



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: 3017534

Applicant Name: Samuel Cameron

Address of Proposal: 2801 S Jackson St

SUMMARY OF PROPOSAL

Land Use Application to convert 4,900 square feet of basement to chapel and classroom, and establish 94 accessory parking spaces for an existing institution (Tabernacle Missionary Baptist Church).

The chapel and classroom space requires 13 new vehicle parking spaces. These spaces will be added to the existing parking areas on the site. Eighty-one spaces are currently in place. The total parking on the site will be 94 spaces.

The following approvals are required:

Administrative Conditional Use – to expand an institution in a Single Family 5000 (SF5000) zone (SMC 23.44.022)

SEPA Environmental Determination pursuant to Seattle Municipal Code (SMC) 25.05

SEPA DETERMINATION: [] Exempt [X] DNS [] MDNS [] EIS
[] DNS with conditions
[] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

SITE AND VICINITY

Site Location: See site plan below.

Zoning: Single Family 5000 and Neighborhood Commercial 2 – 40' (SF5000 and NC2-40')

Parcel Size: 53,611.79 square feet

Existing Use: Tabernacle Missionary Baptist Church (Institution)

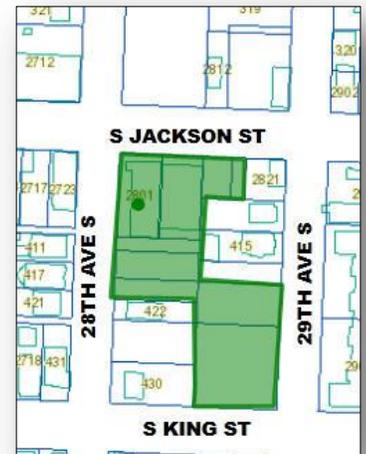
Public Notice and Comment Period

The public comment period for this project ended on July 16th 2014. Two comments were received and are available at <http://web6.seattle.gov/dpd/edms/> or at the Public Resource Center located at 700 Fifth Ave, Suite 2000¹.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE PERMIT

Per Seattle Municipal Code (SMC) 23.44.018C. — Conditional Uses (general provisions), 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 in the zone or vicinity in which the property is located. The applicable criteria used for evaluating and or conditioning the applicants' proposal are discussed below.

SMC 23.44.022 identifies institutions, such as a church, as permitted as a conditional use in single-family zones. Expanding an institution in single-family zone requires that the proposal 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.



D. General Provisions.

- 1. 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.*
- 2. The establishment of a child care center in a legally established institution devoted to the care or instruction of children which does not violate any condition of approval of the existing institutional use and does not require structural expansion shall not be considered a new use or an expansion of the institutional use.*
- 3. Institutions seeking to establish or expand on property that is developed with residential structures may expand their campus up to a maximum of 2 1/2 acres. An institution campus may be established or expanded beyond 2 1/2 acres if the property proposed for the expansion is substantially vacant land.*

A zoning analysis was prepared for this permit that identifies the development standards that apply. The structure is not being expanded and the institutional boundary is not being expanded.

E. Dispersion.

- 1. 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 (600) feet or*

¹ <http://www.seattle.gov/dpd/toolsresources/default.htm>

more from any lot line of any other institution in a residential zone, with the following exceptions:

- a. An institution may expand even though it is within six hundred (600) feet of a public school if the public school is constructed on a new site subsequent to December 12, 1985.*
 - 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.*
- 2. A proposed child-care center serving not more than twenty-five (25) children which does not meet the criteria of subsection E1 of this section may be permitted to locate less than six hundred (600) feet from a lot line of another institution if the Director determines that, together with the nearby institution(s), the proposed child care center would not:*
- a. Create physical scale and bulk incompatible with the surrounding neighborhood;*
 - b. Create traffic safety hazards;*
 - c. Create or significantly increase identified parking shortages; or*
 - d. Significantly increase noise levels to the detriment of surrounding residents.*

The existing institutional boundaries are not expanding with this proposal; therefore, this criterion is not applicable.

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.

The proposal does not require the demolition of residential structures; therefore, this criterion is not applicable.

G. Reuse of Existing Structures. Existing structures may be converted to institution use if the yard requirements for institutions are met. Existing structures which do not meet these yard requirements may be permitted to convert to institution use, provided that the Director may require additional mitigating measures to reduce impacts of the proposed use on surrounding properties.

