City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

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

Application Number:	2403850
Applicant Name:	George Barrero Van Asselt Community Center
Address of Proposal:	2820 S. Myrtle St.

SUMMARY OF PROPOSED ACTION

Master Use Permit for future construction of a 9,733 square foot addition to an existing Community Center (Van Asselt). Project includes 4,405 square feet partial demolition of existing building and reconfiguration of existing parking lot and drop off area to accommodate four additional spaces for a total of 30 parking spaces.

The following approvals are required:

Administrative Conditional Use Permit - to allow expansion of an existing institution other than public schools not meeting development standards.
SMC Section 23.45.122

SEPA – Conditioning Only - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: [ ] Exempt [X] DNS [ ] EIS

[ ] DNS with conditions

[ ] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

*DNS Published by City of Seattle Department of Parks and Recreation on January 15th, 2005.

BACKGROUND DATA

Site and Vicinity Description

The project site is located east of Beacon Avenue S., on S. Myrtle St. in the Beacon Hill neighborhood. The site is zoned Single-family (SF5000) as are the surrounding sites to the north, south, and west. Vehicle access to the site is from S. Frontenac St. The site is relatively flat. The property is bordered to the north by South Frontenac St., to the west by Beacon Av. S., to the east by 32nd Av. S. The existing building on the site (Van Asselt Community Center) is located on the central portion of the site. The Community Center is currently a one-story brick building with an attached two-story gymnasium. The site has a baseball field, a basketball court, a tennis court, a wading pool, a children's play area and an existing parking area for approx. 26 vehicle parking spaces.

Surrounding properties in the vicinity have been developed with a mix of single family and multifamily structures. The property to the north is the Holly Park Subdivision. The site is surrounded by two-way paved streets with sidewalks, curbs and gutters.

Proposal Description

The project proposal is for the construction of a one-story, 9,733 square feet addition to an existing community center (Van Asselt). The proposal also includes a 4,405 square foot partial demolition of the existing building and the reconfiguration of the existing parking lot and drop off area to accommodate four additional parking spaces for a total of 30 spaces. The parking lot is located adjacent to the north property line and is accessed from S. Frontenac Street. The structure will include, a gymnasium, large dividable multi-purpose room with adjoining kitchen, game rooms, lounge area, offices, new restroom and shower rooms and after school day care.

The proposal involves partial demolition of existing western portion of the community center (only the eastern gymnasium portion of the building is to remain). The new construction will occur in the same general area of the removed portion of the existing building.

The proposed development is an expansion of the existing Community Center use. The completed community center will serve the general public during hours set by the Department of Parks and Recreation.

Public Comment

No comment letters were received during the comment period that ended on October 6th, 2004.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

The Seattle Land Use Code (SMC 23.44.022 A) provides that new or expanding institutions such

as religious facilities and private schools 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 applicable criteria are discussed below.

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.

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

The proposed addition is within the existing boundaries of Van Asselt Community Center. No expansion of the lot lines is proposed; therefore, the dispersion criterion is not applicable.

Demolition of Residential Structures.

No residential structure shall be demolished nor shall its use be changed to provide for parking; therefore, this criterion is not applicable.

Reuse of Existing Structures.

Existing structures may be converted to institution use if the yard requirements for institutions are met.

No conversion of existing structures is proposed; therefore, this criterion is not applicable.

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.

The proposed addition will be located toward the middle of the lot in excess of 200 feet from the east and west property lines and well over 100 feet from the north and south property lines. The increase of four parking spaces will not significantly impact traffic in the area. The Community Center hours will be

set by the City of Seattle Department of Parks and recreation. Fencing will be installed around the existing outdoor basketball courts to limit after hour use, and the parking area will be locked at night to limit after hour uses. All operations of the community center will be in conformance with the noise ordinance. Any increase is not expected to exceed the maximum sound levels established in the Noise Ordinance, SMC Chapter 25.08.

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.

The boundaries of the property are landscaped with mature trees and bushes. Landscaping will be used to soften the edge of the new addition. New landscaping around the addition will be designed to minimize use of potable water. Parks Department provides year round maintenance of landscaped areas.

Light and Glare

Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots.

All new exterior lighting will be shielded to eliminate all light spillage across any property lines.

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.

This proposed location does not impact development patterns; therefore, this criterion is not applicable.
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    b. For lots with large street frontage in relationship to their size, the proposed institution reflect 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.

