and similar development standards:*
 - a. *For lots with unusual configuration or uneven boundaries, the proposed principal structures be located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum.*
 - b. *For lots with large street frontage in relationship to their size, the proposed institution reflect design and architectural features associated with adjacent residentially zoned block faces in order to provide continuity of the block front and to integrate the proposed structures with residential structures and uses in the immediate area.*

The proposed institution lot area is approximately 2.34 acres in size, but the proposal does not include changes to the existing principle structure, therefore these criteria do not apply.

2. *Yards. Yards of institutions shall be as required for uses permitted outright pursuant to Section 23.44.014, provided that no structure other than freestanding walls, fences, bulkheads or similar structures shall be closer than 10 feet to the side lot line. If the Director finds that a reduced setback will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the structure in relation to nearby buildings, the sideyard setback may be reduced to 5 feet. Fences and freestanding walls of utility services uses, regulated under this Section 23.44.022 pursuant to Section 23.51A.002, shall be set back from the street lot line a minimum of 10 feet, and landscaping shall be provided between the fence or wall and the right-of-way. The Director may reduce this setback after finding that the reduced setback will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the fence, wall, or structure in relation to nearby buildings. Acceptable methods to reduce fence or wall impacts include changes in the height, design or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features to provide visual interest facing the street lot line. Fences and walls may obstruct or allow views to the interior of a site. Where site dimensions and conditions allow, applicants are encouraged to provide both a landscaped setback between the fence or wall and the right-of-way, and a fence or wall that provides visual interest facing the street lot line, through the height, design or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features.*

The proposal meets yard requirements and is not proposing any fences; therefore this criterion does not apply.

3. *Height Limit. A religious symbol and that portion of the roof supporting it, including but not limited to a belfry or spire, may be extended an additional twenty-five feet (25') above the height limit.*

The proposal does not include the addition of any structures, aside from the surface parking area; therefore this criterion does not apply.

4. *Facade Scale. If any facade of a new or expanding institution exceeds thirty feet (30') in length, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of the bulk. Design features which may be required include, but are not limited to, modulation, architectural features, landscaping or increased yards.*

The proposal is not expanding a facade; therefore this criterion does not apply.

L. Parking and Loading Berth Requirements

SMC 23.44.022.L provides that the Director may modify the parking and loading requirements of Section 23.54.15, required parking, and the requirements of Section 23.44.016, parking location and access, on a case by case basis using the information contained in the transportation plan prepared pursuant to Subsection M of this section.

The proposal is to provide 20 additional parking spaces. Providing parking does not trigger the need for parking or loading berth requirements that this Code section addresses; therefore this criterion does not apply.

M. Transportation Plan

A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of the structure area and/or required to provide twenty (20) or more spaces.

The proposed parking is not required due to expansion and no building expansion is proposed, so a transportation plan is not required.

The applicant submitted a summary of the use of the existing institution facility. As the institution has no daytime or professional workers on the site there is no consistent weekday traffic impact on the neighborhood. The site is used for small evening weekday meetings and seminars for high school children on weekday mornings before school.

The applicant stated that the facility is heavily used on Sundays. Three different services are held, each with an attendance of 200 members. The services overlap, creating the need for parking area to accommodate two services at the same time. By the institution's calculations, there is a demand for approximately 240 parking stalls. The plans show 158 existing parking spaces on site. This would create a need for an additional 82 stalls to meet the institution's estimated peak parking demand. The applicant noted that on two to three Sundays a month the members use an 'extensive' amount of off-site street parking to facilitate parking.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The Director has determined that the proposal will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located. The conditional use application is **Conditionally Granted**, subject to the conditions listed at the end of this decision.

II. ANALYSIS – VARIANCE (SMC 23.40.020)

A. *Variances may be sought from the provisions of Subtitle III, Divisions 2, 3 and 4 of this the Land Use Code, except for the establishment of a use that is otherwise not permitted in the zone in which it is proposed, for a structure height in excess of that shown on the Official Land Use Map [3] or in excess of a height limit established Chapter 23.75, from the provisions of subsection 23.55.014.A, or from the provisions of Chapters 23.52 and 23.58A.*

The proposal does not meet the Administrative Conditional Use criteria for dispersion (**SMC 23.44.022**). Therefore, a variance is required for dispersion.

