



**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:** 3020404  
**Applicant Name:** John Faley  
**Address of Proposal:** 728 21<sup>st</sup> Ave E

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow an 8,932 sq. ft. addition to an existing institution (Holy Names Academy). The project includes removing and replacing an elevated walkway with a 2-story addition for cafeteria expansion, common area, conference room and rooftop deck.

The following approval is required:

**Administrative Conditional Use** – to allow an 8,932 sq. ft. expansion of an existing institution in a Single Family (SF 5000) zone. (SMC 23.44.22)

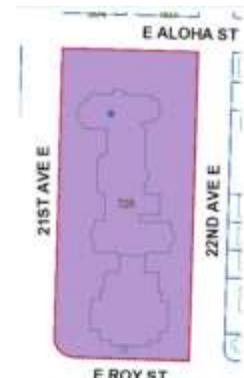
**SEPA DETERMINATION**

- Exempt       DNS       MDNS       EIS
- DNS with Conditions
- DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction

**BACKGROUND INFORMATION**

**Site and Vicinity Description:** The site is a full block, bound by E Aloha Street to the north, 22<sup>nd</sup> Ave E to the east, E Roy Street to the south, and 21<sup>st</sup> Ave E to the west. The site is located within a SF 5000 zone.

The subject property includes an existing institution (Holy Names Academy), which includes a main school building and gymnasium



connected by a breezeway. The main school building was constructed in 1908, and is designed in the neo-classical style. Surface parking is located along the east property line, adjacent to 22<sup>nd</sup> Ave. E.

The general character of the buildings surrounding the site are one and two story single family residences of varying styles and ages.

**Proposal Description:** The proposal is to redevelop the area between the existing school building and existing gymnasium building with new structure. There is currently an elevated walkway between the two buildings. The proposal is to remove the existing 892 sq. ft. connector, and replace it with a three story expansion of the adjacent buildings. The lower floor of the expansion would be below grade, containing a cafeteria seating area and work out room. The main floor would be a common area, with seating for lunch and various activities. The upper floor would house a conference room, board room, and outdoor deck. The addition would be 37.6' wide.

The applicant states that several of the existing facilities are outdated or have insufficient capacity. The purpose of the proposed addition would be to provide additional facilities to accommodate the existing academic program and enrollment. There would be no increase of the number of staff or students associated with the expansion, and no change in the day to day operations and use of the facility.

**Environmental Critical Areas:** None.

**Public Comment:** The public comment period ended on August 5, 2015. DPD received many comment letters, including the comments summarized below:

- Concern over the impacts to parking and increased traffic;
- Concerned about idling buses;
- Concerned about noise from increased traffic;
- Support for the proposed addition, noting the need for space; and
- Support for the design of the addition.

#### **ADMINISTRATIVE CONDITIONAL USE GENERAL PROVISIONS (SMC 23.44.022)**

The Seattle Land Use Code (SMC 23.44.022.A) provides that institutions such as community centers, child care centers, private schools, religious facilities, public or private libraries, and existing institutes for advanced study or other similar institutions may be permitted as conditional uses in single family zones. Sections 23.44.022 D through M sets forth criteria to be used to evaluate and/or condition the proposal. The applicable criteria are discussed below.

#### ***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.***

The proposed addition meets the development standards in these sections.

- 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.*

No childcare is proposed with this application. This criterion does not apply.

- 3. Institutions seeking to establish or expand on property which is developed with residential structures may expand their campus up to a maximum of two and one-half (2 1/2) acres. An institution campus may be established or expanded beyond two and one-half (2 1/2) acres if the property proposed for the expansion is substantially vacant land.*

This application does not seek to establish or expand the institution to property which is developed with residential structures. This criterion does not apply.

- 4. An institution which finds that the development standards of the single-family zone classification are inadequate to its development needs may apply for reclassification to Major Institution status.*

This application does not seek a reclassification to Major Institution Status. This criterion does not apply.

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

This application does not seek to expand the lot line of the existing institution or create a new institution. This criterion does not apply.

- 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.*

This application does not seek to demolish any residential structures. This criterion does not apply.

- 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.*

This application does not seek to reuse any residential structures. This criterion does not apply.

***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.***

There is no indication that the proposal would include adverse noise or odor impacts that would warrant mitigation with this administrative conditional use. The proposal meets this criterion.

***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 site contains existing vegetation along all of the property lines, including several large trees and established shrubs that integrate the site with the surrounding context, screen the parking lots, reduce the bulk and scale of the building, and work to screen and filter views from the adjacent sidewalks and residences in the immediate vicinity. Additional vegetation would be located in front of the addition for screening and to provide continuity with the established landscaping.

