

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BEFORE THE HEARING EXAMINER FOR THE CITY OF RENTON

RE: Amazing Grace Christian School)
Conditional Use and Site Plan Review) FINAL DECISION
LUA14-000669)
)
)
)
)

Summary

The applicant is requesting Site Plan and Conditional Use Permit approval for the conversion of the interior space of the old Renton City Hall Building at 200 Mill Ave S to a private school. No exterior modifications are proposed. The permit applications are approved subject to conditions.

Testimony

Chris Sorensen, Renton planner, presented the contents of his staff report. Mr. Sorensen clarified that the proposal complies with all critical area regulations.

In response to questions from the examiner, Vanessa Dolbee, planning manager, noted that in the CD zone the code exempts compliance with current parking standards for interior remodels unless there's an increase in building area. The same exemption applies for landscaping standards, lighting and most other exterior site development standards.

Steve Lee, public works, testified that a change in use can trigger transportation impact fees.

1 **Exhibits**

2 The July 15, 2014 Staff Report Exhibits 1-10 identified at page 2 of the Staff Report were admitted
3 into the record during the hearing. The PowerPoint presentation used by staff during the hearing was
4 admitted as Exhibit 11.

5 **FINDINGS OF FACT**

6 **Procedural:**

- 7 1. Applicant. Amazing Grace Lutheran Church.
- 8 2. Hearing. A hearing was held on July 15, 2014 at 1:00 pm in the City of Renton Council
9 Chambers.
- 10 3. Project Description. The applicant is requesting Site Plan and Conditional Use Permit
11 approval for the conversion of the interior space of the old Renton City Hall Building at 200 Mill Ave
12 S to a private school. No exterior modifications are proposed.

13 The first two floors of the building will have 4th-12th grade school classrooms and associated office
14 space. The building is now used as office space and was previously Renton City Hall. The building is
15 approximately 56,848 gross square feet. For the first floor of 8,600 square feet, the applicant is
16 proposing tenant improvements of new walls, doors, and an added restroom in addition to the space
17 being improved to meet building and fire codes. Approximately 75-125 students and staff would use
18 the space. The school is interested in expanding to use the third floor in the future. No exterior work
or expansion of the building is proposed. The building is located in the Center Downtown (CD)
mixed use zone on two parcels and part of the S 2nd St right-of-way, with the parcel sizes of 112,038
square feet for PID 007200050 (2.57 acres) and 41,758 square feet for PID 7685000010 (0.95 acres).
Vehicular access to the existing building is gained from Houser Way S and Mill Ave S.

- 19 4. Adequacy of Infrastructure/Public Services. The project will be served by adequate
20 infrastructure and public services, as would be evident from the fact that only interior improvements
21 are proposed and the change in use (to a building primarily occupied by school children) will result in
less traffic generation than the current office use. Infrastructure/ services are more specifically
addressed as follows:

- 22 A. Water and Sewer Service. Water and sewer are provided by the City of Renton.
- 23
- 24 B. Fire and Police. Police and Fire Prevention staff indicate that sufficient resources exist to
25 furnish services to the proposed development; provided upgrades to the space to be used
26 by the school are brought up to fire standard. Compliance with fire standards will be
assured during building permit review.

- 1
- 2 C. Drainage. Public works staff have determined that there is no need for any stormwater
- 3 improvements.
- 4 D. Parks/Open Space. No city standards requiring open space are triggered by the interior
- 5 remodel.
- 6 E. Transportation. The Public Works Department has reviewed the proposal and found that
- 7 no transportation improvements are necessary. The staff report also notes that the current
- 8 site configuration provides for safe vehicular and pedestrian movement without adversely
- 9 affecting neighboring properties. Given no evidence to the contrary the findings of staff in
- 10 this regard are taken as verities.