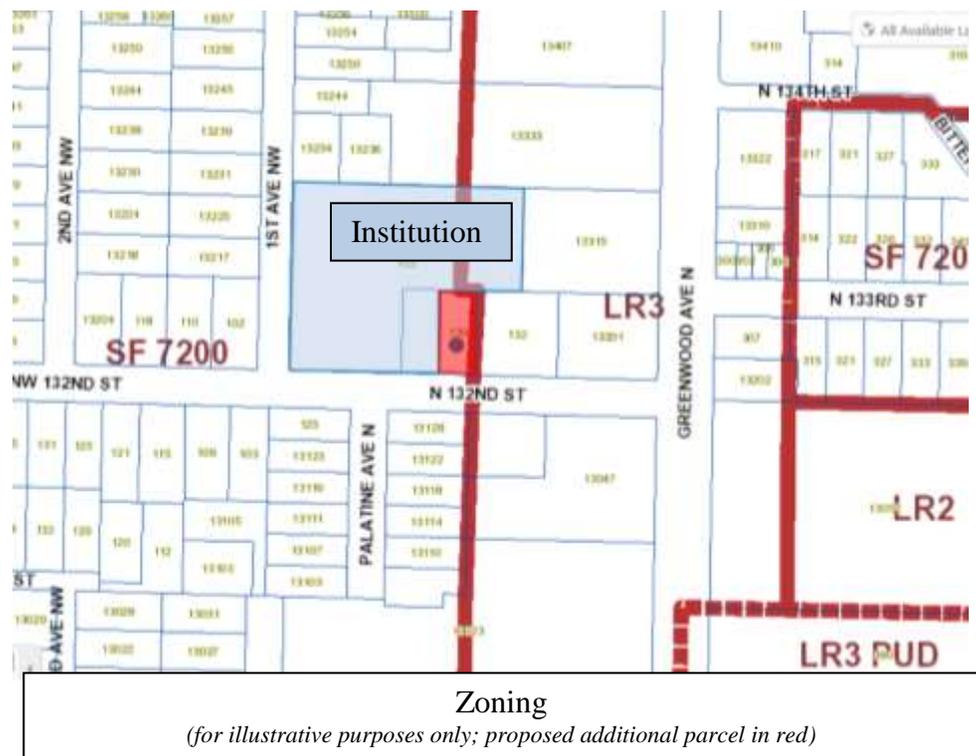
The proposal does not meet the criteria to allow demolition of a residence to construct non Code-require parking, as described in **SMC 23.44.022.F** and **23.40.006**. Therefore, a variance is required to allow demolition of the residence to construct the proposed parking.

C. *Variances from the provisions or requirements of this Land Use Code shall be authorized when all the facts and conditions listed below are found to exist:*

