



City of Seattle

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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:** 2406222  
**Applicant Name:** Don Atwood  
**Address of Proposal:** 2900 SW Myrtle Street

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to establish use for future installation of a 1,440 sq. ft. portable office structure accessory to a religious facility (Thien An Baptist Church).

The following approvals are required:

**Administrative Conditional Use**—to expand an institution in a SF 5000 zone.  
(Chapter 23.44.022, Seattle Municipal Code.)

**SEPA - Environmental Determination**  
(Chapter 25.05, Seattle Municipal Code)

**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 on the north side of South Myrtle Street at the junction of 29<sup>th</sup> Avenue SW. The approximately 2.6 acre site is a partially wooded bench on the down slope of a larger hillside extending to Delridge Way SW to the east. The southern half of the site is not wooded and contains a 2,800 square foot two-story church set-back substantially from the street, surface parking and a loop driveway with two access points to SW Myrtle Street.

To the west of the site is an up-sloping wooded hillside and then beyond this, Seattle Housing Authority housing at High Point. To the east are the undeveloped and wooded right of way (ROW) of 28<sup>th</sup> Avenue SW and another wooded and steep slope descending to Sylvan Way SW. Across SW Myrtle Street to the south the development consists of blocks of single-family structures typical of this area of West Seattle. The site and areas to the south of SW Myrtle Street are zoned SF 5000. The surrounding lots to the west, north, and east are designated a variety of Lowrise zones.

### Proposal Description

The applicant proposes to install a one-story 1,440 sq. ft. portable office structure along the eastern property boundary to the east of the church structure and main parking area. The structure will serve as a church office for three or four people during the week (generally from 10 AM to 6 PM) when the church itself is not open. It will also be used in the evenings for regularly scheduled church committee meetings, generally not exceeding ten people in attendance.

### Public Comment

The public comment period for this project ended March 16, 2005. No comment letters were received.

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

The Land Use Code allows the expansion of existing institutions in residential zones through the administrative conditional use process. This proposal is subject to the development standards outlined in section 23.44.008 through 23.44.016 of the Seattle Municipal Code (SMC). The director's decision has the authority to approve, condition or deny a conditional use application. This decision shall be based on the whether the proposed use will be materially detrimental to the public welfare or injurious to property. In addition to the general single family development standards institutions are subject to the standards of SMC 23.44.022. The applicable criteria used for evaluating and or conditioning the applicant's proposal are discussed below.

### D. General Provisions

*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.*

Within 600 feet of this site are an in-home children's day-care business, Sharon's Little Wonders, located to the southeast, and High Point Elementary School, to the northwest. The addition of the proposed portable office structure does not constitute an expansion of any lot lines of the existing institution. This criterion therefore 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 of screening.*

No demolition of residential structures is proposed for parking; therefore, this criterion is not applicable.

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 criterion is not applicable.

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. 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 proposed institutional expansion in the single family zone is not expected to generate increased noise and odors. The proposal does not introduce any outdoor recreational uses. The proposed use for the new structure is classified as "administrative office". This use for a 1,440 sq. ft. structure would require the provision of one additional parking space. The site currently has more than enough area currently used for parking for the church and new office; therefore, there are no expected parking impacts.

None of the activities proposed as part of the typical use of the site are expected to exceed the maximum permissible sound levels as established and modified in the SMC Chapter 25.08.

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.*

Based on a submitted photo of the proposed structure, it will not look like a typical metal clad portable structure, but be sided with simulated wood siding and use a handsome combination of colors for the siding and trim. The proposed structure, like the existing church itself, will be set-back a considerable distance from SW Myrtle Street. To add a landscape dimension to the structure a variety of northwest native trees will be planted along the south and west sides for screening. No planting will occur to the east, which is the wooded and undeveloped ROW of 28<sup>th</sup> Avenue SW, or to the north, which is on the site lot and is thickly wooded.

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 applicant stated that no “glare or additional site lighting will be created”. Lighting around entry doors and the proposed entry ramp is typical and can be expected. The structure floor plan indicates the location of two doors in addition to the main entry, one on the northern end of the structures west side and one on the east side.

All exterior lighting will be limited to down lights and shielded fixtures that will provide lighting for the immediate area at question, i.e. main entry lighting should not be of a design or strength that it is attempting to provide security lighting for the entire building length, adjacent parking, or walkway. Walkway / ramp lighting should be low to the ground and illuminate the ramp or walkway itself. If provided, security lighting on the north or east building sides should similarly illuminate the area on the building where visibility for security is desired, and not extend off site to the adjacent wooded areas or street.

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.*

The approximately 2.6 acre site has approximately 243 feet of street frontage, is approximately 1,000 feet deep, and, although not technically rectangular, has roughly parallel sides and for all purposes is a rectangular parallelogram. Because the site was originally developed with the existing church structure set-back from SW Myrtle Street, it does not reflect, or detract from, the surrounding development pattern. The proposed office structure will continue this pattern. Additionally, the proposed structure is not permanent, but portable, so its location will not constrain any future short platting or subdivision of this site, although none is anticipated.

- b. For lots with large street frontage in relationship to their size, the proposed institution reflects 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.*

Because of the isolation of this lot's street frontage from the multi-family use to the west, the existing building set-back from SW Myrtle, and the standard and conventional design of the portable building, continuity of the block front and integration with surrounding residential structures are not concerns.

- 2. Yards. Yards of institutions shall be as required for uses permitted outright in Section 23.44.008, provided that no such 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.*

Per Code, the proposed structure will be located a minimum of ten feet from the side lot line to the east.

- 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.*

This provision is not applicable.

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

The proposed structure will be approximately thirteen feet above grade and does not include roof mounted religious symbols.

