



City of Seattle

Gregory J. Nickels, 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:** 3003129  
**Applicant Name:** Caryn Swan Jamero for Community Day School Association  
**Address of Proposal:** 7014 18<sup>th</sup> Avenue Southwest

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to change the use of an existing 1,154 square-foot single family residential structure to a day-care center. The center will have one employee to care for approximately eight children. No parking stalls are proposed to be provided on-site.

The following approval is required:

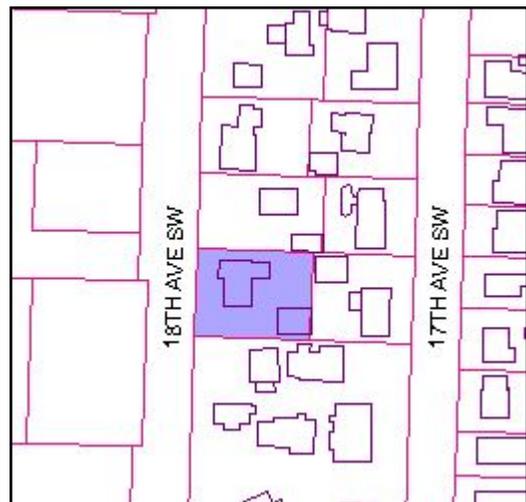
**Administrative Conditional Use Permit** - to allow a child care center in a single family residential zone (Section 23.44.022 Seattle Municipal Code (SMC)).

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

**BACKGROUND DATA**

Site Development

The subject site is located near mid-block on the east side of 18<sup>th</sup> Avenue Southwest between Southwest Holly Street to the north and Southwest Myrtle Street to the south in West Seattle. The existing lot area is approximately 5,330 square feet located in a Single Family residential zone with a minimum lot size of 5,000 square feet (SF 5000). The site is irregular in



shape that slopes downward from its northeast corner to its southwest corner. The site is sparsely vegetated with shrubs and immature trees near the rear and side property lines. A large mature cedar tree is located near the front yard, adjacent to the principle structure's southwest corner. Currently one single family residential structure occupies the development site. The modest one (1) story residential structure has recently undergone extensive remodeling and is now vacant awaiting an occupant. The development site was recently segregated off from a larger lot that created two parcels of land under Master Use Permit (MUP) project number 2408673. The other created parcel (Parcel B) occupies a land area of 5,851 square feet and is currently a vacant lot.

### Area Development

The surrounding residential structures along the block front are setback a distance from the right-of-way, creating a suburban-like feel to the streetscape. This particular area in West Seattle has a number of deciduous trees and under brush that has a significant visual impact in this particular area, giving it a less dense feel. The 18<sup>th</sup> Avenue roadway appears to be less than moderately traveled connecting to Southwest Myrtle Street and then onto Delridge Way Southwest, a primary arterial. To the west across 18<sup>th</sup> Avenue Southwest, Sanislo Elementary School anchors this residential neighborhood. Puget Ridge Cohousing Condominium abuts the development site to the south, between the development site and the Southwest Myrtle Street. The condominium development is not typical of SF5000 zones but was successfully designed to integrate into this neighborhood. The rest of the area is characteristic of low density residential zones, quiet streets during mid-afternoon with little pedestrian activity.

### Proposal Description

The applicant proposes to change the use of an existing single family residence to a child care center for up to eight children initially and then grow the center to up to 20 children over a period of time. Additionally, the applicant is requesting a waiver from providing on-site parking and loading areas. The establishment of the child care center at the subject site is the result of limited available space to expand at Sanislo Elementary School, where the main center will continue to maintain its presence. The Community Day School Association will continue to share resources with the public school including loading areas on the schools campus. Hours of operation will be from 7:00 a.m. to 6: 00 p.m. Monday through Friday. The one-story institution would accommodate children up to 5 years old. The main floor would consist of four activity areas, full bathroom, and a kitchen.

### Public Comment:

|                                |                    |
|--------------------------------|--------------------|
| Date of Notice of Application: | September 8, 2005  |
| Date End of Comment Period:    | September 21, 2005 |
| # Letters                      | 2                  |

Issues: Two neighbors affirmed that the establishment of the child care center will be a positive addition to the neighborhood and supported the project wholeheartedly.