1. *Because of unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity; and*

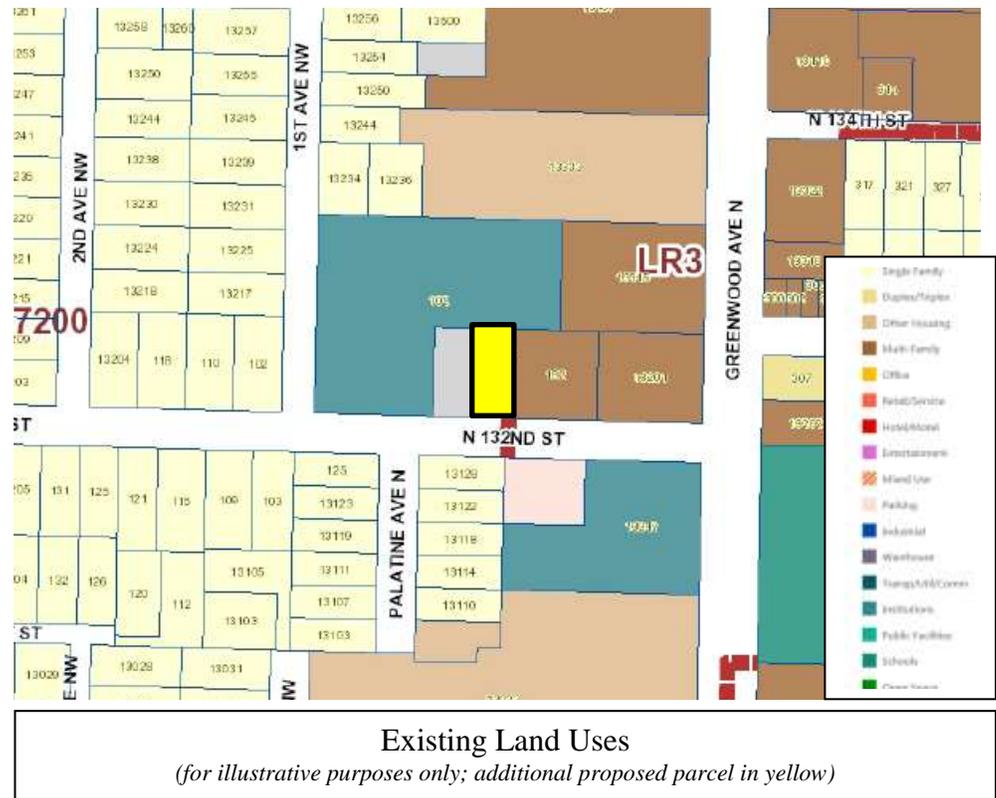
The existing site of the religious facility is not unusual in size, shape, or topography, compared with similar religious institutions in single family zones.

The site is unusual in that the zoning pattern on the north side of N. 132nd St doesn't appear to match the land use pattern, which includes two large institutions that have been in place for over 50 years. The zoning pattern shows multi-family zoning (LR3) immediately to the east, with Single Family (SF 7200) zoning at the subject properties and to the west.



The uses on the north side of N. 132nd St include multi-family uses in the LR3 zone. The single family zoned portion of the block face includes one single family residence lot, with a large religious institution lot occupying the remainder of the block face and extending up to the north.

The parcel is also across the street from another institution (Lutheran church). The location of two religious institutions across the street from each other with non-conforming dispersion is also unusual.



Existing Land Uses
(for illustrative purposes only; additional proposed parcel in yellow)

Variance from dispersion: According to King County records the subject property institution was constructed in 1962 and the Lutheran church across 132nd St was built in 1957. Current Land Use Code requirements do not allow new or expanding religious institutions to be located within 600 feet of each other unless separated by major physical elements, arterials or non-residential uses which provide significant separation. The institutions are now approximately 78’ apart at the closest lot lines; with the expansion they would be 60’ apart. At the time these institutions were constructed, this Land Use Code requirement was not in place.

The location of the additional parcel creates a lot line that is even closer to the adjacent institution than the existing non-conforming dispersion requirement, requiring a variance for approval. The unusual existing non-conforming dispersion was not created by the applicant or owner. The legal non-conformance was created when the Land Use Code criteria for dispersion first applied to this existing built condition.

Strict application of the Land Use Code would prevent the addition of surface parking at this site, since the parking would be located on the additional parcel. The existing institution structure and parking occupy nearly the entire existing lot, leaving very little room to add surface parking stalls. The additional proposed parking will help to reduce the demand for on-street parking and the impacts to nearby residents and businesses.

Variance from demolition of a residence, or structure containing a dwelling unit for non-Code required parking: The current use at the site of the proposed parking is a single family residential structure surrounded by the institution on the north and west sides and abutting an LR3 zoned parcel which is developed with a four-story apartment building on the east side.

Another institution is located across the street to the south. According to the applicant the house has been vacant for many years.

The Land Use code does not encourage removing residential units for parking. A variance is required for two different Code sections that prohibit demolition of residential units for expansion of non-Code required parking (SMC 23.40.006 and 23.44.022.F). The Code only allows removal of a residence or structures containing a dwelling unit in certain situations, none of which are relevant to this situation. However, the lot and residence are separated from other single family residences by institutional and multi-family uses and the residence has been unoccupied for years. Demolition of the unit would not displace any occupants. Given these reasons, demolition of the residence should be considered.

