



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: 3017172
Applicant Name: John Faley, Broderick Architects, PLLC
Address of Proposal: 4502 20th Avenue NE

SUMMARY OF PROPOSAL

Land Use Application to allow expansion of existing religious facility (Catholic Newman Center). Proposal includes a 9,601 sq. ft. addition with one additional bedroom to existing accessory dwelling unit. Surface parking for 13 vehicles is provided.

The following approval is required:

Administrative Conditional Use: To allow a 9,601 sq. ft. expansion of an existing institution in a Low Rise (LR3) zone (SMC 23.45.504 and 23.45.506).

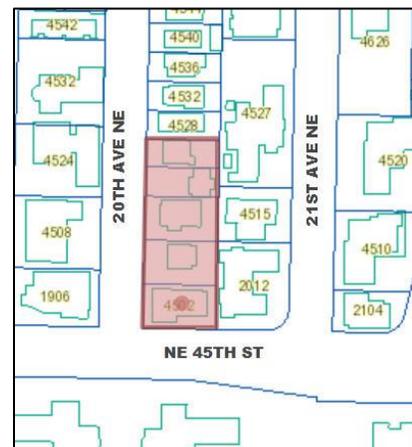
SEPA Environmental Threshold Determination (SMC Chapter 25.05)

SEPA DETERMINATION:

Determination of Non-Significance (DNS)

BACKGROUND INFORMATION

Site Zone: LR3 (Low Rise 3)
Nearby Zones: LR3 (North)
Midrise, Major Institution Overlay (MIO-105-MR) with a 105' height limit (South)
LR3 (East)
LR3 (West)
Lot Area: 25,810 sq. ft.



Site and Vicinity Description:

The site is located on the northeast corner of 20th Ave NE and NE 45th St and consists of five parcels zoned multi-family Low Rise 3 (LR3). The properties to the north, east, and west are also zoned LR3. The University of Washington is located across NE 45th St to the south and is zoned Midrise, with a Major Institution Overlay and height limit of 105 feet (MIO-105-MR).

The site contains an existing institutional building which houses the Catholic Newman Center as well as surface parking for 19 vehicles. The existing building is located on the southern portion of the site and fronts both NE 45th St and 20th Ave NE.

The general character of the buildings surrounding the site are three to four story brick and wood siding clad structures, with minimal setbacks from the property lines. Many of the adjacent and nearby structures contain sororities, fraternities, and congregate residence facilities for students. Several of these buildings have been modified and added onto overtime, creating a mix of older and newer building phases and architectural styles. The buildings on the west side of 20th Ave NE (west of the site) are larger, three and four story structures. The buildings on the east side of 20th Ave NE (north of the site) are generally smaller structures ranging from two story, single family bungalows to three story mid-century multifamily buildings with setbacks more typical of single family residential development.

Proposal Description:

The Catholic Newman Center (the Newman Center) houses a chapel, meeting rooms for classes and events, apartments to house staff, and administrative offices. The Center proposes a 9,601 square foot addition to allow for a more efficient use of the facility for the existing users. The proposed addition includes a two story structure above the existing surface parking (resulting in a three story mass) located to the north of the existing building. The addition would house meeting rooms, a kitchen, bathrooms, and storage. Along the central western portion of the building, the applicant is proposing an expanded entry area. A small chapel expansion is proposed at the southeast corner of the structure. The proposal also includes renovation of the existing second floor to accommodate one new dwelling unit for a total of six units. The overall added project area is 9,601 square feet for a total proposed building size of 19,380 square feet.

Environmentally Critical Areas (ECA):

There are no Environmentally Critical Areas onsite.

Public Comment:

The Notice of Application comment period ended on January 04, 2015. One comment was received requesting notices for future decisions related to the project.

ANALYSIS – ADMINISTRATIVE CONDITIONAL USE GENERAL PROVISIONS (SMC 23.45.506)

23.45.506 - Administrative Conditional Uses

- A. *Uses permitted as administrative conditional uses in Section 23.45.504, may be permitted by the Director when the provisions of Section 23.42.042 and this Section 23.45.506 are met.*

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.

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.

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.

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 use has not been discontinued.

B. Unless otherwise specified in this Chapter 23.45, conditional uses shall meet the development standards for uses permitted outright.

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.

The proposal is for a 9,601 square foot expansion of the Neman Center in a LR3 zone. Expansions of institutions, other than public schools, not meeting the development standards are permitted as an administrative conditional use permit. The proposed Newman Center expansion is nonconforming with regards to structure width, structure depth, and rear setback.

The purpose of the expansion is to allow for more efficient use of the facility to better meet the needs of the existing users. The addition will help to mitigate overlaps and difficulties currently experienced by simultaneous events. This proposal is not expected to generate a significant increase in the number of users, as discussed in more detail below.

As previously stated, the proposed Newman Center expansion is nonconforming with regards to structure width, structure depth, and rear setback. A majority of the expansion is proposed for the northern portion of the project site over what is currently surface parking. The addition has been designed in a way to be compatible with the surrounding residential neighborhood character and has taken cues from the surrounding residential buildings' setbacks, materials, siting, and architectural form. Pitched roofs have been incorporated to minimize the bulk of the structure and to convey a more residential form. The expansion has been sited to provide a break in mass from the existing structure, creating the perception of multiple volumes similar in size to the surrounding structures. The addition has also been set back from the street to better match the residential setbacks, specifically those along the east side of 20th Ave NE. Additionally, the primary façade material for the addition is brick, similar to the residential structures in the surrounding neighborhood.

