

**TECHNICAL COMMITTEE REPORT
TO THE HEARING EXAMINER**

Project Name: St. George Coptic Orthodox Church Daycare Center

Location: 13216 NE 100th Street

Project File Number: LAND-2019-00620

Project Description: Conditional use permit to include a daycare center in an existing church building for children 2.5 years to 12 years in the RIN zone. No additional square footage, site work or other structural changes are proposed.

File Numbers: LAND-2019-00620 Conditional Use Type III
SEPA-2019-00942
PR-2019-01013

Applicant: Angelos Srakis
PO Box 876
Kirkland, WA 98083

Applicant's Representative: Rasha Younan
3509 98th Street SE
Bothell, WA 98012

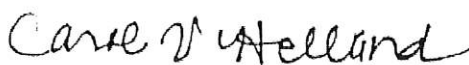
Planner: Cameron Zapata

Decisions Included: Conditional Use Type III (RZC 21.76)

Recommendation: **Approval with Conditions**

Public Hearing Date: April 6, 2020

Conclusion in Support of Recommendation: The Technical Committee has found the proposal to follow the Redmond Zoning Code (RZC), Redmond Comprehensive Plan, Redmond Municipal Code, and State Environmental Policy Act (SEPA).



CAROL HELLAND, Interim Director
Planning and Community Development
Department



DAVID JAUREZ, Director
Public Works Department

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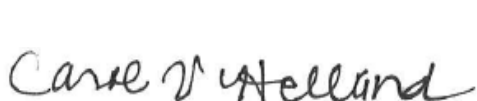
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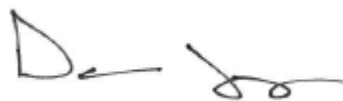
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Project Review Authority and Procedures

The City of Redmond **Technical Committee** is comprised of staff from different departments and disciplines who analyze project applications for compliance with City codes and regulations. Based on this analysis, the **Technical Committee** provides responses, conclusions, and recommendations (in the form of this report) to the **Hearing Examiner**. The **Hearing Examiner** will conduct a public hearing to review the **Technical Committee's** analysis and recommendations on the Conditional Use Type III permits and receive public testimony regarding the proposal. Based upon the **Technical Committee's** recommendations, and testimony received at the public hearing, the **Hearing Examiner** will make a decision to approve, approve with conditions, or deny the Conditional Use Type III permit.

Key Dates

Application/Completeness Date: August 15, 2019
Notice of Application Date: August 23, 2019
Neighborhood Meeting Date: Not Applicable
Notice of Public Hearing Date: March 16, 2020
Public Hearing Date: April 6, 2020

Report Attachments

Attachment A:	Application
Attachment B:	Project Narrative
Attachment C:	Previous Special Use Permit Approval
Attachment D:	Plan Set
Attachment E:	Notice of Application and Certificate of Posting
Attachment F:	SEPA Exemption
Attachment G:	Notice of Public Hearing
Attachment H:	Applicant Response to Conditional Use Decision Criteria

Technical Committee Analysis

I. Proposal Summary

The proposed project seeks a conditional use permit to include a daycare center within an existing church on-site known as St. George Coptic Church (Attachments A & Attachment B) located at 13216 NE 100th Street in the Residential Innovative (RIN) zone of the Willows/Rose Hill Neighborhood. The site received a special use permit in 2011 for a religious facility exceeding 250 seats (Attachment C). The proposed daycare center would occupy 2,610 square feet of the existing 21,455 square foot building (Attachment D) to serve a maximum of 36 children. The proposal does not include any improvements to grading, landscaping, utilities,

additional square footage or any other site improvements. The proposal is limited to the use of 2,610 square feet of the existing building’s interior for the purpose of a daycare. Should the applicant receive conditional use permit approval, the applicant would then apply for a Change of Occupancy building permit to convert the existing interior space into the daycare center.

II. Site Description and Context

The site is located at 13216 NE 100th Street at the intersection of NE 100th Street and 132nd Avenue NE in the Willows/ Rose Hill neighborhood. The site is surrounded by single-family homes and borders the City of Kirkland to the west. The site accesses from NE 100th Street and 132nd Avenue NE (Attachment D). The existing two-story, 21,455 square foot building is served by 82 surface parking stalls and was permitted and constructed in 2011. A daycare center requires a conditional use permit approval in the RIN zone under RZC Table 21.08.070B.