**ANALYSIS - ADMINISTRATIVE CONDITIONAL USE PERMIT (23.44.022 SMC)**

SMC Section 23.44.022 sets forth the types of institutions that may be permitted as conditional uses in single family zones which includes child care centers.

***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.***

With regard to the above cited sections, the proposed new institutional use is no more nonconforming to standards than the existing single family home.

- 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.***

N/A

- 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 proposed institution will encompass a land area of 5,330 square feet.

- 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.***

N/A

***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:***

- 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.***

Sanislo Elementary School was constructed in 1971.

- 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 proposed child care center is approximately 50 feet from the east property line of another institution, Sanislo Elementary School. Neither of the above exceptions applies in this case because the proposal is a child care center.

- 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;*

No new height, bulk, or scale impacts would result from the child care center because it would be located within an existing one-story single family residential structure, originally built in 1938.

- b. Create traffic safety hazards;*

Jan Gleason of Environmental Works submitted a Transportation Plan for the proposed project. Based upon their review of traffic and parking needs associated with the proposed Community Daycare Center's satellite facility, it is estimated that most of the activities on the site will normally occur between 7:00 a.m. and 6:00 p.m. Children will be dropped-off in the morning and picked-up in the evening. The number of vehicular trips based on Code development standards that would be associated with the proposal will be 18 trips per day initially. This number includes the eight children and one staff member who may drive to the site thus generating 9 vehicular trips in the morning and 9 vehicular trips in the evening for a total of 18 vehicular trips. The actual trips are expected to be less than 18 trips due a number of factors that includes shared facilities with Sanislo Elementary School and employee's use of alternative modes of travel. The employee of the child care center lives in the area and will bike to and from the center. When the child care center reaches its future projected goal, two teachers and 20 students will be located at the facility increasing daily vehicle trips to a total of 44. Again, the actual numbers of vehicle trips are anticipated to be less. The second employee will be encouraged not to use a single occupancy vehicle.

The report also indicated that there is one existing off-street parking stall, on-street parking, drop-off and pick-up areas in the 14 foot wide shoulder area within the right-of-way (on the east side of 18<sup>th</sup> Avenue Southwest), adjacent to the front property line. Once the change of use occurs the off-street parking stall will become nonconforming to nonresidential parking requirements. Therefore the applicant will remove on-site parking and will utilize available parking in the street for up to two vehicles. There is an abundance of on-street parking in the immediate area, and an increase of up to two vehicles is not expected to impact the neighborhood.

Parents are most likely to use a location near the existing driveway within the right-of-way to drop-off and pick-up the children. In order to reduce congestion on the street and ensure the safety of the children, the applicant has requested to install a loading zone sign from SDOT within the 18<sup>th</sup> Avenue to handle potential overflow congestion concerns. Sanislo Elementary School's entrance is located approximately 700 feet away on Southwest Myrtle Street which it not anticipated to create additional conflicts with the proposed child care center. Primary access to the Sanislo is from 16<sup>th</sup> Avenue and 21<sup>st</sup> Avenue to SW Myrtle Street. North of SW Myrtle Street on 18<sup>th</sup> Avenue the residential street is calm with little vehicle activity. The development site's location will have negligible impacts on the potential for conflict with traffic movement and overlap in sharing the available on-street parking spaces. Therefore, no significant impacts would occur to adjacent streets, intersections, or on-street parking conditions.

**c. *Create or significantly increase identified parking shortages; or***

Arrivals and departures are expected to be brief and scheduled by parents who are familiar with traffic movements on 18<sup>th</sup> Avenue Southwest and connecting streets. On-street parking is readily available along 18<sup>th</sup> Avenue Southwest north of Southwest Myrtle Street during business hours. This conclusion is based on a number of visits by the planner to the development site and testimony from the Community Day School Association's Executive Director. The project is not likely to adversely affect parking in the vicinity.