Additional landscaping to screen the addition isn't warranted, given the size and location of the proposed addition and the existing landscaping on site. The proposal meets this criterion.

***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 exterior roof deck would be illuminated by wall mounted lights on the inside of the parapet and fully shielded wall sconces. All illumination will be directed away from the neighboring buildings. The roof deck lighting will be controlled by timers, and will only be used for after hours special events. Exterior glare will be mitigated through the use of existing and supplemental planting and non-reflective surfaces.

Additional mitigation isn't warranted, given the location of the proposed lighting, limited use of the lighting, existing vegetative screening, shielding of lights, and use of non-reflective surfaces. The proposal meets this criterion.

**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 lot is over one acre in size, and a particularly large street frontage in relationship to the lot size. The addition would occupy the interstitial space between the existing buildings. The proposal does not include changes to the existing structures or street facing facades.

The addition will comply with all development standards, including yards, building height, and façade scale. The design of the addition includes articulation, perimeter modulations, and cornices to minimize the bulk and massing.

Additional mitigation isn't warranted, given the design and location of the proposed addition. The proposal meets this criterion.

2. ***Yards. Yards of institutions shall be as required for uses permitted outright in Section 23.44.008, provided that no structure other than freestanding walls, fences, bulkheads or similar structures shall be closer than ten (10) feet to the side lot line. The Director may permit yards less than ten (10) feet but not less than five (5) feet after finding that the reduced setback will not significantly increase impacts, including but not limited to noise, odor and comparative scale, to adjacent lots zoned residential and there will be a demonstrable public benefit.***

The proposed addition would meet yard requirements.

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 institution does not include more than one zone classification. This criterion does not apply.

4. ***Height Limit.***
  - a. ***Religious symbols for religious institutions may extend an additional twenty-five (25) feet above the height limit.***

No new religious symbols are proposed. This criterion does not apply.

- 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.***

No new gymnasiums or auditoriums are proposed. This criterion does not apply.

- 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 proposed addition would be 37.5' in length, and is set back from the east and west property lines by over 60 feet. The addition has been designed with cornices, materials, and articulation that visually relates it to the existing structures on either side. The east and west façades of the addition feature a substantial amount of glazing, with a cornice at the first and second story that demarcates the floors and breaks down the bulk of the entire façade length. The existing and proposed landscaping further minimizes the bulk and scale of the addition.

Additional mitigation isn't warranted, given the design and location of the proposed addition. The proposal meets this criterion.

***L. Parking and Loading Berth Requirements.***

No new parking is proposed, and the proposed addition would not require additional parking. 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 structure area and/or are required to provide an additional twenty (20) or more parking spaces.***

The expansion is over 4,000 square feet. A transportation and parking study was provided by the applicant (Heffron Transportation Engineers, *Transportation and Parking Assessment*, 6/19/2015). The report notes that Holy Names Academy implemented a Transportation Management Plan in 1989. The report concludes that because the proposal would not increase the number of students, faculty, or staff, there is no new generation of vehicular trips expected.

The study has been reviewed by DPD's Transportation Planner.

***N. Development Standards for Existing Institutes for Advanced Study.***

The institution is not defined as an institute for advanced study. This criterion does not apply.

## **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 on June 19, 2015. The Department of Planning and Development has analyzed and annotated 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. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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 SEPA Overview Policy (SMC 25.05.665) 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 Impacts**

The following temporary or construction-related activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, increase particulate levels, emissions from construction machinery and vehicles, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions.

Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: *Stormwater Code* (SMC 22.800-808); *Grading Code* (SMC 22.170), *Street Use Ordinance* (SMC Title 15), *Seattle Building Code*; *Regulations for Environmentally Critical Areas* (SMC 25.09); and *Noise Control Ordinance* (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

#### **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.

Long -term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased public demand for public services and utilities; increased traffic and parking demand. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, 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, therefore, no further mitigation is warranted.

Parking and Traffic

The applicant submitted a traffic and parking analysis, as discussed above (Heffron Transportation Engineers, *Transportation and Parking Assessment*, 6/19/2015). The report notes that Holy Names implemented a Transportation Management Plan in 1989. The report concludes that because the proposal would not increase the number of students, faculty, or staff, there is no new generation of vehicular trips expected. The DPD Transportation Planner reviewed the information and determined that while these impacts are adverse, they are not expected to be significant; 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).
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.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**

None.

**CONDITIONS – SEPA**

None.

Katy Haima, Land Use Planner  
Department of Planning and Development

Date: November 9, 2015

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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](mailto:prc@seattle.gov) or to our message line at 206-684-8467.