The expansion will occur within the same general area as the existing building. The proposed location of the addition will not be visible from the street because of the distance from all property lines and it will be shielded by trees and bushes; therefore, this criterion is not applicable.

2. *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 ft.) 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.

The addition will be located over 100 feet from all property lines; therefore this criterion is not applicable.

3. <u>Height Limit</u>:

a. 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 (25') above the height limit.

The addition is one story, approximately 22'0" in height; therefore, this provision is not applicable.

4. 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 façades of the proposed addition are modulated and as stated earlier, the new addition is within the area of the existing Community Center will be located on the Van Asselt Community Center site such that they will not be visible from the street or by other properties. Furthermore, the yards will substantially exceed the requirement as discussed earlier. In light of that, no impacts associated with bulk are expected by neighboring properties and no conditions will be imposed.

<u>Parking and Loading Berth Requirements</u>

SMC 23.44.022.L provides that 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 parking lot area will be expanded from 26 to 30 parking spaces to conform to City of Seattle Zoning Code requirements. The proposed renovation will not alter the use of the gymnasium nor will it increase the demand for parking or loading since no addition to the occupant load is expected.

Therefore it will not modify the current requirements for parking or loading for this facility. The primary reason for this proposal is to upgrade the existing facility to current building standards and to provide a comfortable and safe facility.

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

No additional traffic is anticipated as a result of this proposal.

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.

A transportation plan was not required based on information submitted by the applicant. The information provides that the addition is not intended to replace the existing use that already occurs at the community center. The addition is not anticipated to result in perceptible parking or traffic increases as it is being provided for current activities, staff, students and parishioners. Based on this information no additional parking is required. The increase of four parking spaces is not significant to impact traffic in the area.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE -GENERAL PROVISIONS

A. SMC 23.44.018.A provides that uses identified as conditional uses may be authorized in single family zones. The Master Use Permit process shall be used to authorize these uses. The City's Land Use Code allows religious institutions and private elementary and secondary schools in single family zones, but establishes the conditional use process as the mechanism for screening and mitigating impacts related to such uses.

B. SMC 23.44.018(B) states that, unless specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.016.

The subject proposal will meet all of the development standards for uses permitted outright.

C. SMC 23.44.018(C) states that the Director may approve, condition, or deny a conditional use based on 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.

No adverse impacts associated with this proposal have been identified.

D. SMC 23.44.018(D) states that, in authorizing a conditional use, the Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protections of other properties in the zone or vicinity and the public interest.

No adverse impacts warranting mitigation have been identified.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The proposed action is **GRANTED.**

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE

None.

ANALYSIS - SEPA

The environmental impacts have been analyzed in environmental documents prepared by Seattle Department of Parks and Recreation, which issued a Determination of Non-Significance for the project on January 15th, 2005.

The Department is reviewing the environmental impacts of the proposal in order to impose further conditions if necessary. This proposal is reviewed under substantive SEPA authority. Disclosure of the potential impacts from this proposal was made in the environmental documents listed above. This information, supplemental information provided by the applicant and the experience of this agency with review of similar proposals form the basis of this analysis and conditioning.

The SEPA Overview Policy (SMC 23.05 665.D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, 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/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary construction related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during demolition and construction; increased noise and vibration from construction equipment; increased traffic and parking demand from construction workers; and tracking of mud onto adjacent streets by construction vehicles. 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.

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 rights-of-way during construction).

Air Quality

Demolition will create dust, leading to an increase in the level of suspended particulates in the air, which could be carried by winds out of the construction area. The Street Use Ordinance (SMC 15.22) requires watering the site, as necessary, to reduce dust. In addition, the Puget Sound Clean Air Agency (PSCAA regulation 9.15) requires that reasonable precautions be taken to avoid dust emissions. In addition to spraying water or chemical suppressants, this may require activities, which produce air-borne materials or other pollutant elements to be contained within a temporary enclosure. Demolition could require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would contribute slightly to the degradation of local air quality. Since the demolition activity would be of short duration, the associated impact is anticipated to be minor, and does not warrant mitigation under SEPA.

PSCAA, Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. However, no permit process exists that ensures that PSCAA has been notified of the proposed building demolition and that asbestos and lighting features has been removed from the site. A condition shall be added requiring the applicant to submit to DPD a copy of the PSCAA demolition permit prior to issuance of master use and/or demolition permit. This condition is imposed pursuant to SEPA authority to mitigate air quality, construction and environmental health impacts, SMC 25.05.675 A, B, and F.

