



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning & Development**  
D. M. Sugimura, Director

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

**Application Number:** 2406041  
**Applicant Name:** Jeri Hjert-Bernardi for Ted Johnsson  
**Address of Proposal:** 3530 Interlake Ave N.

**SUMMARY OF PROPOSED ACTION**

Master Use Permit for future alteration of single family home to establish use as a triplex, and future alteration of existing accessory structure to establish use as a single family residence, all with accessory parking at grade.

The following approval is required:

**Administrative Conditional Use** permit, SMC [23.47.006 B4a](#): To allow the expansion of a residential use in a C2 zone.

**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 Description

The property is located on the west side of Interlake Ave N, midblock between N 35<sup>th</sup> St. and N 36<sup>th</sup> St in South Wallingford. The site is in a Commercial 2 zone with a 30-foot height limit (C2-30, see Figure 2). The site measures 6600 sq.ft., and it slopes up to the east, about 10' in all. There is a single family home, and no principal commercial uses are present on the site. A detached one-car garage is located at the southwest corner of the site. There is no alley.

### Area Development

The proposed project is located on the east side of an industrial and commercial corridor that flanks Stone Way N and intersects with Fremont's North Lake Union waterfront. The neighborhood transitions from a largely single family residential neighborhood to the north and east to a largely commercial and industrial district to the south and west. Properties directly to the north and south are also zoned C2-30. To the east of the subject site's rear property line, and north of 35<sup>th</sup> St, land is zoned Single Family, with a 5000 sq.ft. minimum lot size (SF 5000). To the west, across Interlake Ave N, is an Industrial Commercial zone with a 45 foot height limit (IC-45).

Surrounding uses and structures do not necessarily reflect their zoning. Directly north of the site is a converted single family home, currently occupied by private school, the [Fremont Community School](#). Further north, is an apartment building and single family home. To the south is a City-owned property, currently vacant, recently occupied by the [University Child Development School](#). There are apparently no commercial uses located in the C2 zone on this side of the block.

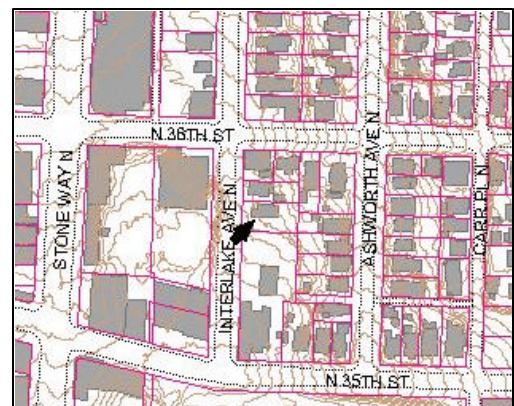
Across Interlake Ave N is a relatively large (¾ acre) site occupied by a warehouse. To the southwest are two smaller properties occupied by a wholesale/retail distributor of heating systems, and another business specializing in restoration of custom tiles. Across N. 35<sup>th</sup> St to the south, Seattle Public Utilities operates a solid waste transfer station.



**Figure 1, Aerial photo.**



**Figure 2, Vicinity zoning**



**Figure 3, Vicinity topography**

According to City of Seattle Geographic Information Systems (GIS) data, Interlake Ave N is a nonarterial where it abuts the site. No further street improvements are required in association with this project.

### Proposal

The proposal involves alterations and an addition to the existing single family home, to provide for two additional residential units to be located in the second and third floors, respectively. A third single-story residence would be established in a separate structure located in the northeast corner of the site. The applicant proposes to establish a surface parking area for five cars toward the southeast corner of the site, and the existing one-car garage would be converted to storage accessory to one of the residential units.

### Public Comment

The project elicited no comments. DPD's public comment period ended on October 27, 2004.

## **ANALYSIS – ADMINISTRATIVE CONDITIONAL USE**

Pursuant to SMC Section [23.47.006](#), the following criteria shall be used to evaluate and/or condition the proposals:

- A. *All conditional uses shall be subject to the procedures described in Chapter 23.76, and shall meet the following criteria:*
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 project involves the expansion of the existing single family home to a triplex and the establishment of a new single family structure. In its scope and impact, the project is comparable to other multifamily residential properties in this zone and in the vicinity. Such uses have coexisted with nearby commercial uses for decades, and the expansion of the residential use on this property should represent no material detriment to other nearby properties.

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.*

The project is subject to conditions listed at the end of this report.

B. *The following uses, identified as administrative conditional uses on [Chart A](#) of Section [23.47.004](#), may be permitted by the Director when the provisions of this subsection and subsection A are met:*

5. *Residential Uses in C2 Zones.*

a. *In order to conserve the limited amount of commercially zoned land for commercial uses, residential uses in single-purpose or mixed-use structures shall generally not be allowed in C2 zones. However, additions to, or on-site accessory structures for, existing single-family structures shall be permitted outright. Residential uses in single-purpose or mixed-use structures may be permitted in C2 zones as administrative conditional uses according to the following criteria:*

As a single family structure proposed to be expanded to a triplex, the project is not permitted outright, but is instead subject to conditional use criteria for expansion of a single-purpose residential structure.

*(1) Availability of Suitable Land for C2 Activities. Residential uses shall generally be discouraged in areas which have limited vacant land and where, due to terrain and large parcel size, land is particularly suitable for commercial rather than residential development.*

The site is located in a transitional area between a predominantly single family neighborhood to a more intensively commercial area. Property sizes also transition from small residential lots to larger commercial holdings. Few sites in the area are vacant, and there is commercial activity in the vicinity. The site and area exhibit moderate sloping, but not to an extent that would otherwise preclude commercial use.

The Commercial 2 zoning for this half-block appears to be out of step with existing land uses. On this block along the east side of Interlake Ave N, there is no evidence of commercial uses typically associated with C2 zones. Four properties are relatively small and are occupied by single or multifamily structures. The neighboring structure to the north is occupied by an institutional use (private school, child care). The neighboring property to the south is currently unoccupied, but was most recently used as a private school. None of the properties has been developed to the full potential allowed by C2-30 development standards. The C2 zone is also directly adjacent to land zoned for single-family use, to the east. In this regard, established non-commercial uses may serve more effectively as a buffer, which would commonly be located between more intensive and less intensive zones.

DPD determines that the land use pattern on this block face demonstrates that land is not particularly suitable for commercial use.

