



**City of Seattle**  
Edward B. Murray, Mayor

**Department of Construction and Inspections**  
Nathan Torgelson, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

**Application Number:** 3023399  
**Applicant Name:** Marshall Jones  
**Address of Proposal:** 6115 Beacon Avenue South

**SUMMARY OF PROPOSAL**

Land Use Application to change a 1,134 sq. ft. portion of an institution (Life Church) to a child care center for 25 children. An additional 6 parking spaces to be provided.

The following approvals are required:

**Administrative Conditional Use** - To expand an institution in a single Family (SF 5000) zone (Seattle Municipal Code Chapter 23.45.116 and 122)

**SITE AND VICINITY**

**Site Zone** Single Family SF 5000

**Nearby Zones:**

North:	SF 5000
South:	SF 5000
East:	SF 5000
West:	SF 5000

**Site Size:** 31,632 sq. ft. (0.73 acres)



**Existing Conditions:**

The proposal site is a 31,632 square foot flag shaped parcel located between 24<sup>th</sup> Avenue S. to the west and Beacon Avenue S. to the east within the South Park Neighborhood. The site is zoned Single-family with a required minimum lot size of 5,000 sq. ft. (SF5000). The site has street frontage on both 24<sup>th</sup> Ave. S. to the west and Beacon Ave. S. to the east.

The site is currently occupied by a two level structure, including basement currently used for religious assembly. The site is also occupied by a paved area toward the east side of the property designed/stripped to accommodate 23 automobiles. Located near the property's northeast corner is a cargo shipping container used for storage and a children's play area to the east of there.

Public Comment:

The public comment period ended on February 14, 2016. No public comments were received during that comment period. The project was re-noticed with a comment period that ended on June 5, 2016. 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 the six additional parking spaces and possible drainage related issues. Comments were also received that are beyond the scope of this review and analysis per SMC 23.44.022.

**I. ANALYSIS – ADMINISTRATIVE CONDITIONAL USE**

The Seattle Land Use Code (SMC 23.44.022 A) provides that institutions such as religious facilities and Child care centers 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 general criteria for Conditional Uses in Section 23.42.042 also applies.

*23.44.022 D. General Provisions*

- 1. 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.*

This is an existing religious institution which will convert a portion of its basement area into a child care center which is a permitted use, and restripe the existing parking area to provide an additional 6 parking spaces. According to the plans submitted with the application, the proposal will meet all applicable development standards as analyzed below.

- 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.*

This proposal is for the conversion of portion of an existing institution to a Child care center.

- 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.*

The proposal does not include an expansion of the existing campus size. The Life Church site where the Child care center will be housed falls below the 2 1/2 acre threshold.

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 section does not apply as the applicant is not requesting a reclassification.

#### *23.44.22 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') or 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 proposed child care center would serve 25 children and would be located within a legally established institution (Life Church), within 600' of other institutions. Nearby institutions are located approximately 140' to the east (Bethany United Church of Christ and REWA Preschool) and 200' to the northeast (St. Mark's Lutheran).

All the nearby institutions within 600' of the subject site are on the opposite side of Beacon Ave S. from the subject property. Beacon Ave S. is a 126' wide arterial with landscaped open space and surface parking lots separating the northbound and southbound lanes of Beacon Ave S.

The proposed child care center would be located within the existing structure of the religious institution (Life Church) and would not add any bulk or scale to the existing structure.

The child care center would operate during hours that don't overlap with the operating hours of the nearby religious institutions. The child care center hours would operate from 6AM to 6PM on weekdays. The nearby religious institution peak traffic and parking demand occurs primarily on Sundays with some weekday evening events. The proposed child care facility is therefore not expected to create any traffic hazards.

The parking lot includes 18 existing parking spaces. The surface lot will be restriped to provide an additional 6 parking spaces on the site. The existing and proposed parking is expected to be sufficient to accommodate drop off and pick up times for the child care facility. The proposed child care facility is therefore not expected to increase any existing nearby parking shortages.

In addition to the physical separation of Beacon Ave S, two of the nearby institutions are religious facilities with peak hours that are opposite those of a childcare institution. Therefore, the parking and traffic impacts of the proposed childcare center would not exacerbate any existing traffic or parking impacts from the nearby institutions.

The proposed child care center will utilize an existing outdoor play area on the west side of the site, near 24<sup>th</sup> Ave S. Human voices are not regulated by the Seattle Noise Ordinance. For the purpose of reducing visual and noise impacts, the proposal includes a line of evergreen trees spaced approximately 8 to 10 apart along the southern fence line within the play area of the site. Use of the existing play area is not expected to significantly increase noise levels to the detriment of surrounding residents.

*23.44.022 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.*

No residential structures are being demolished and no residential structures or uses are being changed to allow for the proposed childcare facility or parking.

*23.44.022 G*

- 1. Reuse of Existing Structure. 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 proposed child care center is to be located in an existing institution and no expansion of the structure is being proposed.

*23.44.022 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.*

Activities on the site will increase with the introduction of the child care facility during weekdays. The increased use of the parking lot during the morning hours, before 9:00AM and after 1:00PM when parents are dropping off and picking up their children will result in a minor increase in temporary noise. Existing recreational areas and play equipment and trash and recycling enclosures will remain as they exist. No additional noise or odor impacts are expected from the proposal however any new sources of noise and odors shall comply with the Noise Ordinance, Chapter 25.08.

*23.44.022 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.*

Existing lighting provided for safety and way finding will not be changed. No exterior lighting is proposed for the play areas to the west of the building structure as the area will not be used at night.

*23.44.022 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:*

The existing site and structure will not be expanded with this proposal, the site is less than one acre in size, and therefore the criteria in SMC 23.44.022 K do not apply.

*23.44.22 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.*
- 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 parking has been reviewed for compliance with SMC 23.54 and no modifications to parking or loading requirements are proposed.

23.44.23 *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.*

The proposal does not include more than 4,000 square feet of structure or 20 additional parking spaces, so this criterion does not apply.

#### **Administrative Conditional Use General Provisions (SMC 23.42.042)**

- 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 zones or vicinity.*

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 through specific hours of operation. Parking and drop offs will occur on site and will not be located in the public right of way.

- C. *The Director may deny or recommend denial of a condition 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.*

Identified impacts are mitigated and the proposed use is not materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

#### **DECISION – ADMINISTRATIVE CONDITIONAL USE**

The conditional use application is **GRANTED**

#### **CONDITIONS – ADMINISTRATIVE CONDITIONAL USE PERMIT**

None required

David Landry, AICP, Land Use Planner  
Seattle Department of Construction and Inspections

Date: June 16, 2016

DL: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 Seattle DCI 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.