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 Department of Transportation (SDOT). 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.

Earth-related Impacts

The Department of Planning and Development estimates based on the size and scope of the proposed project that the site development will include demolition and minimal excavation of material. Compliance with the Stormwater, Grading, and Drainage Control Code will require that Best Management Practices (BMPs) be employed during excavation and construction including that the soils be contained on-site and that the excavation slopes be suitably retained in order to mitigate potential runoff and erosion impacts during excavation and general site work. Compliance with the requirements described above will provide sufficient mitigation for the anticipated earth-related impacts. Therefore, no mitigation of impacts pursuant to SEPA authority is warranted.

Parking

The Van Asselt Community Center currently has twenty-six (26) on-site parking spaces. The current project will provide 4 new parking spaces. According to information submitted to DPD, the proposed expansion is expected to generate a total parking demand of 30 parking spaces. It is presumed that parking demand is met on site. Therefore no conditioning pursuant to SEPA authority SMC 25.05.675M is warranted.

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 that can accommodate increased parking demand during construction. Further additional parking mitigation under SEPA is not warranted.

Construction Traffic

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near a major arterial; however, the trucks must travel near residential neighborhoods. Due to the location of this proposal site, access and circulation of grading trucks will likely be on S. Frontenac St. which runs between the subject site and the Holly Park residential development. As a result of the limitations of access and on-site circulation and the potential disruption of neighborhoods due to increased truck traffic, the applicant or responsible party shall be required to consult with SDOT to develop a grading truck access plan that causes the minimum amount of disruption along the grading truck route. The "minimum disruption" shall mean subjecting residential uses to the least amount of noise and traffic practical given the scope of the activity. Any additional requirements that SDOT deems appropriate for this truck activity may be incorporated into the SDOT approval, pursuant to SDOT authority. All elements of the grading truck route plan shall be approved by DPD prior to issuance of the grading permit and attached to the issued permit sets of plans.

The applicant/responsible party shall be required to follow the grading truck access plan during the course of the grading activity (SMC 25.05.675 B - Construction Impacts policy).

City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks, which minimizes the amount of spilled material and dust from the truck bed enroute to or from a site.

The conditions for grading truck trips, in addition to the non-discretionary review authorized by existing codes and ordinances, ensure that impacts from the proposed grading will be reduced or eliminated and no further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

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 vehicular parking demand; and increased demand on public services and utilities. No additional traffic impact is anticipated because there is no increase in the trips; energy consumption would be less than the existing because the proposed building would meet current codes. The remaining long-term impacts are minor in relative 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 proposal site is located adjacent to residentially zoned properties along the east and north across the streets from the property lines. The existing structure and proposed addition is surrounded with trees providing adequate screening for light and glare impacts on adjacent residences and the street respectively. *Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots.*

Furthermore, the Land Use Code requirement for shielding and reorienting exterior lighting to minimize impacts on surrounding properties is sufficient mitigation for this impact (SMC 23.45.045). No further mitigation under SEPA is warranted.

Traffic

The proposal is not expected to generate a significant increase in traffic due to the addition. The site would still be accessed from S. Frontenac St. The new addition is not expected to have a significant adverse impact on traffic conditions or reduce the level of service at nearby intersections. Therefore, no mitigation of traffic impacts under SEPA is warranted for this project.

Bulk and Scale

The maximum height of the community center is the gymnasium which is 32 feet 6 inches. The maximum height of the rest of the structure is below 22 feet 6 inches. The height limit for Institutions in this Single-

family 5000 zone is 30 feet. The height of the proposed building does not exceed the height limit of the Single Family zone, which is 30 ft,

All the Land Use Code required setbacks are met. The intent of the code is to reduce bulk and scale impacts on adjacent residences.

Landscaping

The existing and the proposed landscaping consisting of trees, shrubs, groundcover, and flora comply with the landscaping provisions.

Other Impacts

Several codes adopted by the City will appropriately mitigate the use related adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Clean Air Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

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 requirements of the State Environmental Policy Act (RCW 43.21C), 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)(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 – SEPA

None.

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE PERMIT

None.

Signature: (signature on file) Date: July 21, 2005
Joan Carson, Land Use Planner II

JC:bg

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