As described in the earlier analysis, the existing pattern of surrounding uses and the incongruity with the zoning pattern and permitted uses for each zone were not created by the applicant or owner of the institution. The zoning that applies to this block is not reflected in the adjacent uses, as described above. The strict application of the Land Use Code would prevent the addition of surface parking at this site, since the parking would be located on the additional parcel. As noted in earlier responses, the existing institution structure and parking occupy nearly the entire existing lot, so there are no other locations where parking could be placed on the existing institution. The additional proposed parking will help to reduce the demand for on-street parking.

SMC 23.40.006 provides allowances to demolish residential structures for Land Use Code required parking. While the proposed parking is not required by Code, the applicant has demonstrated spillover parking at peak times for this institution. The inclusion of parking at this site will benefit both the institution and the nearby uses. The residence proposed for demolition has been vacant for 11 years and granting this variance will not result in displacement of any residents.

Strict application of the Land Use Code would prevent the addition of parking at this site, which would result in retention of a long-vacant residential structure and increased on-street parking impacts to nearby residents and businesses.

2. *The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located; and*

The applicant has stated that services would be offered three times on Sunday to accommodate the congregation. According to the materials submitted by the applicant the services are about three hours long with the first hour in the sanctuary and the next two in classrooms. There is an overlap of the different services, as the services are designed so that when the congregants of the earlier services are in the classrooms, the next service will begin with its congregants in the sanctuary. It is this overlapping of services that creates the demand for more parking than would normally be required for a facility of this size. The applicant estimates a peak parking demand of 240 parking spaces. The Land Use Code requirement for this size of institution is 158 parking spaces. The site currently contains 158 parking spaces. The proposal would bring the total parking spaces to 184.

The proposed amount of parking exceeds the minimum Land Use Code requirement. However, as noted in earlier analysis, the spillover parking on Sundays from the existing institution creates impacts to nearby residents and businesses. Granting the variance would reduce existing impacts to those nearby residents and businesses.

Variance from dispersion: The proposal would allow reduced dispersion from the institution across the street to the south (reduced from approximately 80 feet to approximately 60 feet apart). The reduced dispersion is to allow for increased parking capacity on site with no additional increase in the size of the other structures. This change should reduce existing parking impacts to the nearby residents and businesses. The purpose of dispersion is to minimize institutional impacts in one geographic area. The proposed variance would meet the intent of dispersion. The proposed reduction in dispersion is minimal and will afford relief from spillover parking to the adjacent streets.

Variance from demolition of a residence, or structure containing a dwelling unit for non-Code required parking: The demolition of a long vacant residential structure would also be the minimum necessary to afford relief to increase the parking capacity on-site and reduce parking spillover impacts to nearby residents and businesses.

Other institutions in exactly the same vicinity and zone with similar parking impacts and land use patterns should be granted the same consideration. Thus allowing the demolition of the single family residence for non-required parking is not a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located.

3. *The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located; and*

The site of the proposed parking is an isolated single family residential structure surrounded by the institution on two sides and abutting an LR3 zoned parcel which is developed with a four-story apartment building. According to the applicant the house has been vacant for many years.

Variance from dispersion: The proposal would allow reduced dispersion from the institution across the street to the south (reduced from approximately 80 feet to approximately 60 feet apart). The reduced dispersion is to allow for increased parking capacity on site with no additional increase in the size of the other structures. This change should reduce existing parking impacts to the nearby residents and businesses.

It may be assumed that the dispersion requirement is meant to provide relief from the activities and parking demand of institutions in single family zones. The proposed expansion of this proposal is not adding square footage to the facility. The proposed expansion would provide space for additional on-site parking, therefore reducing the demand on nearby on-street parking.

Variance from demolition of a residence, or structure containing a dwelling unit for non-Code required parking: The site is proposed to retain 4 large trees and extend an existing landscape buffer along the property line with the apartment building to the east. The residence is currently vacant which the applicant has stated creates safety concerns with vagrancy and squatting. The infrequently used landscaped parking lot with clear sight lines may be less detrimental to the public welfare. The proposed landscaping at all four corners of the new parking area, the retention of mature and Exceptional trees, and the expanded landscape buffer at the east edge of the parking area will help to visually screen the parking.