The proposal does not require the reuse of existing structures; 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 areas, trash and refuse storage areas, ventilating mechanisms, sports 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

In order to mitigate identified noise and/or odor 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 conversion of the basement space to chapel and classroom will accommodate activities already taking place inside the existing building, with no appreciable increase in noise and odors. On-site activities will not substantially change as a result of this proposal. The recycling/trash area will not be changed and will not generate noise and odor that will impact the surrounding uses. All mechanical equipment will meet the Noise Ordinance. Therefore this criterion has been met.

No adverse impacts on the public interest and other properties in the zone or vicinity have been identified. Noise from increased activity on site will be mitigated by fencing, landscaping, and setbacks from the existing uses. All parking, and drop-off and pick-up will occur on site and not be located in the public right of way.

- I. *Landscaping. Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive stormwater runoff, reduce the coverage of the site by impervious surfaces, screen parking from adjacent residentially zoned lots or streets or to reduce the appearance of bulk of the institution.*

Landscaping plant materials shall be species compatible with surrounding flora. Existing plant material may be required to be retained. Maintenance of landscaped areas shall be the continuing responsibility of the owner.

The proposal provides landscaping as proposed and conditioned. See conditions at the end of the decision.

- J. *Light and Glare. Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots. The Director may also require that the area and intensity of illumination, the location or angle of illumination be limited.*

Nonreflective surfaces shall be used to help reduce glare.

The proposed surface parking areas will meet the light and glare provisions as document in the plans and as conditioned below.

- K. *Bulk and siting*

1. *Lot area. If the proposed site is more than one 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 fronts 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 lot area is less than one acre in size; therefore, this criterion is not applicable.

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 provides yards as required by the code.

3. *Institutions Located on Lots in More Than One (1) Zone Classification. For lots which include more than one (1) zone classification, single-family zone provisions shall apply only to the single-family-zoned lot area involved.*

The proposal meets the single-family zone provisions that apply.

4. *Height Limit.*
 - a. *Religious symbols for religious institutions may extend an additional twenty-five (25) feet above the height limit.*
 - b. *For gymnasiums and auditoriums that are accessory to an institution the maximum height shall be thirty-five (35) feet if portions of the structure above thirty-five (35) feet are set back at least twenty (20) feet from all property lines. Pitched roofs on a gymnasium or auditorium which have a slope of not less than four to twelve (4:12) may extend ten (10) feet above the thirty-five (35) foot height limit. No portion of a shed roof on a gymnasium or an auditorium shall be permitted to extend beyond the thirty-five (35) foot height limit under this provision.*

The proposal does not expand the height/bulk/scale of the structure; therefore, this criterion is not applicable.

5. *Facade Scale. If any facade of a new or expanding institution exceeds thirty (30) feet 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 bulk. Design features which may be required include, but are not limited to, modulation, architectural features, landscaping or increased yards.*

The proposal does not expand the height/bulk/scale of the structure; therefore, this criterion is not applicable.

L. Parking and Loading Berth Requirements

1. Quantity and Location of Off-street Parking.

- a. *Use of transportation modes such as public transit, vanpools, carpools and bicycles to reduce the use of single-occupancy vehicles is encouraged.*
 - b. *Parking and loading is required as provided in Section [23.54.015](#)*
 - c. *The Director may modify the parking and loading requirements of Section [23.54.015](#) and the requirements of Section [23.44.016](#) on a case-by-case basis using the information contained in the transportation plan prepared pursuant to subsection 23.44.022.M. The modification shall be based on adopted City policies and shall:
 - 1) *Provide a demonstrable public benefit such as, but not limited to, reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light and glare; and*
 - 2) *Not cause undue traffic through residential streets nor create a safety hazard.**
2. *Parking Design. Parking access and parking shall be designed as provided in Design Standards for Access and Off-street Parking, Chapter 23.54*
 3. *Loading Berths. The quantity and design of loading berths shall be as provided in Design Standards for Access and Off-street Parking, Chapter 23.54*

The proposed surface parking areas meet the requirements of the code. No loading berth is required.

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 structure area and/or are required to provide an additional twenty (20) or more parking spaces.

