



City of Seattle

Greg Nickels, Mayor
Department of Planning and Development
Diane Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2502079
Applicant Name: Julie Ledoux for Ron Coacher
Address of Proposal: 3607 Interlake Ave N

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of 2, two-unit townhouse structures. Parking for four vehicles is to be provided within the proposed structures. Related project: Lot Boundary Adjustment # 2409015, Permit No. 750947

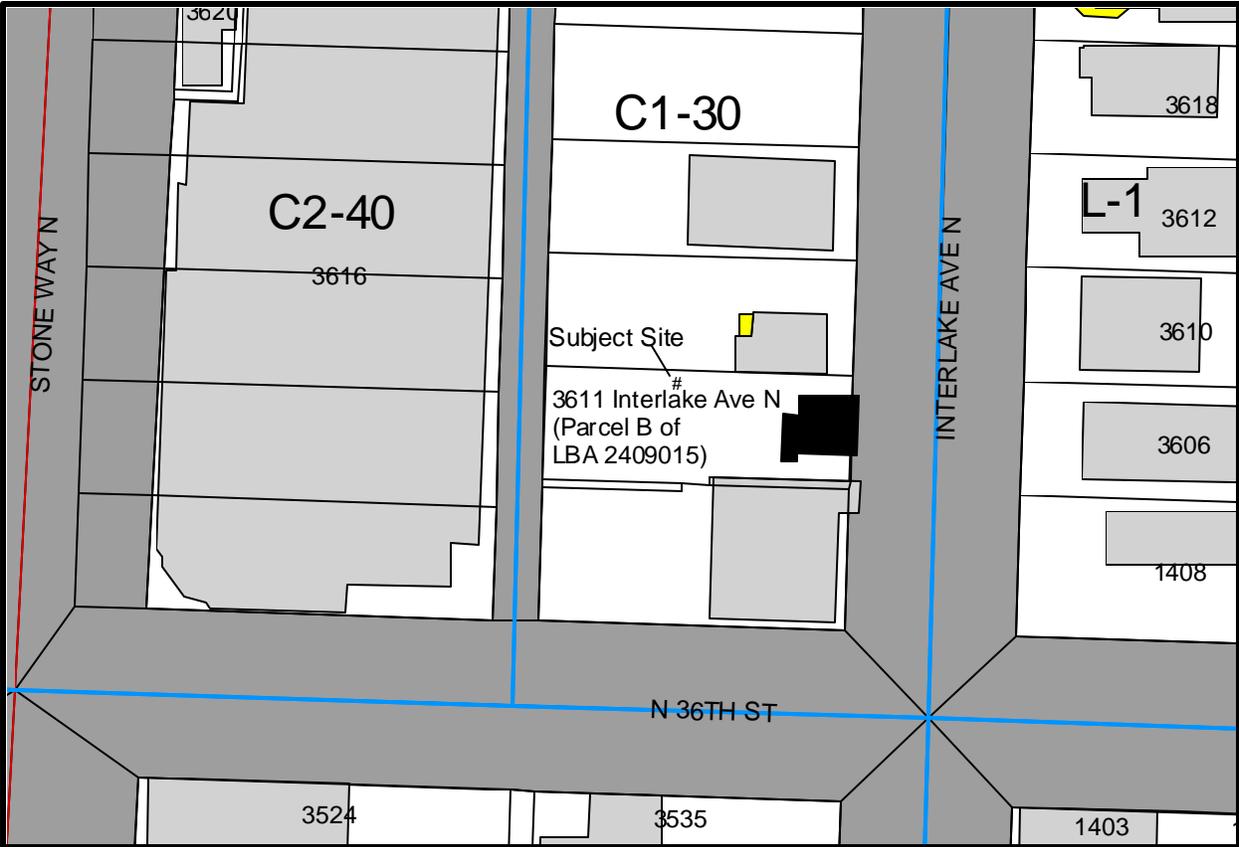
The following approvals are required:

Administrative Conditional Use - To allow a single purpose residential structure in a C1-30 zone. (Seattle Municipal Code Chapter 23.47.004 E).

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 and Vicinity Description



The subject property is located between Stone Way N and Interlake Ave N, just north of N 36th St. The site has forty (40) feet of frontage on Interlake Ave N. The site has gentle slopes of no more than ten (10) feet downward from both the alley and the street to the middle of the site. No Environmental Critical Areas are mapped at the site. During the site visit conducted by the inspector prior to application, it was stated that there was a 40% steep slope on site. The geotechnical reviewer granted an exemption; “based on the topographic survey submitted on 4/26/05, the slopes on this site & immediate adjacent are less than 10 feet high. No ECA review required.”

