

the site's street front along 32nd Avenue NE. The site abuts a residential development consisting of new single family homes to the east, while to the north, the site abuts a residential property separated by a wire fence and a mixture of dense vegetation made up of some trees and shrubs. Surrounding zoning is primarily Single Family 7200. Development in the vicinity is predominantly single family residential.

Additional Background Information

Maple Leaf Lutheran Church was built in the late 1940's. It was expanded to the present facility in the 1960's. The expansion design did not include any provision for on-site parking. According to information submitted by the applicant, the church at that time had a shared parking agreement with the Seattle Public School District to use Maple leaf Elementary School playground for parking on Sunday and on special events. The Maple Leaf Elementary School was located on the east side of 32nd Avenue NE across from the existing church. Additional church parking was provided along city streets. At the time the estimated church attendance was 250 members. When the school was closed and demolished, the shared parking at the school was also eliminated. As a result, the church and its congregation began parking only on city streets in the neighborhood during Sunday services and n special events.

Proposal Description

The applicant proposes to construct an accessory parking lot for the Maple Leaf Lutheran Church and to expand the boundary of the existing institution. The existing church conducts one Sunday service and has a congregation of approximately 119 persons. Additional church service is also offered on Saturday and Sunday evening and is attended by approximately 30 people. As I have stated above, the existing religious facility had no code required parking established by permit. In 2003, the church purchased the western one third of the subject site, now vacant grass field located opposite the church across 32nd Avenue NE to the east in order to meet their parking needs. The church proposes to construct a parking lot consisting of 108 parking spaces. The subject site which abuts single family residential areas to the north and east will be screened with approximately 4 feet wide planting strip and a 6-foot high wood fence. The proposed parking lot would preserve the existing Maple trees located along 32nd Avenue NE and additional trees would be planted on the perimeter of the site and within landscaped island in the parking lot. Marked pedestrian crossing areas and stamped concrete pavers would provide safe areas for pedestrians using the parking lot. Entrance to the parking spaces would be from an existing curb cut on 32nd Avenue NE. The entire site would be paved with asphalt and concrete slabs in some areas. Three power poles with two light fixtures per pole would be located in the middle of the parking lot to provide pedestrian-scale lighting to promote personal safety and security.

Public Comment

Notice of proposed project was published on February 3, 2005, but a revised notice of application was republished on March 3, 2005. The revised comment period ended on March 16, 2005. Four comment letters were received. Three respondents expressed their concerns about preserving the existing Maple trees on the site, provide neighborhood sensitive lighting to lower the impact of light and glare to the nearby residential areas and provide adequate landscaping to screen the parking areas from the residential areas to the east and north of the site. Other concerns raised include providing a tank or drainage retention system, assured single access

route for egress and ingress, and provide some on-site amenities such as benches and kiosk. One respondent asserted that some portion of the proposed parking lot site should be developed into a park as a public benefit feature for the community.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

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 institutions for advanced study or other similar institutions may be permitted as conditional uses in single-family zones. Section 23.44.022.A sets forth the following criteria to be used to evaluate and/or condition the proposal:

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.

According to the plans submitted with the application, the proposal meets the applicable development standards enunciated in Section 23.44.008 through 23.44.016.

E. Dispersion

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 feet (600') or more from any lot line of any other institution in a residential zone, with certain exceptions.

The Maple Leaf Lutheran Church is currently located to the west of 32nd Avenue NE and the accessory parking lot for the proposed expansion is located to the east of 32nd Avenue NE. The expansion of Maple Leaf Lutheran Church to include the accessory parking lot will redefine the existing boundary of the religious facility. There is another institution the Seattle Waldorf School, located more than 600 feet away from the proposal site and separated by two city blocks and a steep slope. Therefore, this provision meets the applicable dispersion standards.

H. Noise and Odor

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. In order to mitigate identifiable 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 proposal and associated church is located in the Single Family 7200 (SF-7200) zone and would not be expected to generate odors. The highest demand for parking occurs on Easter and Christmas holidays, followed by non-holiday Sundays and social events. A minor increase in noise may occur from vehicular traffic, as a result of the centralized location for accessory parking. However; this is a minor impact that does not warrant migration. No adverse odor impacts are anticipated to result from this proposal.

I. Landscaping

Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive storm water runoff, 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 materials may be required to be retained. Maintenance of landscaped areas shall be the continuing responsibility of the owner.

According to the information submitted by the application, there is one 12” and one 24” Maple tree existing on site. A 6-foot fence will be located on the north, east and South property line to further screen the parking from the adjacent residences abutting the site. The proposed landscape plan indicates that twenty two percent (22%) or 9,436.5-sq. ft. area will be utilized to provide extensive landscaping for the site. As condition of approval, the applicant will be required to maintain the fence and landscaping for the life of the project.