The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. Discussion of the following elements and other factors may be required:

1. *Traffic. Number of staff on site during normal working hours, number of users, guests and others regularly associated with the site, level of vehicular traffic generated, traffic peaking characteristics of the institution and in the immediate area, likely vehicle use patterns, extent of traffic congestion, types and numbers of vehicles associated with the institution and mitigating measures to be taken by the applicant;*
2. *Parking. Number of spaces, the extent of screening from the street or abutting residentially zoned lots, direction of vehicle light glare, direction of lighting, sources of possible vibration, prevailing direction of exhaust fumes, location of parking access and curb cuts, accessibility or convenience of parking and measures to be taken by the applicant such as preference given some parking spaces for carpool and vanpool vehicles and provision of bicycle racks;*

3. *Parking Overflow. Number of vehicles expected to park on neighboring streets, percentage of on-street parking supply to be removed or used by the proposed project, opportunities for sharing existing parking, trends in local area development and mitigating measures to be taken by the applicant;*
4. *Safety. Measures to be taken by the applicant to ensure safe vehicular and pedestrian travel in the vicinity;*
5. *Availability of Public or Private Mass Transportation Systems. Route location and frequency of service, private mass transportation programs including carpools and vanpools, to be provided by the applicant.*

Based on the probable impacts and/or scale of the proposal a transportation plan is not required. The conversion of the basement to a chapel and classroom space does require 13 new vehicle parking spaces. These spaces will be added to the existing parking areas on the site. Eighty-one spaces are current in place. The total parking on the site will be 94 spaces.

N. Development Standards for Existing Institutes for Advanced Study.

1. *The institute shall be located on a lot of not less than fifteen (15) acres.*
2. *The lot coverage for all structures shall not exceed twenty (20) percent of the total lot area.*
3. *Structures shall be set back a minimum of twenty-five (25) feet from any lot line.*
4. *Parking areas shall be set back a minimum of ten (10) feet from any lot line.*
5. *In the event of expansion, parking shall be required as provided for "existing institutes for advanced study" in Section [23.54.015](#), Required parking.*
6. *Landscaping shall be provided between a lot line and any structure and shall be maintained for the duration of the use.*

The proposal is not an existing institution for Advanced Study; therefore, this criterion is not applicable.

Conclusion

Based on the above analysis, it is the Director's determination that the proposal will not be materially detrimental to the public welfare nor injurious to property in the zone or vicinity in which the institution is located, and should be **CONDITIONALLY GRANTED**.

DECISION - ADMINISTRATIVE CONDITIONAL USE PERMIT

The application for an administrative conditional use is **CONDITIONALLY GRANTED** as noted at the end of the decision.

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. 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.

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.

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).

Short Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

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 conditioning or mitigation is

warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Long Term Impacts

Long-term or use-related impacts are anticipated as a result of this proposal, including increased building bulk and scale on the site; increased demand for transportation; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. These include the City Energy Code, which will require insulation for outside walls and energy-efficient windows, and the Land Use Code, which controls site coverage, setbacks, building height and use and contains other standards to ensure compatible development. Compliance with these applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment, and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, transportation concurrency, and greenhouse gas emissions warrant further analysis.

Transportation Concurrency

The City of Seattle has implemented a Transportation Concurrency system to comply with one of the requirements of the Washington State Growth Management Act (GMA). The system, described in DPD's Director's Rule 5-2009 and the City's Land Use Code is designed to provide a mechanism that determines whether adequate transportation facilities would be available "concurrent" with proposed development projects. The evaluated screen-lines would all continue to operate below the concurrency threshold with construction of the project. As a result, no concurrency-related mitigation is warranted or required for the project.

Greenhouse Gas Emissions

Operational activities are expected to 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.

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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] 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 43.21C.030 2C.

CONDITION - SEPA

None

CONDITION - ADMINISTRATIVE CONDITIONAL USE

(To be document in the revised plans to be submitted prior to issuance of the MUP Permit)

- 1). To prevent vehicle lights from affecting properties across from 29th Ave W and S King St, parking areas shall be screened by a solid fence or solid wall between 5 feet and 6 feet in height, or a solid evergreen hedge or landscaped berm at least 5 feet in height. If fence or wall is used landscaping shall be provide between the fence or wall and the property line.

Signature: Denise R. Minnerly for Date: April 20, 2015
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

CRV: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.