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

The proposed structure is approximately 60 in length (parallel to the side property line) and 24 feet in width (parallel to the front lot line). To aid in mitigating the appearance of bulk, the proposed addition design includes painted textural simulated wood siding, window and door penetrations with contrasting painted trim and a gable roof. One long axis, which faces the existing church, will have an uncovered entry porch and ramp, which will reduce the apparent length of this façade. The opposite long façade will face a wooded area and not be visible from the surrounding neighborhood. Additionally, the structure will be set back approximately 220 feet from SW Myrtle Street and therefore present a minimal apparent size.

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 shall be encouraged.*
- b. *Parking and loading shall be required as provided I Section 23.54.015.*
- c. *The Director may modify the parking and loading requirements of Section 23.54.15, 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*

The existing church was permitted and built in 1968 along with required parking. That parking is still provided, along with over-flow parking areas on the north and west sides of the lot. None of that parking will be removed by the addition of the proposed office structure.

The parking requirement for a 1,440 sq. ft. administrative office use is one parking space. This space will be provided by the existing excess /over-flow parking.

The proposed building is not expected to increase or change the transportation mode choice, therefore, Criterion “a” above is not applicable.

There will be no change to the parking and loading demands and as approved during the original permitting of this use in 1968.

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

There is no expected change in traffic; hence this criterion is not applicable.

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 the structure area and/or required to provide twenty (20) or more 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. Discussion of the following elements and other factors may be required:*

1. *Traffic. Number of staff on site during normal working hours, number of users, guest and others regularly associated with the site, level of vehicular traffic generated, traffic peaking characteristics of the institution and in the immediate area, likely vehicle use patterns, extent of traffic congestion, types and numbers of vehicles associated with the institution and mitigating measures to be taken by the applicant;*
2. *Parking. Number of spaces, the extent of screening from the street or abutting residentially zoned lots, direction of vehicle light glare, direction of lighting, sources of possible vibration, prevailing direction of exhaust fumes, location of parking access and curb cuts, accessibility or convenience of parking and measures to be taken by the applicant such as preference given some parking spaces for carpool and vanpool vehicles and provisions of bicycle racks;*
3. *Parking Overflow. Number of vehicles expected to park on neighboring streets, percentage of on-street parking supply to be removed or used by the proposed project, opportunities for sharing existing parking, trends in local area development and mitigating measures to be taken by the applicant;*
4. *Safety. Measures to be taken by the applicant to ensure safe vehicular and pedestrian travel in the vicinity;*
5. *Availability of Public or Private Mass Transportation Systems. Route location and frequency of service, private mass transportation programs including carpools and vanpools, to be provided by the applicant.*

This proposal is for the addition of 1,440 sq. ft. of office space and will require an additional parking space, hence this criterion does not apply.

**ANALYSIS – ADMINISTRATIVE CONDITIONAL USE GENERAL PROVISIONS**  
**(SMC 23.44.018)**

- A. *Only those conditional uses identified in this subchapter may be authorized as 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 Land Use Code allows religious facilities as an institutional use allowed through the Administrative Conditional Use approval process.

*B. Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.016;*

This proposal is subject to, and has met, the development standards SMC 23.44.008 through 23.44.016.

*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;*

This decision shall be based on whether the proposed use meets the development criteria and conditional use criteria as described in SMC 23.44.022 A through M. As discussed in the criteria above, this proposal meets these criteria.

*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 criteria described in SMC 23.44.022 A through M is used to evaluate the proposal and condition, if necessary, to protect other properties and the public interest. The analysis of this proposal under these criteria above demonstrates the proposed building addition will not cause negative impacts. A requirement for the shielding of any proposed lighting and the addition of landscaping on the south and west sides of the building will mitigate minor impacts.

*E. Any use which was previously authorized by a conditional use permit but which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit, provided that such permit is required for the use at the time re-establishment or recommencement is proposed;*

The use at this site has not been discontinued.

*F. Minor structural work which does not increase usable floor area or seating capacity and does not exceed the development standards applicable to the use shall not be considered an expansion, unless the work would exceed the height limit of the zone for uses permitted outright. Such work includes but is not limited to roof repair or replacement and construction of uncovered decks and porches, bay windows, dormers and eaves.*

A structure for use as a church office is proposed. This is not considered an expansion of use, as addressed above.

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

The conditional use application is **APPROVED** as indicated at the end of this document.

## **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated February 1, 2005. The information in the checklist, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has reviewed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and considered public comments received regarding this proposed action. As indicated in the checklist, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

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 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 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 and long-term adverse impacts are anticipated from the proposal.

### **Short-Term Impacts**

The following temporary demolition and construction activities on this site could result in the following adverse impacts: erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, and a small increase in traffic due to construction related vehicles. These construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, therefore no further mitigation is required.

### **Long-term Impacts**

Potential long-term or use-related impacts anticipated by this proposal include: increased bulk and scale on the site and minor increase in light and glare from exterior lighting and from vehicle traffic (headlights) increased traffic and parking demand due to employees and visitors.

Several adopted City codes and / or ordinances provide mitigation for the identified impacts. Mitigation of these impacts has been demonstrated through the discussion in the Administrative Conditional Use Criteria above; therefore no further mitigation is required.

## **DECISION - SEPA**

The responsible official on behalf of the lead agency made this decision after review of a completed environmental checklist and other information on file with the 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 43.21C.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).

**CONDITIONS-ADMINISTRATIVE CONDITIONAL USE**

None.

**CONDITIONS - SEPA**

None.

Signature: (signature on file)  
Art Pederson, Land Use Planner  
Department of Planning and Development

Date: November 14, 2005