Adjacent	Existing Land Use	Zone
North	Single-Family Residential	RIN
South	Single-Family Residential	RIN
East	Single-Family Residential	RIN
West	Single-Family Residential	Kirkland

III. Site Requirements

The site is located within the RIN zoning district. The project does not propose any site changes nor are there any additional improvement triggered under RZC 21.76.21.76.100.F, Legal Nonconforming Uses and Structures. The site requirements listed in RZC 21.08.070 for this district are:

	Requirement	Current Site	Proposed
Average Lot Size:	4,000 SF	68,776 SF	No changes proposed
Minimum Lot Width Circle:	35 feet	35 feet	No changes proposed
Minimum Lot Frontage:	20 feet	280 feet	No changes proposed
Front Setback:	15 feet	64 feet	No changes proposed
Side/Interior Setback:	5 feet/ 10 feet	37 feet	No changes proposed
Side Street Setback:	15 feet	84 feet	No changes proposed
Rear Setback:	10 feet	54 feet	No changes proposed
Minimum Building Separation	15 feet	80 feet	No changes proposed

Maximum Lot Coverage (for structures):	35 percent	14.3 percent	No changes proposed
Maximum Impervious Surface Area:	65 percent	65 percent	No changes proposed
Minimum Open Space:	20 percent	20 percent	No changes proposed
Maximum Height of Structures:	25 feet	35 feet	No changes proposed

IV. Public Notice and Comment

Requirements for public notice are contained in RZC 21.76.080.

Notice of Application: The Notice of Application for this proposal was published on August 23, 2019. The notice was posted at City Hall, the Redmond Regional Library, and two notice signs were posted on the property. Notice was also mailed to property owners within 500 feet of the site (Attachment E).

Public Input: During the public comment period for the Notice of Application, the City did not receive any comments.

Notice of SEPA Threshold Determination: The application is SEPA exempt per WAC 197-11-800(2)(f) and WAC 197-11-800(6)(b). The 21,455 square foot church was permitted and constructed in 2011 and subject to SEPA review at that time. The applicant is requesting a change of use that would accommodate space for a daycare center. The daycare center is proposed to located within 2,610 square feet of the existing building. With no expansion proposed to floor area proposed, the conditional use contemplated is categorically exempt from SEPA (Attachment E)

Notice of Public Hearing: The Notice of Public Hearing for this project was posed on the site, at City Hall, and at the Redmond Regional Library on 02/16/20. The notice was also mailed to property owners within 500 feet of the site. The notice was also included in a one-time newspaper publication (Attachment F)

V. Criteria Applicable to all Land Use Permits:

Proposed land use actions within the City must comply with the criteria listed in RZC 21.76.070.B.3.a. These criteria are applicable to all land use permits to ensure overall consistency between proposed land use permits, applicable regulations, and the Comprehensive Plan. Staff’s analysis of whether the proposal meets the decision criteria is below.

1. A proposed project’s consistency with the City’s development regulations shall be determined by consideration of:
 - a. The type of land use;

- b. The level of development, such as units per acre or other measures of density;
- c. Availability of infrastructure, including public facilities and services needed to serve the development; and
- d. The character of the development, such as development standards.

Staff Response: A daycare center is an allowed use in the RIN zone with a Conditional Use Permit. The daycare center use is proposed in an existing building, which will convert the land use of 2,610 square feet of existing floor area. The exterior character of the development will not change. The existing building was permitted under a special use permit and constructed in 2011 and is adequately served by existing infrastructure. The proposed change in use will not entail any offsite transportation, storm or utility improvements, and does not conflict with the previous approval or any conditions of the previous approval. The proposed change in use will continue to be adequately served by existing public facilities and utilities.

- 2. Upon review of a land use permit and accompanying site plan, the decision maker shall determine whether building design and/or site design complies with the following provisions:
 - a. The Comprehensive Plan, RZC 21.02, *Preface*, RZC Article I, *Zone-Based Regulations*, RZC Article II, *Citywide Regulations*, and the Appendices that carry out these titles;

Staff Response: Staff has reviewed the application materials for consistency and compliance with the Comprehensive Plan and the RZC. This proposed change of use would occur within a portion of an existing permitted and constructed building with no exterior modifications. The proposed change of use does not impact the parking requirements for the site, changes to building height, floor area, landscaping, impervious surface, transportation, stormwater, building construction or design, or any other site plan improvements. A more complete analysis of compliance with the Comprehensive Plan can be found in Section VII below.