11 5. Adverse Impacts. As with impacts to public services and infrastructure, no environmental

12 impacts are anticipated given that the proposal involves no exterior alterations and the change in use

13 is not significantly more intense than the current office use. Impacts are more specifically addressed

14 as follows:

- 15 A. Aesthetics. No impact, since there are no exterior alterations.
- 16 B. Lighting. There is no change in lighting proposed, needed or required by City Code for
- 17 the change in use. Consequently, no adverse lighting impacts are anticipated.
- 18 C. Internal Circulation. Internal circulation will remain unaffected by the change in use.
- 19 C. Bicycle Stalls. No code requirement for additional bicycle stalls is triggered by the
- 20 interior remodel.
- 21 E. Noise/Compatibility. Noise generated by the school children is the only conceivable
- 22 impact beyond traffic generation. Given the surrounding uses, some additional noise
- 23 created by school children is not anticipated to be a problem. The site is surrounded by
- 24 the Cedar River, BNSF Railroad Tracks, Interstate 405, the History Museum, a fire
- 25 station, public library, Liberty Park and commercial businesses (Exhibit 3). There are no
- 26 schools located nearby. None of these uses would appear to be adversely affected by the
- noise generated by school children. Further, the character of the surrounding public uses
- is completely compatible in all respects with the proposed school use due to the relatively
- moderate intensity of the use and lack of any exterior alterations.
- F. Refuse and Recyclables. The proposed interior remodel does not trigger any refuse or
- recyclable improvement requirements under City Code.
- G. Critical/Environmentally Sensitive Areas. The project site is located within the shoreline
- jurisdiction of the Cedar River as well as an aquifer recharge area, flood plain, seismic

1 hazard area and steep slope area. Since the proposal only involves interior alterations, the
2 proposal does not trigger any shoreline or critical area requirements.

3 **Conclusions of Law**

4 1. Authority. RMC 4-2-060 allows K-12 school facilities in the CD district as a conditional use
5 subject to hearing examiner review. RMC 4-8-080(G) classifies conditional use applications as Type
6 III permits when hearing examiner review is required. RMC 4-9-200(B)(2)(a)(i) requires site plan
7 review for development of K-12 educational institutions in the CD zone. In the absence of the
8 conditional use permit application, no hearing examiner review would be required for the site plan
9 and it would be classified as a Type II permit by RMC 4-8-080(G). The conditional use and site plan
10 review permits have been consolidated. RMC 4-8-080(C)(2) requires consolidated permits to each be
11 processed under “the highest-number procedure”. The conditional use has the highest numbered
12 review procedures, so both permits must be processed as Type III applications. As Type III
13 applications, RMC 4-8-080(G) grants the Examiner with the authority to hold a hearing and issue a
14 final decision on them, subject to closed record appeal to the City Council.

15 2. Zoning/Comprehensive Plan Designations. The subject property is zoned Center Downtown
16 (CD) and the comprehensive plan land use designation is Urban Center Downtown.

17 3. Review Criteria. Conditional use criteria are governed by RMC 4-9-030(D). Site plan review
18 standards are governed by RMC 4-9-200(E)(3). All applicable criteria are quoted below in italics and
19 applied through corresponding conclusions of law.

20 **Conditional Use**

21 *The Administrator or designee or the Hearing Examiner shall consider, as applicable, the following
22 factors for all applications:*

23 **RMC 4-9-030(C)(1): *Consistency with Plans and Regulations:*** *The proposed use shall be
24 compatible with the general goals, objectives, policies and standards of the Comprehensive Plan, the
25 zoning regulations and any other plans, programs, maps or ordinances of the City of Renton.*

26 4. The proposal is consistent with the comprehensive plan and all applicable development
standards as outlined in Conclusion (?) No. A(1) of the staff report, pages 5-7, adopted and
incorporated by this reference as if set forth in full.

RMC 4-9-030(C)(2): *Appropriate Location:* *The proposed location shall not result in the
detrimental overconcentration of a particular use within the City or within the immediate area of the
proposed use. The proposed location shall be suited for the proposed use.*

5. As determined in Finding of Fact No. 5, the proposal is fully compatible with surrounding
uses, which are all public or commercial. Consequently, the proposed location is suited for the
proposed use. Further, the proposal will not result in any detrimental overconcentration of school use
as there are no schools nearby.