The site and properties to the north are zoned Commercial One with a thirty-foot height limit (C1-30). The properties to the south across N 36th St are zoned Commercial One with a forty-foot height limit (C1-40). To the east lots are zoned residential Lowrise-One (L1) and further east, lots are zoned Single Family 5000 (SF 5000).

Proposal Description

The applicant proposes to construct 2, two-unit townhouse structures with garages within each structure. Vehicular access is proposed from the adjacent 16 foot alley and a two foot dedication is required.

Public Comment

The public comment period for this project ended May 18, 2005. No comments were received.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

Section 23.47.006.A of the Seattle Municipal Code (SMC) provides general conditional use criteria that apply to all conditional use applications. Section 23.47.006 B.4 (SMC) provides specific criteria to be applied to an analysis of an application for single purpose residential uses in a C1 zone. Applicable criteria are stated in italics below, followed by analysis in each instance.

4. *Single-purpose residential structures may be permitted outright, permitted as an administrative conditional use or prohibited as provided by Section 23.47.004.E. In order to conserve the limited amount of commercially zoned land for commercial uses, single-purpose residential structures shall generally not be allowed in commercial zones. However, additions to, or on-site accessory structures for, existing single-family structures are permitted outright. Where single-purpose residential structures may be permitted as an administrative conditional use, such a permit may be granted only when the following circumstances exist:*
 - a. *Due to the location or parcel size, the proposed site is not suited for commercial development; or*

The site is 4,334.4 sq. ft. and has forty (40) feet of frontage on Interlake Ave N. This is a non-arterial street that has residential zoning (L1) on the east side of the street and commercial zoning (C1-30) on the west side of the street.

The site is currently occupied with one single family home with the street address 3607 Interlake Ave N. Considering the multiple zones that surround the site, the residential uses of the properties that face the site and are on the east side of Interlake Avenue, the site has a low viability for commercial use. Also, the small lot size is more suited for residential development as the lot is similar to residentially zoned and developed lots to the east, which are zoned L1 and SF 5000. To the south the abutting property contains a small apartment building (3601 Interlake Ave N). The abutting property to the north is also seeking conditional use approval to allow single purpose residential development (MUP No. 2502078). Moving north two properties, the abutting property was developed with a commercial structure but has since been demolished (MUP No. 2103668 Permit No. 720854) and is currently vacant.

Allowing a small residential development instead of a commercial development would provide a smoother transition between the Lowrise and Single Family zoned properties and the commercially zoned property just west of the subject site. As a result, this criterion is satisfied.

- b. There is substantial excess supply of land available for commercial use near the proposed site, evidenced by such conditions as a lack of commercial activity in existing commercial structures for a sustained period, commercial structures in disrepair, and vacant or underused commercially zoned land; provided that single-purpose residential development shall not interrupt an established commercial street front. As used in this subsection, an “established commercial street front” may be intersected by streets or alleys, and some lots with no commercial use.*

Evidenced by the information supplied by the applicant, an excess amount of underutilized commercial property exists in the area. During a site visit conducted by the Land Use Planner, there were at least two vacancies in the area for commercial spaces (1550 N 34th St. and 1421 N 34th St). Some of these were not noted by the applicant but have since been vacant. Also, the site just to the north (lots 10 and 11) had a commercial structure that was demolished and is currently vacant and no applications have been submitted for future development.

Since this site and the abutting sites to the north and south both have existing residential uses and structures, there isn't an established commercial front. The site is across the street from residential zones, uses, and structures which further takes away from the commercial character of the street. As a result, this criterion is also stratified.

SMC 23.47.006.A CONDITIONAL USE GENERAL PROVISIONS

- 1. The use shall not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

The proposed single purpose residential use would not be expected to cause material detriment to the public welfare or injurious to property in the area. In fact, by allowing this use, it would provide a more suitable transition between the higher intensity uses along Stone Way N and the low intense residential uses and zones to the east.

- 2. In authorizing a conditional use, adverse impacts may be mitigated by imposing any conditions needed to protect other properties in the zone or vicinity and to protect the public interest. The Director shall deny or recommend denial of a conditional use if it is determined that adverse impacts cannot be mitigated satisfactorily.*

Potential impacts and detrimental effects associated with allowing a single purpose residential use in a commercial zone have been evaluated under specific Conditional Use criteria stated above.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The conditional use application is **APPROVED**.

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE PERMIT

None.

Signature: (signature on file) Date: August 11, 2005
Lucas DeHerrera, Land Use Planner
Department of Planning and Development