

**CITY OF ISSAQUAH
DEVELOPMENT SERVICES DEPARTMENT
ADMINISTRATIVE REVIEW**

NOTICE OF DECISION

TO: Tony Nguyen
City of Issaquah
Public Works Engineering
P.O. Box 1307
Issaquah, WA 98027-1307

PROJECT: **Mountain Park Booster Station**
Administrative Adjustment of Standards: Building Setback reduction for rear yard

PRJ No. PRJ14-00007

APPLICATION: AAS14-00001 (Administrative Adjustment of Standards)

REFERENCE APPLICATION: BLD14-00146

DATE OF DECISION: May 21, 2014

REQUEST: An Administrative Adjustment of Standards for Building Setbacks is requested by the City of Issaquah Public Works Department to reduce the south rear yard setback for a new booster station building that will replace an existing utility building. The rear yard setback is 20 feet and the existing building is 6'-10" from the south property line and the new building is shown with an improved setback that varies from 7'-3" to 10'.

The existing facility is nearing the end of its useful life and is vulnerable to damage from seismic events. The project will include with the new building, new pumps, electrical improvements, an onsite generator, new site piping and site improvements. The new building will improve fire flow in the Mt. Hoot Zone of the City's water system. A storm line that is shown under the building footprint will also be re-routed so that it will not be under the building.

The existing Mountain Park booster pump station is proposed to be demolished and rebuilt in approximately the same location, without chain link fencing around the building and new landscaping installed. The building will be approximately

1,200 square feet in size and 14 feet in height to the average height of its pitched roof. The zoning of the property requires a rear yard setback of 20 feet. The building will not meet the 20 foot setback due to restrictions of the existing PSE easement on the north side of the property. The building cannot be moved any further northward.

LOCATION: The property is located at 475 West Sunset Way. See location with vicinity map, Exhibit 2 and site plan, Exhibit 8A.

SUBAREA: The property is located within the "Gilman" subarea.

**COMPREHENSIVE PLAN:
DESIGNATION:** "Community Facilities"
by the City's Comprehensive Plan's Use Designation Map, as amended and effective January 20, 2014, Ord. 2706.

KC PARCEL NUMBER: 332406UNKN

SITE AREA: 9,600 square feet

ZONING: Community Facilities – Facilities (CF-F)

DECISION MADE: On May 21, 2014, the Development Services Department conditionally approved the application for Administrative Adjustment of Standards for building setback, Application No. AAS14-00001. Approval of the application is based on the application submittal made on January 13 2014 and additional information received thereafter. The approval of the application is subject to the following conditions:

1. Construction shall not commence until a Building Permit is issued by the City, pending with application BLD14-00146. All conditions of the Building Permit shall be complied with.
2. The new landscaping shall be irrigated and can include drip irrigation in the shrub beds and pop up rotor heads in the lawn area.
3. The following changes to the landscaping plan shall be made and submitted with the Building Permit application:
 - 1) Change Loder's White Rhododendron to Pieris japonica 'White Cascade'. Increase quantity from 4 to 7.
 - 2) Change Purple Splendor Rhododendron to Osmanthus delavayi. Increase quantity from 3 to 5.
 - 3) Change the Honorable Jean Marie De Montague Rhododendron to Kalmia latifolia 'Nathan Hale'.
 - 4) Change quantity of American Sentry Linden from 3 to 1.
 - 5) Increase Day lily to 45 from 38.
 - 6) Increase Sword Fern quantity to 30 from 26.

- 7) Delete Jane Magnolia. Relocate 2nd Eddie's White Wonder Dogwood to that location.
 - 8) Along the southern side of the building, replace the sword ferns with taller growing shad adaptable shrubs. A suggest to use is Sarcococca rusifolia (also called Sweet box)
4. Prior to acceptance of the project, the City shall receive confirmation from the Ridgebrook Condominiums for the continuation with the use of the driveway access along West Sunset Way.

REASONS FOR DECISION:

1. 18.07.260 General Purpose:
The purpose and intent of administrative adjustment of development standards is to provide the flexibility to modify standards in all zoning districts at the administrative level. Approval must be based on a determination that the adjustment is consistent with the purpose and intent of this Code and of the development standards. This provision requires a Level 2 Review (Chapter 18.04 IMC) regardless of street frontage or parcel size, with public notification to adjacent property owners.
2. 18.07.270 Process:
The Director has the authority to make the final decision regarding Administrative Adjustment of Standards for all levels of review. The Director shall consider the application information regarding the approval criteria which has been provided by the applicant and any public comment which has been received within the comment period. The Director may request input from the Chair of the Development Commission during the comment period; however, this is not required. The Director's decision on the Administrative Adjustment of Standards is final unless appealed. Appeals to a Level 2 Review/Administrative Adjustment of Standards decision are made to the Hearing Examiner (further appeals to King County Superior Court).
3. 18.07.330(A): Purpose for Setbacks:
The purpose of permitting the Administrative Adjustment of Setback Standards is to provide for flexibility in reducing or modifying setbacks in all zoning districts, without permitting a setback adjustment that would negatively impact the surrounding neighborhood. An adjustment to a setback may be approved based on a determination by the Director that the adjustment is consistent with the purpose of this Code, the intent and purposes of the setback standards, and will accomplish one (1) or more of the following objectives:
 - 1) Allow buildings to be sited in a manner which maximizes solar access;
 - 2). Allow zero lot line, semidetached (common wall construction) or other types of cluster development in conformance with the provisions of this Code;
 - 3) Coordinate development with adjacent land uses and the physical features of the site;
 - 4) Permit flexibility in the design and placement of structures and other site improvements;
 - 5) Allow development consistent with the scale and character of the existing neighborhood;
 - 6). Provide flexibility for a site which has one (1) or more of the following constraints:

- a. Existing development which was permitted or platted under previous land use regulations; or
 - b. A vacant site which had development approval or was platted under previous land use regulations; or
 - c. Physical features of the site which prevent development that is compatible and consistent with the character and scale of the surrounding area, such as the unique site constraints in the older part of the city;
- 7) Allow reduction of the required setbacks in order for the placement of the building to be adjusted on the lot for retention of existing significant trees.

Staff response: The placement of the new utility building will be in the same approximate location of the one that will be demolished, although it will be larger in size. The new building will be setback slightly further from the south property line than the existing building that is to be demolished. Trees located to the south of the building that provide a buffer will not be removed. The reduced setbacks to the new utility building should not have a negative impact to the neighborhood.

4. 18.07.330 (B): Approval Criteria:

These setback standards are applicable in a residential, commercial, industrial or mixed use development, unless otherwise provided. These standards are not applicable to the Mineral Resource Zone. Setback standards for the Mineral Resource Zone are provided at IMC 18.07.525. These standards may be adjusted administratively through the approval of all the following criteria, in addition to the approval criteria for Level 2 Review:

- (1) Compatibility: The adjustment of setbacks is compatible in scale and character with existing neighboring land uses; and

Staff response:

The adjustment of standards request to reduce the rear setback for the utility building will be compatible in scale and character with the neighborhood. Other setbacks for the neighborhood include side yards at 7 feet. The building is one story in height with a pitched roof. Other buildings in the neighborhood are multifamily and constructed having multiple floors. The booster station building will be constructed of durable building materials (CMU block and metal) and the site re-landscaped to be compatible with the neighborhood landscaping.

- (2) Consistency: The proposed development meets all other development and design standards as governed by the District Standards Table and the Design Criteria Checklist, unless those standards are modified through approved:

- a. Cluster provisions; or
- b. An Administrative Adjustment of Standards; and

Staff response:

The proposed utility building will meet all other development standards of the Land Use Code including building setbacks (as adjusted by this application), building height and lot coverage (Impervious & pervious surface ratios). No additional parking is necessary for the project. The project will continue to use the existing parking area along the eastern side of the building and access will remain from the existing driveway along West Sunset Way (prescriptive easement).

Clustered provisions are not applicable to this administrative adjustment of

standards.

- (3) *Consistency with Zoning District: The adjustment of setbacks shall provide consistency with the intent and character of the zoning district involved; and*

Staff response:

The intent and character of the zoning district involved (Community Facilities-Facilities) will remain. The character of the neighborhood is multifamily residential to the north south and east, and the City's cemetery to the west. The closest adjacent building to the south is a 3-story condominium with mature landscaping between it and the booster station. The subject property has a park-like look to it with lawn and a limited amount of ornamental shrubs and trees. The project will include new supplemental landscaping to enhance and beautify the site.

- (4) *Impacts:*

- a. *Adjacent Property Owner(s): The adjustment of setbacks does not negatively impact the adjacent property owners;*
- b. *Critical Areas: The adjustment of standards is consistent with the purpose and intent of the critical area regulations, and does not negatively impact any adjacent critical areas;*
- c. *Public Services: The adjustment of setbacks does not negatively impact public services, including emergency access, access to right-of-way, dedicated tracts, or easements; and*
- d. *Structure(s): Any structure(s) which is within the proposed setback modification area does not negatively impact the adjacent property through incompatible height, bulk, design, color or other feature; and*

Staff response:

- a. The adjustment of standards to reduce the rear yard for the utility building will not negatively impact the adjacent neighbors. There already is an existing utility building at this location that is closer to the rear property property line than with the newer building that is to replace it. The adjacent property owners were provided written notice of the proposal along with plans of the project. No written comments were received by the City.
- b. There are no "critical areas" on the subject property or adjacent properties.
- c. There will be no negative impact to public services including emergency access, access to the streets or tracts or easements. Access to the site remains as it currently exists along West Sunset Way.
- d. The new one-story will not have a negative impact to the adjacent properties to the south which is developed as condominiums. The City proposes to set the utility building further back from the south property line than the existing building building and will provide additional landscaping around the building for aesthetics and buffering. The utility building should not have a negative impact the adjacent property through incompatible height, bulk, design, color or other feature. The allowable height in the MF-M zone which this site uses is 40 feet base height up to a maximum of 50 feet. The utility building will be 14 feet in height measured to the average of the pitched roof. The utility building will be compatible with residential development in the neighborhood and the City's

Hillside Cemetery located to the immediate west. The building will be constructed with smooth and split face CMU with a forest green colored standing seam metal 6:12 pitched roof. The building will have doors on 3 sides (west, north and east), but no windows.

- (5) *Intent: The adjustment of standards will be equal to or superior in fulfilling the intent and purpose of the original requirements; and*

Staff response:

The adjustment of standards requested by the City will be equal or superior in fulfilling the intent and purpose of the original requirement in allowing for flexibility in reducing the side yard setback for the utility building from 20 feet to a variable 7 feet 3 inches to 10 feet due to the slight angled placement of the building and the irregular shape of the south property line. The setback is greater than the setback for the existing building that is to be demolished.

- (6) *Impervious Surface Ratio: The required impervious surface area for the property is not exceeded; and*

Staff response:

The required impervious surface area allowed for the property is not exceeded. The maximum impervious surface ratio of the CF-F zone is 50%, based upon the adjacent "MF-M" zoning (Multifamily – Medium), and will not be exceeded with the development on the property with the new and larger utility building. The project plans indicate that the impervious surface of the structure and paved areas will total 2,875 square feet and that totals approximately 30% of the site. Up to 4,800 square feet of the site is allowed to be impervious surface area.

5. The Administrative Adjustment of Standards for the new building was determined to be SEPA exempt per WAC 197-11-800 (less than 4,000 sq. ft. in size) as minor construction. An Environmental Checklist was not required.
6. A Project Review Team meeting (PRT) with City staff was held on December 5, 2013 under application PRT13-00009 to have an early discussion about the project and any issues that would need to be resolved, including that an Administrative Adjustment of Standards would be necessary since the new building would not meet the 20 foot rear yard setback.
7. A Building Permit for the utility building is required for the new building and for the demolition of the existing structure. Any conditions imposed with issuance of the Building Permit will need to be complied with.
8. A "Notice of Complete Application" for the Administrative Adjustment of Standards was issued by the Development Services Department on February 10, 2014. The project application and plans were then routed to all project reviewing City departments. Their comments and concerns have been addressed in this Notice of Decision.
9. Public Notice: The Administrative Adjustment of Standards proposal met the public notification requirements (for notice of application and public comment notice) for the Level 2 Administrative Adjustment of Standards review. Notice to property owners within 300 feet of the property was mailed on February 10, 2014, and a 2-week comment period

provided ended on February 24, 2014. No written public comments were received. This Notice of Decision is mailed only to surrounding property owners if they provided either written comments to the Development Services Department or if they requested to become a party of record. Public Works Engineering has also previous met with the adjacent property owners of the Ridgebrook Condominiums and they are satisfied with the project.

CONCLUSIONS:

The requested Administrative Adjustment of Standards to allow a reduction of the rear yard building setback for the Mountain Park Booster Station is acceptable and meets the approval criteria of the Issaquah Land Use Code. The Administrative Adjustment of Standards is approved as conditioned.

TIME LIMIT OF DECISION:

The final decision approving the Administrative Adjustment of Standards for the building setbacks is valid for three years as specified by IMC 18.04.220-C-5, or as amended by the Land Use Code.

EXHIBIT LIST:

1. Application: Administrative Adjustment of Standards, AAS14-00001, received 1-13-2014
2. Vicinity map, received 1-13-2014
3. Narrative description (1 page), received 1-23-2014
4. AAS Purpose and Approval Criteria for building setbacks, IMC 18.07.330
5. Notice of Application, mailed 2-10-2014
6. Project Review Team meeting notes (PRT13-00009), meeting held on 12-5-2013
7. Photos of project site (8 pictures), taken by Development Services Department on 11-27-2013 (for PRT13-00009 meeting)
8. Project Drawings:
 - A. Site Plan, received 1-13-2014
 - B. Landscaping Plan, received 1-23-2014
 - C. Building Elevations, received 1-23-2014



Jerry Lind, Senior Planner



Date