- b. The provisions of RMC Title 15, *Buildings and Construction*, that affect building location and general site design;

Staff Response: Prior to issuance of a building permit, staff will review plans to ensure compliance with RMC Title 15, *Buildings and Construction*.

- c. The Washington State Environmental Policy Act (SEPA) if not otherwise satisfied;

Staff Response: The proposed change of use and change of occupancy was reviewed for SEPA Compliance and determined to be exempt per WAC 197-11-800(2)(f) and WAC 197-11-800(6)(b), and a SEPA exemption was issued (Attachment F).

- d. RZC Article VI, *Review Procedures*, to the extent it provides the procedures to ensure compliance with the requirements in subsections B.3.a.ii.B and B.3.a.ii.C of this section;

Staff Response: This proposed change of use is being processed through a conditional use permit consistent with requirements in RZC Article VI, *Review Procedures* for a type III permit.

- e. Both within and outside the Transition Overlays, decision makers authorized by the RZC to decide upon discretionary approvals may condition such approvals and development permits, including but not limited to site plan approvals, to minimize adverse impacts on other properties and uses, and to carry out the policies of the Comprehensive Plan.

Staff Response: Staff has provided proposed conditions of approval to minimize adverse impacts and carry out policies of the Comprehensive Plan in Section IX of this report.

VI. Conditional Use Type III Decision Criteria

The Conditional Use Permit decision criteria is located in RZC 21.76.070.K.4. The applicant's responses to the decision criteria can be found in Attachment H. Staff has provided analysis whether the project meets the decision criteria and can be found below. St. George Coptic Church received Special Use permit approval in 2011 to operate a church see Attachment H for the previously approved approval conditions.

- a. The conditional use is consistent with the RZC and the Comprehensive Plan.

Response: The conversion of a portion of the existing church building, which was permitted and constructed in 2011, and is consistent with the adopted Redmond Zoning Code. The proposal for change of use to include a daycare center in the existing church does not require or propose any improvements to grading, landscaping, utilities, additional square footage or any other site improvements, nor does it cause any adverse impacts to parking. With the addition of the daycare center, the site maintains compliance with the RZC and does not trigger compliance for any legally nonconformities per RZC 21.76.100.F. Staff's detailed analysis of the proposal's consistency with the comprehensive plan is shown in the table below.

<p>FW-12 Ensure that the land use pattern accommodates carefully planned levels of development, fits with existing uses, safeguards the environment, reduces sprawl, promotes efficient use and best management practices of land, provides opportunities to improve human health and equitable provision of services and facilities, encourages an appropriate mix of housing and jobs, and helps maintain Redmond’s sense of community and character.</p>	<p><i>The St. George Coptic Church Daycare Center Conditional Use Permit proposes to include a daycare center within an existing church. A daycare center is an allowed use in the RIN zone with a Conditional Use Permit. The proposed use will fit with existing surrounding uses and offers daycare services to residents in the Willows/Rose Hill neighborhood and neighboring communities.</i></p>
<p>FW-22 Make each neighborhood a better place to live or work by preserving and fostering each neighborhood’s unique character and preparation for a sustainable future, while providing for compatible growth in residences and other land uses, such as businesses, services or parks.</p>	<p><i>The proposed daycare center is located in the Willows/ Rose Hill Neighborhood, surrounded by single-family homes. The proposed use accommodates families in the area by offering daycare services within close proximity of their homes or employers.</i></p>
<p>LU-30 Allow some compatible nonresidential uses in Residential zones, such as appropriately scaled schools, religious facilities, home occupations, parks, open spaces, senior centers and day care centers. Maintain standards in the Redmond Zoning Code for locating and designing these uses in a manner that respects the character and scale of the neighborhood.</p>	<p><i>The daycare center is compatible as a nonresidential use. It is proposed in the existing church which was permitted and constructed in 2011 where it met compliance with the RZC development and design standards, Comprehensive Plan, and its design was approved by the Design Review Board.</i></p>
<p>LU-37 Maintain and enhance a well distributed system of commercial uses that serve the needs of residential neighborhoods, workplaces and the greater Redmond community. Encourage commercial land uses that support or provide services to adjacent land uses to encourage nonmotorized travel.</p>	<p><i>St. George Coptic Church, where the day care center is proposed, is located in the RIN Zone and is surrounded by single family homes in all directions. Because of its close proximity to residents, it will provide convenience and encourage alternate modes of transportation of nearby residences for their daycare services.</i></p>

- b. The conditional use is designed in a manner which is compatible with and responds to the existing or intended character, appearance, quality of development, and physical characteristics of the subject property and immediate vicinity;

Response: The conditional use is to include a daycare center within the existing St. George Coptic Church, no additional square footage and no exterior alterations are proposed. Any changes to the building's appearance would require additional permit, processing and approval. No exterior changes are proposed at this time, this application is only to include the use of day care within the existing structure.