1 **RMC 4-9-030(C)(3): *Effect on Adjacent Properties:*** *The proposed use at the proposed location*
2 *shall not result in substantial or undue adverse effects on adjacent property.*

3 6. As determined in Finding of Fact No. 5 there are no adverse impacts associated with the
4 proposal, so it will not result in substantial or undue adverse effects on adjacent property.

5 **RMC 4-9-030(C)(4): *Compatibility:*** *The proposed use shall be compatible with the scale and*
6 *character of the neighborhood.*

7 7. As determined in Finding of Fact No. 5, the proposal is compatible in character with the
8 surrounding uses, which are limited to public and commercial uses. Since the proposal will not in
9 involve any exterior alterations, the proposal will not create any compatibility problems associated
10 with scale.

11 **RMC 4-9-030(C)(5): *Parking:*** *Adequate parking is, or will be made, available.*

12 8. As determined in Conclusion of Law No. 4, the proposal interior remodel does not trigger any
13 City Code parking requirements, so parking must be deemed adequate.

14 **RMC 4-9-030(C)(6): *Traffic:*** *The use shall ensure safe movement for vehicles and pedestrians and*
15 *shall mitigate potential effects on the surrounding area.*

16 9. As determined in Finding of Fact No. 4, the proposal provides for safe movement of
17 pedestrians and vehicles with no adverse impacts to surrounding areas.

18 **RMC 4-9-030(C)(7): *Noise, Light and Glare:*** *Potential noise, light and glare impacts from the*
19 *proposed use shall be evaluated and mitigated.*

20 10. The proposal will not change any of the current lighting so no adverse lighting impacts are
21 anticipated from the proposed change in use.

22 **RMC 4-9-030(C)(8): *Landscaping:*** *Landscaping shall be provided in all areas not occupied by*
23 *buildings, paving, or critical areas. Additional landscaping may be required to buffer adjacent*
24 *properties from potentially adverse effects of the proposed use.*

25 11. Existing landscaping will remain on-site and from the site plans it does not appear that there is
26 any additional area available where landscaping could be placed.

Site Plan

RMC 4-9-200(E)(3): *Criteria:* *The Administrator or designee must find a proposed project to be in*
compliance with the following:

*a. **Compliance and Consistency:** Conformance with plans, policies, regulations and approvals,*
including:

1 *i. Comprehensive Plan: The Comprehensive Plan, its elements, goals, objectives, and*
2 *policies, especially those of the applicable land use designation; the Community Design*
3 *Element; and any applicable adopted Neighborhood Plan;*

4 *ii. Applicable land use regulations;*

5 *iii. Relevant Planned Action Ordinance and Development Agreements; and*

6 *iv. Design Regulations: Intent and guidelines of the design regulations located in RMC 4-*
7 *3-100.*

8 12. As concluded in Conclusion of Law No. 4 and as conditioned, the proposal is consistent with
9 the City's comprehensive plan and development regulations.

10 **RMC 4-9-200(E)(3)(b): Off-Site Impacts: Mitigation of impacts to surrounding properties and**
11 **uses, including:**

12 *i. Structures: Restricting overscale structures and overconcentration of development on a*
13 *particular portion of the site;*

14 *ii. Circulation: Providing desirable transitions and linkages between uses, streets,*
15 *walkways and adjacent properties;*

16 *iii. Loading and Storage Areas: Locating, designing and screening storage areas,*
17 *utilities, rooftop equipment, loading areas, and refuse and recyclables to minimize views*
18 *from surrounding properties;*

19 *iv. Views: Recognizing the public benefit and desirability of maintaining visual*
20 *accessibility to attractive natural features;*

21 *v. Landscaping: Using landscaping to provide transitions between development and*
22 *surrounding properties to reduce noise and glare, maintain privacy, and generally*
23 *enhance the appearance of the project; and*

24 *vi. Lighting: Designing and/or placing exterior lighting and glazing in order to avoid*
25 *excessive brightness or glare to adjacent properties and streets.*

26 13. Since only interior improvements are proposed with no corresponding increase in building
size, no exterior alterations are required. See e.g., RMC 4-4-070(C)(1).