J. Light and Glare

Exterior lighting shall be shielded or directed away from adjacent residentially zone lots. Exterior illumination currently exists in and around the existing church. In addition, there are two street lights on power poles located at the corner of NE 100th Street and 32nd Avenue NE and along the north property line of the proposed parking lot on 32nd Avenue NE. The existing street lights provide enough illumination to the immediate area along the street. The applicant proposed lighting plan calls for installing three poles with two light fixtures per pole. The poles will be installed in the center of the parking lot along a north-south line approximately 65 feet from each property line. The north most pole is 55 feet from the north property line. According to the lighting analysis submitted by the applicant, the lighting design specifies 250 watts high pressure sodium lights. The light fixtures are high quality General Electric (GE) (Decashield 400 luminaries) with a flat face intended to minimize glare. With this design, the light level drops to between 0.1 and 0.2 foot candles (fc) along the east property line and 0.2 to 0.8 foot candles (fc) along the north property line. The proposed landscaping and 6-foot high solid wood fence along the north, east and south property lines would limit any spillover light and glare impacts to abutting residential areas to the north and the east. Glare associated with this new light will be minor, as will the glare associated with increase in on-site vehicles (headlights).

M Transportation Plan:

1. *A transportation plan shall be required for proposed new institution and for those institutions proposing expansions, which are larger than four thousand (4,000) square feet of structure area and/or provide twenty (20) or more parking spaces.*

2. *The Director shall determine the level of detail to be disclosed based on the probable impacts and/or scale of the proposal. The transportation plan may consider the following elements as well as other similar factors:*
 - (a) *Traffic: Number of staff during normal working hours; user; guest; and other regularly associated with the institution; level of vehicle traffic generated; traffic and parking characteristics of the institution and the immediate area; likely vehicle use pattern; extent of congestion; types and number of vehicles associated with the use; and mitigating measures to be taken by the applicant;*
 - (b) *Parking area: Number of parking spaces; extent of screening from public or abutting lots; direction of vehicle light and glare; location of driveways and curbs cuts; accessibility and convenience of parking area; and mitigating measures to be taken by the applicant;*
 - (c) *Parking Overflow: Number of vehicles expected to be parking in alternate parking lots; opportunity available to share existing parking areas; trend to local area development and mitigating measures to be taken by the applicant such as providing shuttle services to off-site parking areas;*
 - (d) *Safety: Number of driveways, which cross pedestrian walkways; and location of passenger loading areas;*
 - (e) *Availability of Mass Transportation: Bus route location and frequency of service, private transportation programs including carpools and vanpools to be provided by applicant.*

The total area for the proposed parking lot on completion would be 42,765.5 square feet which is more than the 4,000 square feet and will contain more than 20 parking spaces to trigger a Transportation Plan; therefore, the above provision is applicable.

Traffic:

The applicant submitted an evaluation of traffic and parking analysis prepared by The Transpo Group, Inc. to the Department of Planning and Development (DPD). According to the study, the existing church currently offers one Sunday service which is attended by a total of 119 people on an average Sunday morning. An additional evening service is offered on Saturday and Sunday evening and is typically attended by approximately 30 people. The average vehicle occupancy (AVO) at a neighborhood church such as this is typically between 1.5 and 2.5 persons per vehicle. Based on the information provided by the church, the existing facility generates between about 32 and 70 vehicle trips during an average Sunday morning. An additional 10 to 20 vehicles trip are expected for the evening service.

According to ITE Trip Generation Manual 7th Edition, the estimated Sunday peak hour total trips generation is calculated at approximately 93 trips. This also suggests that the church capacity, which is approximately 119 people, will be well served by the proposed 108 parking spaces. The applicant indicated that the church plans no change to any facility programming as a result of the parking lot construction. As such, the trip generating characteristics of the church is not expected to change. Therefore, the impacts to the neighborhood from the trips generated by the church on Sunday or on special events will not change. The construction of the proposed parking lot is intended to accommodate vehicles that would otherwise be parking on the streets throughout the neighborhood on Sunday and on special event days.

Parking

It is the City's policy to minimize or prevent adverse parking impacts associated with development projects. Seattle Municipal Code 23.54.015A requires one parking space per eighty square feet of auditorium and public assembly rooms for a religious facility. According to the plans submitted by the applicant, 48 parking spaces would be provided to meet the Land Use Code requirement. The applicant has indicated on the site plan that the proposing will consist of 108 parking spaces, more than twice the Code required parking. The increased number of parking spaces will reduce the need for on-street parking when the church achieves it highest use on Sunday mornings and on special events day. In addition, the large parking lot will reduce parking impacts on residential streets whenever spillover parking occurs during any special event. Access to proposed parking will be through an existing curb cut on 32nd Avenue NE. The Sunday morning services and special events appears to record the only time of the week that this parking is in high demand. Due to the limited time of any large activity, a minor increase in vehicular activity will not create any serious safety hazard through residential streets. The proposal will mitigate existing parking impacts and will prove to be a public benefit to the entire neighborhood in reducing on-street parking. Therefore, conditioning for parking impacts is not required

Conditional Use (23.44.018) General Provisions

- 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 following institutions according to Section 23.44.022 of the Land Use Code may be permitted as conditional uses in single-family zones: community centers, child care centers, private schools, religious facilities, public or private libraries, existing institutes for advanced study, other similar institutions.