- c. The location, size, and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties.

Response: There is no change to the location, size, or height of the existing building. Any structures, walls, and fences and vegetation has been previously approved through the Special Use Permit for the Church that was approved in 2011 (Attachment C). The daycare center proposes to convert 2,610 square feet of the existing building of into a daycare and does not conflict with the previous approval or any conditions of the previous approval. Traffic accesses exist on 132nd Avenue NE and NE 100th Street, respectively. No changes in site access are proposed. The daycare use and traffic should not hinder the traffic circulation.

- d. The type of use, hours of operation, and appropriateness of the use in relation to adjacent uses minimize unusual hazards or characteristics of the use that would have adverse impacts.

Response: The daycare center is proposed to operate Monday through Friday from 6 AM to 6 PM. The proposed daycare's operation hours will not overlap with the Church's normal service hours on Sundays. Furthermore, the proposed daycare's operation hours begin earlier than the typical AM peak hours (7-9 AM) and ends later than the typical PM peak hours (4-6 PM). The daycare traffic impact on the neighborhood traffic circulation is minimal and no unusual hazards are associated with the proposed use of day care.

- e. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.

Response: The frontage improvements along 132nd Avenue NE and along NE 100th Street were improved to the meet street standards in place at the time the church was constructed in 2011. Complete sidewalks on both 132nd Avenue NE

and on NE 100th Street are available for pedestrian foot traffic. The site will be accessed from the two existing accesses on 132nd Avenue NE and on NE 100th Street. The proposed daycare’s operation hours from 6 AM to 6 PM Monday through Friday will not overlap with Church’s service hours on Sundays and they begin earlier than the typical AM peak hours (7-9 AM) and end later than the typical PM peak hours (4-6 PM). The daycare traffic will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.

- f. The conditional use will be supported by adequate public facilities or services, and will not adversely affect public services to the surrounding area or conditions are established to mitigate adverse impacts on such facilities.

Response: The conditional use is proposed within an existing building and all public facilities or services were improved to standard when the church was constructed in 2011. The site will continue to be currently served by adequate public facilities as currently developed with the proposed additional use of day care.

VII. Conclusions and Recommendations

The Technical Committee has conducted its various reviews on this proposal, including ensuring compliance with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code and State Environmental Policy Act. The Technical Committee is requesting that the Hearing Examiner **approve the St. George Coptic Orthodox Church Daycare Center Conditional Use Type III subject to conditions** listed in Section VIII.

VIII. Recommended Conditions of Approval

A. Site Specific Conditions of Approval

The following table identifies those materials that are approved with conditions as part of this decision.

Item	Date Received	Notes
Plan Set, [pages 1-8]	1/28/2020	<i>and as conditioned herein.</i>
SEPA Checklist	1/28/2020	<i>and as conditioned herein.</i>

The following conditions shall be reflected on the Civil Construction Drawings, unless otherwise noted:

1. Development Engineering - Transportation and Engineering

Reviewer: Min Luo, Senior Engineer
Phone: 425-556-2881
Email: mluo@redmond.gov

There are no specific required Transportation improvements for the daycare use.

2. Development Engineering – Water and Sewer

Reviewer: Zheng Lu, Senior Utility Engineer
Phone: 425-556-2844
Email: zlu@redmond.gov

- a. **Water Service.** The existing water service has adequate capacity. No improvement for water system is required for the daycare use project.

(Code Authority: RZC 21.74.020.D)

- b. **Sewer Service.** The existing side sewer has adequate capacity. No improvement for sewer system is not required for the daycare use project.

(Code Authority: RZC 21.74.020.D)

3. Development Engineering – Stormwater/Clearing and Grading

Reviewer: Andrew Steele, Senior Utility/Stormwater Engineer
Phone: 425-556-2706
Email: asteele@redmond.gov

There are no stormwater-related conditions or requirements for approval of this proposed change of use, no changes to stormwater have been proposed.