**d. *Significantly increase noise levels to the detriment of surrounding residents.***

Significant increases in noise levels during the week are not anticipated. Apart from increase noise levels when the children are in the play areas, the extent of noise generated by the child care center will be minor and no further conditioning of noise impact is warranted by this criterion.

**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 existing residential structure will not be demolished nor will its use be changed to provide for parking.

**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 existing single family structure has at the minimum a 12 foot side yard which exceeds the minimum requirements for the zone. The structure's front façade is approximately 25 feet away from the front property line. The rear yard depth is approximately 21 feet 3 inches, 1-foot more than the require amount. All required yard standards have been exceeded at the development site. The applicant has indicated that there is an existing perimeter fence and landscaping. The existing fence and landscaping would further reduce impacts on surrounding properties. Therefore, this provision meets applicable development standards.

- 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, out-door 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 child care center operates from 7:00 a.m. to 6:00 p.m. each day Monday to Friday. The additional noise created by children playing in the outdoor playing area is minor and no further conditioning for noise impacts is warranted. The site has existing garbage and recycling containers on site. No adverse trash and odor impacts are anticipated.

- 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.*

According to the information provided with the application, no parking space(s) will be provided at the development site therefore, no on-site screening related to parking is required. The site will be adequately screened from the adjacent residences abutting the site by a 6-foot fence located along the west, north, and east property lines. A large cedar tree will partially provide a natural screen to 18<sup>th</sup> Avenue. The site is adequately landscaped with trees, shrubs and flowers. A condition will be imposed to require maintenance of the fence and landscaping in order to integrate the institution with the adjacent residential area.

- 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. Non-reflective surfaces shall be used to help reduce glare.**

The existing lighting will not change any light and glare impacts already existing on site and no new exterior lighting has been proposed by the applicant.

***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:***

The site is less than one acre in size so these criteria are not applicable to the child care center.

- 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 feet (10') to the side lot line. The Director may permit yards less than ten feet (10') but not less than five feet (5') 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.***

This criterion is addressed under the discussion of the reuse of the existing structure. Please refer to # G above.

- 3. Institutions Located on Lots in More Than One (1) Zone Classification.***

This criterion is not applicable because the site is located in only one zone, SF5000.

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

A religious symbol is not proposed above the existing roof.

- 5. 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 bulk. Design features which may be required include, but are not limited to, modulation, architectural features, landscaping or increased yards.***

The facades at the front and the rear are approximately forty-four feet in length. The front façade features a six foot deep modulated feature that breaks apart the appearance of bulk into a two discreet elements. One segment measures approximately 16 foot and is 25 feet from the front property line; the other segment is 31 feet from the front property line. The one-story structure's rear façade does not have modulating features. The side facades are less than 30 feet in length with no modulation. As a reuse of an existing structure, all existing facades are compatible with other houses in the neighborhood therefore no mitigation of bulk will be necessary.

***L. Parking 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 shall be encouraged.***

According to information submitted with the application, one child care employee will more than likely use a bicycle to commute to work. When the goal of 20 children is reached two staff will be required which will result in a total parking need of two stalls. The closest Metro transit bus stops are located approximately 1,100 feet away from the development site. The operator encourages their employees to use alternative modes of travel, and will continue to encourage reliance on alternative modes of travel.

- b. Parking and loading shall be required as provided in Section 23.54.015.***

The applicant has indicated that there will be one employee and eight children at the child care center initially. They are licensed to provide care for up to 20 children, which will require one additional staff member. For a child care center, the Land Use Code requires one space for each 10 children or each staff member, whichever is greater. As discussed in section #E.2.b., the applicant has requested a waiver from providing on-site parking and loading areas.

- c. The Director may modify the parking and loading requirements of Section 23.54.015, 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 modification shall be based on adopted City policies and shall:***

- i. 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***
- ii. Not cause undue traffic through residential streets nor create a serious safety hazard.***

The soft shoulder area between the roadway surface and development site is approximately 14 feet wide along 18<sup>th</sup> Avenue. The street is a quiet residential street with little vehicle and pedestrian activity. The expansion of the child care center from its current location at Sanislo Elementary School to its satellite location will meet the demands of working parents in the local community. It is anticipated that some parents will walk from the school facility to the development site to drop-off and pick-up their children. There is easy access from one site to the other, either along pedestrian pathways or in the roadway. Based on submitted documents including the Transportation Plan the Director waives the requirements of providing parking requirements. (See

analysis in section #E.2.b) This proposal is expected to marginally add to the traffic volume on the surrounding streets. No harm to the residential integrity and increases safety hazards is anticipated. Additionally, the use will provide the public benefit of a conveniently located day care in this neighborhood.