RMC 4-9-200(E)(3)(c): On-Site Impacts: Mitigation of impacts to the site, including:

i. Structure Placement: Provisions for privacy and noise reduction by building placement,
spacing and orientation;

1 **ii. Structure Scale:** Consideration of the scale of proposed structures in relation to natural
2 characteristics, views and vistas, site amenities, sunlight, prevailing winds, and pedestrian
3 and vehicle needs;

4 **iii. Natural Features:** Protection of the natural landscape by retaining existing vegetation
5 and soils, using topography to reduce undue cutting and filling, and limiting impervious
6 surfaces; and

7 **iv. Landscaping:** Use of landscaping to soften the appearance of parking areas, to provide
8 shade and privacy where needed, to define and enhance open spaces, and generally to
9 enhance the appearance of the project. Landscaping also includes the design and
10 protection of planting areas so that they are less susceptible to damage from vehicles or
11 pedestrian movements.

12 14. The proposal involves no exterior alterations, so the standards above do not apply.

13 **RMC 4-9-200(E)(3)(d): Access and Circulation:** Safe and efficient access and circulation for
14 all users, including:

15 **i. Location and Consolidation:** Providing access points on side streets or frontage streets
16 rather than directly onto arterial streets and consolidation of ingress and egress points on
17 the site and, when feasible, with adjacent properties;

18 **ii. Internal Circulation:** Promoting safety and efficiency of the internal circulation system,
19 including the location, design and dimensions of vehicular and pedestrian access points,
20 drives, parking, turnarounds, walkways, bikeways, and emergency access ways;

21 **iii. Loading and Delivery:** Separating loading and delivery areas from parking and
22 pedestrian areas;

23 **iv. Transit and Bicycles:** Providing transit, carpools and bicycle facilities and access; and

24 **v. Pedestrians:** Providing safe and attractive pedestrian connections between parking
25 areas, buildings, public sidewalks and adjacent properties.

26 15. The proposal does not involve any exterior alteration so the standards above do not apply.

RMC 4-9-200(E)(3)(e): Open Space: Incorporating open spaces to serve as distinctive project
focal points and to provide adequate areas for passive and active recreation by the occupants/users
of the site.

16. The proposal does not include an exterior alterations so the standard above does not apply.

RMC 4-9-200(E)(3)(f): Views and Public Access: When possible, providing view corridors to
shorelines and Mt. Rainier, and incorporating public access to shorelines.

17. The proposal does not involve any exterior alteration so the standards above do not apply.

RMC 4-9-200(E)(3)(g): *Natural Systems: Arranging project elements to protect existing natural systems where applicable.*

18. The proposal does not involve any exterior alterations so the standard above does not apply.

RMC 4-9-200(E)(3)(h): *Services and Infrastructure: Making available public services and facilities to accommodate the proposed use.*

19. The project is served by adequate services and facilities as determined in Finding of Fact No. 4.

RMC 4-9-200(E)(3)(i): *Phasing: Including a detailed sequencing plan with development phases and estimated time frames, for phased projects.*

20. The project is not phased.

DECISION

The site plan and conditional use applications comply with all applicable criteria as outlined in the Conclusions of Law above. Consequently, both applications are approved.

DATED this 29th day of July, 2014.



Phil A. Olbrechts

City of Renton Hearing Examiner

Appeal Right and Valuation Notices

RMC 4-8-080 provides that the final decision of the hearing examiner is subject to appeal to the Renton City Council. RMC 4-8-110(E)(14) requires appeals of the hearing examiner's decision to be filed within fourteen (14) calendar days from the date of the hearing examiner's decision. A request for reconsideration to the hearing examiner may also be filed within this 14 day appeal period as identified in RMC 4-8-110(E)(13) and RMC 4-8-100(G)(9). A new fourteen (14) day appeal period shall commence upon the issuance of the reconsideration. Additional information regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall – 7th floor, (425) 430-6510.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26