4. Fire Department

Reviewer: George Toles, Deputy Fire Marshal
Phone: 425-556-2903
Mobile: 206-306--5643
Email: gntoles@redmond.gov

The current submittal is generally adequate for LAND-2019-00620 Approval but does not fully represent compliance with all requirements. The following conditions are integral to the approval and shall be complied with in Civil Drawings, Building Permit Submittals, Fire Code Permit submittal, and/or other applicable processes:

- a. Site Plan Condition – If an automatic gate is used, it shall be subject to the conditions of RFDS 2.0 and IFC 503.6, to include UL325, ASTM F 2200, operable by either strobe sensor or click to enter (FD radio) and shall be equipped with a Knox box manual override.
- b. Fire Protection Plan – Egress systems, Fire Protection systems, and occupant loads shall be evaluated for compatibility with the proposed change of use.
- c. Fire Code Permit – Gate permit shall be required if gate is used. Consider places of assembly, as well as modifications that may affect fire protection coverage and devices.

(Code Authority: RMC 15.06; RZC Appendix 3, RFD Standards, RFDD&CG, IFC.)

5. Planning Department

Reviewer: Cameron Zapata, Senior Planner

Phone: 425-556-2411

Email: czapata@redmond.gov

- a. **Impact Fees.** For the Purpose of Impact fees, the revised use assigned for this project is determined to be: 2,610 SF classified as Day Care Center and 18,845SF classified as Church. The following total square footage of 2,610 SF classified as Church use may be credited for the change of use.

(Code Authority: RMC 3.10)

Condition Applies: Building Permit, Business License

B. Compliance with City of Redmond Codes and Standards

This approval is subject to all applicable City of Redmond codes and standards, including the following:

Transportation and Engineering

RMC 6.36:	Noise Standards
RZC 21.52:	Transportation Standards
RZC 21.40.010(E):	Design Requirements for Parking Facilities
RZC 21.54:	Utility Standards
RMC 12.08:	Street Repairs, Improvements & Alterations
RMC 12.12:	Required Improvements for Buildings and Development
RMC 12.16:	Highway Access Management
RZC 21.76.100(F)(9)(c)	Nonconforming Landscaping and Pedestrian System Area

RZC 21.76.020(G):	Site Construction Drawing Review
RZC 21.76.020(H)(6):	Preconstruction Conference
RZC 21.76.020(H)(7):	Performance Assurance
RZC Appendix 3:	Construction Specification and Design Standards for Streets and Access
City of Redmond:	Record Drawing Requirements, July 2015
City of Redmond:	Standard Specifications and Details (current edition)

Water and Sewer

RMC 13.04:	Sewage and Drainage
RMC 13.08:	Installing and Connecting Water Service
RMC 13.10:	Cross-Connection and Backflow Prevention
RZC 21.17.010:	Adequate Public Facilities and Services Required
RZC Appendix 4:	Design Requirements for Water and Wastewater System Extensions
City of Redmond:	Standard Specifications and Details (current edition)
City of Redmond:	Design Requirements: Water and Wastewater System Extensions - January 2012.

Stormwater/Clearing and Grading

RMC 15.24:	Clearing, Grading, and Storm Water Management
RZC21.64.060 (C):	Planting Standards
RZC 21.64.010:	Critical Areas
RZC 21.64.040:	Frequently Flooded Areas
RZC 21.64.050:	Critical Aquifer Recharge Areas
RZC 21.64.060:	Geologically Hazardous Areas
City of Redmond:	Standard Specifications and Details (current edition)
City of Redmond:	Stormwater Technical Notebook, 2012
Department of Ecology:	Stormwater Management Manual for Western Washington (revised 2005)

Fire

RMC 15.06:	Fire Code
RZC Appendix 3:	Construction Specification and Design Standards for Streets and Access
City of Redmond:	Fire Department Design and Construction Guide 5/6/97
City of Redmond:	Fire Department Standards

Planning

RZC 21.08:	Residential Regulations
RZC 21.58-21.62	Design Standards

RMC 3.10	Impact Fees
RZC 21.32, 21.72:	Landscaping and Tree Protection
RZC 21.34:	Exterior Lighting Standards
RMC 6.36:	Noise Standards
RZC 21.38:	Outdoor Storage and Service Areas
RZC 21.40:	Parking Standards
RZC 21.44:	Signs

Building

2012 International Building Codes (IBCs)
2012 Uniform Plumbing Code
2012 International Residential Code (IRC)