**2. *Parking Design. Parking access and parking shall be designed as provided in Design Standards for Access and Off-street Parking, Chapter 23.54.***

N/A, no parking on-site will be provided.

**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 applicant is not providing loading berths on-site, a loading zone will be provided in the 18<sup>th</sup> Avenue ROW adjacent to the development site. This loading area is made available through an agreement between Community Day School Association and SDOT, and is not subject Chapter 23.54. The applicant requests that DPD modify standards as provided in SMC [23.44.022 L1c](#) to require a loading berth. Based on submitted documents including the Transportation Plan the Director waives the requirements of providing on-site loading areas. (See analysis in section #E.2.b)

**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 additional twenty (20) or more parking spaces.***

The child care center is less than 4,000 square feet therefore a transportation plan will not otherwise be required for this proposal. However, the applicant has requested a waiver to parking and loading berths and submitted a transportation plan for the Director to evaluate the potential impacts of the request. Please refer to #L.1.c above.

**Administrative Conditional Use General Provisions (SMC 23.44.018)**

**A. *Only those conditional uses identified in this subchapter as conditional uses may be authorized as conditional uses in single family zones. The Master Use Permit process set forth in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, shall be used to authorize conditional uses.***

The Department recognizes the public benefit achieved by accommodating institutions such as child care centers in single family zones. The Land Use Code, as an enunciation of City policy, allows these institutions in single family zones, but establishes the administrative conditional use process as the mechanism for screening and mitigating impacts related to the uses. The proposed facility, as conditioned by the Department, is identified as a conditional use which can be authorized in a single family zone.

- B. Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright in Sections 23.44.006 through 23.44.016.***

The subject proposal meets all of the development standards or allowable exceptions for uses permitted outright.

- C. A conditional use may be approved, conditioned or denied based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the 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 proposal, as discussed under the specific criteria (SMC 23.44.022), meets the criteria for establishing a specific conditional use and has been conditioned such that the potential negative impacts are substantially mitigated.

- D. In authorizing a conditional use, the Director or Council may mitigate adverse negative impacts by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located.***

The conditions which mitigate the potential adverse impacts of this use will require maintenance of the landscaping, trash receptacles, directing and shielding exterior lighting from surrounding residential properties, and maintaining a fence to mitigate noise impacts. These conditions combine to provide reasonable mitigation for the proposed child care center and are authorized by this provision.

### Conclusion

Based on the foregoing analysis and review, the proposed action satisfies all the relevant requirements of 23.44.018 and 23.44.022 governing administrative conditional uses in single family zones. It is the Director's determination that the proposal as conditioned would not be materially detrimental to the public welfare nor injurious to property in the zone or vicinity in which the child care center will be located, and should be granted.

### **DECISION - ADMINISTRATIVE CONDITIONAL USE PERMIT**

The application for an administrative conditional use is **CONDITIONALLY GRANTED.**

### **CONDITIONS - ADMINISTRATIVE CONDITIONAL USE PERMIT**

#### Prior to Issuance of MUP

The owners and/or responsible party(s) shall:

1. Update plans to state that attendance at the center will be limited to no more than 20 children at any time.

2. Revise plans to remove on-site parking stalls.
3. Revise plans to illustrate location of perimeter fence and landscaping to mitigate noise visual impacts upon neighboring properties.
4. Add a note to plans to shield and direct exterior lighting away from adjacent residentially zoned lots.

Prior to Building Permit Approval

5. Submit verification that Load/Unload sign place in front of property.

Signature: (signature on file)

Bradley Wilburn, Land Use Planner  
Department of Planning and Development

Date: October 3, 2005