Thus reducing the dispersion to 60 feet and demolishing the existing residence to provide parking to reduce spillover parking to adjacent streets would not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located.

4. *The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties; and*

Variance from dispersion: This institution and the Lutheran facilities were both operational by the early 1960s, prior to the requirement for institutional dispersion in this area. At that time it is unlikely there was a dispersion requirement in the Land Use Code. Literal interpretation and strict application of the dispersion requirement would prevent the ability to expand the existing parking and reduce parking spillover impacts to nearby properties, since nearly all the institution lot area is occupied by structure or surface parking.

Variance from demolition of a residence, or structure containing a dwelling unit for non-Code required parking: As noted above, the site of the proposed single-family residence is an isolated lot with a vacated house, surrounded by institutional and multi-family uses. Demolishing the house to provide parking will allow for twenty less vehicles on the streets on Sundays when the institution is operational and will reduce institutional parking impacts to nearby residents and businesses. Provision of additional surface parking is not feasible on the existing lot, which is nearly entirely occupied by existing structures and surface parking. The literal interpretation and strict application of these Code requirements would therefore prevent the ability to expand the existing parking. The result would be parking spillover impacts to nearby properties, and reduced ability to serve the existing institution's patrons.

5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.*

The Land Use Code provides for a variance process for relief from unusual conditions and situations that the rules of the Code could not anticipate. At the same time, the spirit and intent of the Land Use Code and Land Use regulations is to provide development compatible with land development patterns and existing neighborhood character.

Variance from dispersion: The intent of the dispersion requirement is to reduce the net impacts of institutions on residential uses in residential zones. The provision of additional parking will reduce the existing impacts of spillover parking on nearby residential uses. The proposal meets the spirit and purpose of the Land Use Code requirement for dispersion.

Variance from demolition of a residence, or structure containing a dwelling unit for non-Code required parking: The proposed project to demolish an isolated vacated single-family residence to allow for 20 parking spaces for a religious institution may also be considered consistent with the spirit and purpose of the Land Use Code and adopted Land Use Comprehensive Policies as applicable, to provide additional parking capacity and reduce parking impacts on nearby residential uses in the residential zone.

E. When a variance is authorized, conditions may be attached regarding the location, character and other features of a proposed structure or use as may be deemed necessary to carry out the spirit and purpose of this Land Use Code.

The proposed Laurel hedge along the east property line serves to effectively buffer the proposed surface parking impacts to the adjacent residential building, as described in the analysis above. Retention of the two Exceptional Trees and two other mature trees serves to visually screen the proposed surface parking, as described in the analysis above. Exterior light fixtures were not proposed with the surface parking, but any exterior light fixtures should be shielded to avoid light spillage to the adjacent residential building to the east.

Therefore, three conditions are attached to this variance decision, related to the variance to demolish the existing residence to provide non Code-required parking:

1. Maintain the existing and proposed laurel hedge or similar landscaping along the east property line with the abutting LR3 zoned parcel;
2. Maintain and protect the two Exceptional Douglas fir trees and two Douglas fir trees, unless they are verified by DPD as hazard trees; and
3. If lighting is to be provided it must be designed so no spillover or glare will affect the abutting apartment building to the east.

DECISION – VARIANCE

Based on the above findings and analysis all of the facts and conditions stated in the numbered criteria of SMC 23.40.020, *Variances*, are found to exist. The requested variances from dispersion and prohibitions on the demolition of housing for parking are **Conditionally Granted**, subject to the conditions listed at the end of this decision.

CONDITIONS – ADMINISTRATIVE CONDITIONAL USE and VARIANCE

For Life of the Project

1. Maintain the existing and proposed laurel hedge or similar landscaping along the east property line with the abutting LR3 zoned parcel.
2. Maintain and protect the two Exceptional Douglas fir trees and two Douglas fir trees, unless they are verified by DPD as hazard trees.
3. If lighting is to be provided for the parking lot, it shall be shielded and directed away from residentially zoned lots.

Signature: retagonzales-cumneutubby for _____ Date: August 24, 2015
Beth Hartwick, Senior Land Use Planner
Department of Planning and Development

BH:rgc
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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that **three years** or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.