The Department recognizes the public benefit achieved by providing convenient religious facilities. The Land Use Code, as an enunciation of the city policy, allows institutions in single family zones, but establishes the conditional use process as a mechanism for the screening and mitigating of likely impacts related to the uses. The proposal is determined to not be detrimental to the public welfare or injurious to the properties in the vicinity.

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

Mitigation to anticipated impacts shall be required as noted above and as conditioned below.

DECISION - ADMINISTRATIVE CONDITIONAL USE

(Based on plans and information in the file):

The proposed action is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was published in the annotated environmental checklist completed on January 1, 2005, and supplemental information in the project file submitted by the applicant's agent. The information on the checklist, 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 23.05.665D) clarifies the relationship between codes, policies, and environmental review. Special policies for each element of the environment contain 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 an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for some of the identified impacts. Specifically these include: 1) Stormwater, Grading, and Drainage Control Ordinance (storm water runoff, temporary soil erosion, and site excavation); and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of right-of-way during construction).

Short-term Impacts

The following construction related impacts are expected: temporary soil erosion, decrease in air quality due to increased dust and other suspended air particulates during construction; increased noise and vibration from construction equipment. These impacts are not considered significant because they are temporary and/or minor in scope. Although not significant, some of the impacts are adverse and certain mitigation measures are appropriate as specified below.

Construction Noise:

Some short-term noise from construction activities is anticipated. Construction noise could result in periodic increases in speech interference and annoyance in the residences surrounding the project site. In addition to compliance with the Noise Ordinance (SMC 25.08), the applicant will be required to limit construction and grading activities to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. This condition shall be required pursuant to the SEPA authority to mitigate noise impacts during construction (SMC 25.05.675 B).

Street and Sidewalks:

The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Transportation Department. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (SMC 25.05.675 R).

In this case, adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

Parking:

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities. However, an adequate supply of off-street parking exists on the site. Further additional parking mitigation under SEPA is not warranted.

Long-term Impacts:

Long term or use related impacts are also anticipated from the proposal and include: increased light and glare; increased ambient noise due to increased human activity and vehicular traffic; increased parking demand; and increased demand on public services and utilities. In addition, the long term impacts are minor in scope, and the level of adversity is mitigated by compliance with city codes and ordinances; Energy Code (energy consumption); Seattle Land Use Code (required parking and landscaping, bulk and scale, light and glare); and the Stormwater, Grading and Drainage Ordinance (stormwater runoff).

Light and Glare:

The light and glare related impacts have been discussed in the ACU light and glare criterion above. Therefore, no mitigation for light and glare impact under SEPA is warranted for this project.

Parking:

The site plan indicates that one hundred and eight (108) surface parking spaces would be provided on-site. The Land Use Code requires one parking space for every eighty square feet of auditorium and public assembly rooms for religious facility. Therefore, the applicant would be required to provide forty eight (48) parking spaces on site. The number of parking spaces proposed for the church is more than that the number required by the Land Use Code. Additional parking demand such as overflow parking associated with the Sunday morning services and on special events is analyzed and mitigated by the administrative conditional use review. No mitigation is warranted based upon applicable SEPA policies

Traffic:

The traffic related impacts have been discussed in the ACU Transportation Plan criteria above. Therefore, no mitigation for traffic impact under SEPA is warranted for 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 requirement of the State Environmental Policy Act (RCW 43.21.C), 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 (2)
- [] 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)©.

CONDITION - SEPA

Prior to Issuance of the Master Use Permit

During Construction

The following conditions to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to be public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placard shall be laminated with clear plastic or other waterproofing material, and shall remain posted on-site for the duration of the construction.

1. In order to further mitigate the noise and other construction-related impacts, the owner(s) and/or responsible party(s) shall limit the hours of outside construction to non-holiday weekdays from 7:30 a.m. to 6:00 p.m.

CONDITION - ADMINISTRATIVE CONDITIONAL USE

Permanent for the Life of the Project

2. Maintain a 6-foot high screening fence with landscaping substantially with evergreen plantings as indicated on approved plans.

Signature: _____ (signature on file)
Christopher A. Ndifon, Land Use Planner
Department of Planning and Development

Date: February 16, 2006