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.*

No modifications to size or lot lines of the existing site are being proposed, therefore this criterion is not applicable.

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.*

Because the proposed expansion is not anticipated to have a significant increase in users or events, and the institution will continue to operate as it currently does, no new noise impacts are anticipated by this proposal. No noise mitigation measures are warranted.

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 project site currently has 19 surface parking stalls on-site. The proposed expansion would remove six stalls, resulting in 13 surface parking stalls.

A Transportation Management Plan and Trip Generation/Parking Analysis for the proposal was prepared by Transportation Engineering NorthWest, dated November 21, 2014 and was reviewed by DPD's transportation expert. The analysis looked at the project scope, the existing conditions, operations, traffic volumes and parking, and the current and proposed functions of the Newman Center. The analysis concluded the expansion would result in an anticipated 15% increase in users, resulting in a slight increase in future trip generation and parking demand. To mitigate the anticipated parking and traffic impacts related to the expansion, the project proposes continuation and enhancement of their current management practices. These include the following:

Existing Management Practices:

- Communication to encourage carpool and off-site parking with flyers, website postings and announcements at events
- Website and flyer directions for UW campus parking
- Addition of on-site bicycle parking spaces

Proposed Management Practices:

- Creation of a new van shuttle for UW campus parking pick-up
- Creation of preferential on-site parking in lot for carpools

Based on the Trip Generation/Parking Analysis and Transportation Management Plan, the proposed management practices will mitigate the anticipated increase in future trip generation and parking demand. As a result, no new parking or traffic impacts are anticipated to result from the proposed expansion and no further conditioning to mitigate long-term transportation impacts are warranted. Temporary impacts related to construction are discussed below.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The conditional use application is **APPROVED**.

ANALYSIS - SEPA

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 dated 10/31/14 (revised 03/08/15) and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans, including site survey, and any additional information in the file. 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.

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 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.

Codes and development regulation applicable to this proposed project will provide sufficient mitigation from short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC22.800-808), the Grading Code (SMC22.170), the Street Use Ordinance (SMC Title 15), the Building Code, and Noise Control Ordinance (SMC 25.08).

Short-term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following warrants further discussion:

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Construction Parking and Traffic

The area includes limited on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Because of the site's proximity to the University of Washington and a principal arterial, the site and surrounding area experience heavy volumes of vehicle and pedestrian traffic. Construction vehicles can further exacerbate existing traffic congestion, especially during peak travel hours.

To mitigate construction parking impacts pursuant to SMC 25.05.675.B (Construction Impacts Policy), a Construction Transportation Management Plan for parking and truck haul routes is required. The Construction Management Plan shall identify delivery routes, truck staging areas, and signage for pedestrian routes.

The Construction Management Parking portion of the plan shall demonstrate the location of the site, the peak number of construction workers on site during construction, the location of off-site parking identified for potential parking for construction workers, and a plan to reduce the number of construction workers driving to the site. This plan is subject to review and approval by the DPD Land Use Planner.

Long -term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; and traffic. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, impacts to scenic routes warrants further analysis.

Scenic Routes

Subject to SMC 25.05.675(P), views from established scenic routes shall be minimally impacted or mitigated as required by the regulatory provisions. The project site is located directly adjacent to NE 45th Street, a designated SEPA Scenic Route (SMC 25.05.675(P) Exhibit 1). As previously stated, the majority of the expansion will be located on the western and northern portions of the site fronting 20th Ave NE. These portions of the expansion will be located behind the existing structure fronting NE 45th Street and therefore will not impact views from the designated Scenic Route. A small addition to the southeast corner of the existing structure is proposed. This addition will be set back further from the street than the existing façade and based on the information provided by the applicant, review of the project plans, and a site visit, it has been determined that the proposed addition will not have any significant adverse impacts on the public views described in SMC 25.05.675(P) from the designated SEPA scenic routes, therefore no mitigation for adverse impacts to public views is warranted.

Parking and Traffic

A Transportation Management Plan and Trip Generation/Parking Analysis for the proposal was prepared by Transportation Engineering Northwest, dated November 21, 2014 and was reviewed by DPD's transportation expert. The project would result in an anticipated 15% increase in users, resulting in a slight increase in future trip generation and parking demand. To mitigate the anticipated parking and traffic impacts related to the expansion, the project proposes continuation and enhancement of their current management practices, as discussed in more detail above. The DPD Transportation Planner reviewed the information and determined that the existing and proposed management practices would mitigate the anticipated increase in future trip generation and parking demand; therefore, no further mitigation is warranted.

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 – SEPA

Prior to issuance of a Construction or Demolition Permit:

1. The applicant shall submit a Construction Transportation Management plan to DPD for approval. The plan shall identify delivery routes for truck trips to and from the site, truck staging areas, and signage for pedestrian routes.
2. The applicant shall provide DPD with an approved Construction Worker Parking Plan, identifying likely off-site locations for construction worker parking and a plan to reduce the number of construction workers driving to the site. The plan shall be provided to the Land Use Planner for review and approval (BreAnne McConkie, breanne.mcconkie@seattle.gov).

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE

None required.

Signature: Denise R. Minnerly for Date: June 18, 2015
BreAnne McConkie, Land Use Planner
Department of Planning and Development

BM:drm

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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.