



King County
Department of Permitting
and Environmental Review
 35030 SE Douglas Street, Suite 210
 Snoqualmie, WA 98065-9266
206-296-6600 TTY Relay: 711
 www.kingcounty.gov

Zoning Code Variance:
Application
 (does not include Critical Areas Variance)

For alternate formats, call 206-296-6600.

GENERAL INFORMATION
 (To be completed by Permitting staff)

File No. _____

Project Name _____

Applicant Name _____

Address of Property _____

Zoning of Property _____

S.T.R. _____

Tax ID No. _____

Mapped Critical Areas _____

Related Permitting Files _____

APPLICANT: PLEASE DO NOT WRITE ABOVE THIS DIVIDER

Note to applicants preparing this application form: The burden is on the applicant to provide adequate justification supporting this variance request. In order to approve this application, the responsible official must find that the request meets the criteria for approval as specified in Chapter 21A.44.030 of the King County Code (KCC).

Applicants must answer the following questions accurately and concisely. As necessary, use additional pages for detailed explanations and/or attachments that support this request.

1. What is the proposed use and development of subject property?

Proposed use includes 76 affordable apartment units and a freestanding, three level, approximately 26,500 GSF Community Center Building (HUB), which will house community based organizations, a community meeting room, and a community-based health clinic. Parking for 87 cars, and outdoor recreational areas will be provided. The county has re-zoned the site in 2020 “to reflect the intent of past County actions to allow a mixed-use development on the site for the co-location of affordable housing units, non-residential buildings with social services, co-working spaces, and other potential non-residential areas” (excerpt from KC 2020 Plan Public Review Draft). The White Center CDA hosts an annual community led town hall. Every year the community has requested a desire for an accessible community space. A recurring concern is the fear of gentrification and housing affordability. This development is community led and centered on growing and enhancing the community, while providing affordable housing opportunities for White Center residents.

2. Describe the unique features of the property (e.g., size, shape, topography or location) which necessitate the variance.

The property is located immediately adjacent to King County's Dick Thurnau Park. There are no wetlands identified on the property, but there is a small wetland within Park boundaries, close enough to our site that its associated wetland buffer/ building setback extends onto the property, thus reducing allowable area for development. The wetland buffer and wetland building setback represents approximately 7,000 SF of lot area, 3,200 SF of which extends beyond required zoning code setbacks, and thus cannot be used for development on this site. This 3,200 SF represents about 2% of the site area. The proposed setback revision would allow 2,040 SF of community building footprint within the required setback (12' x 170').

The second unique feature of this property is that it abuts a Park, and thus code required setbacks and landscape screens intended as buffers to adjacent residential uses do not actually provide buffers to residential uses since the Park is not a residential use.

Finally, the property sits up on a berm approximately 8 to 10 feet up above the park level. By allowing relief to the 30' setback, the HUB can be "dug down" into the site, providing a daylight basement fronting on the park, thus lowering building height to respond to the adjacent residential neighborhood, and providing direct access and accessibility to the Park.

Please refer to attached diagrams for additional information.

3. Explain why the strict enforcement of the applicable Zoning Code provisions creates an unnecessary hardship to the property owner.

As noted above, the wetland buffer set aside on the site reduces the allowable building area on the south portion of the site, and thus reduces community-requested amenity areas at the middle portion of the site.

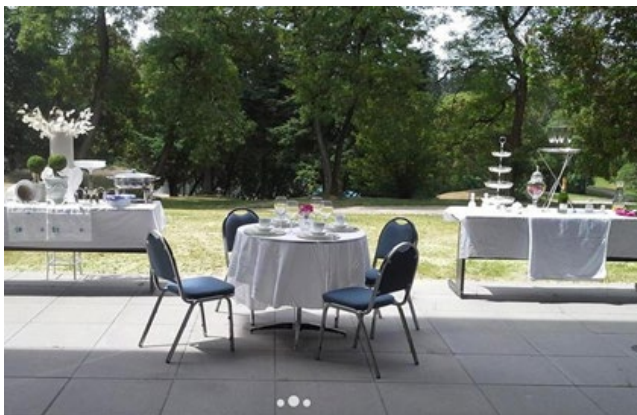
Furthermore, King County requires 30' of setback from non-residential buildings to residential zones. We understand that the intent is to provide a buffer between uses, but in this case, the adjacent property is a Park, not residences, therefore the additional setback requirement seems unnecessary in this particular location, and impedes development of the site plan that was preferred by the Community and by King County Parks, which locates the community building at the south of the site, facing onto the Park.

When the 30' setback to residential zones and the wetland buffer/setback are both imposed, the resulting site becomes constrained for fire department access, recreational use, and parking requirements. Allowing an 18' setback at the park edge alleviates these constraints, and allows only 2,040 SF to be built in the setback compared with 3,200 SF of site area rendered un-usable for development by the wetland setback.

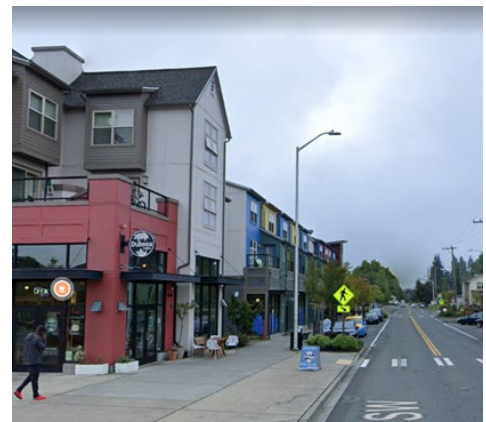
4. Explain how the applicable Zoning Code provisions deprive the subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zone classification. If applicable, cite examples of existing similar developments or previously approved variances in the vicinity.

The nearby TAF/ Bethaday community center building is located in Dick Thurnau Park, which is zoned R-6, with no setbacks or buffers between the two uses. This allows for direct access to the building from the park, and events that can open directly to the park. Although slightly different because no property lines are involved, this relationship has been mutually successful for TAF and is also supported by King County Parks. A variance to allow an 18' setback would allow the HUB to enjoy the same relationship as TAF, thus benefiting the community.

The nearby Greenbridge development, just like our site, is located in an R-18 zone, and was allowed some flexibility in setbacks in order to accommodate holistic urban design and community planning goals. For example, R-18 zones require 10' street setbacks, but buildings at Greenbridge's main street were allowed as zero lot line to allow for a consistent urban streetscape in front and added area for parking and site amenities in back.



TAF Bethaday Connection Directly to Park (in wedding mode).



Greenbridge, with zero lot line setbacks to create urban edge.

5. Will granting the variance create health and safety hazards?

Yes No

Explain:

Granting the variance will increase public health and safety on a number of fronts:

a) "Eyes on the Street"

Connecting the HUB directly to the Park, with a reduced setback and reduced landscape screening, allows for better safety by activating the park edge. This part of the park has been noted as not feeling defensible due to lack of consistent use. King County Parks supports the variance for this reason and others.

b) Added Building Separation

By allowing the HUB to move southward, additional open space is allowed on the site to the north. This has the effect of allowing better fire department access between buildings, and allowing increased central recreational space for residents and community members.

c) Lower Height

The variance allows for construction of a lower 2 story above grade Community Center building instead of 3, which allows better daylight to the site and to the Park. Note that since the Community Center is northward of the Park, shading onto the Park is not significantly impacted.

d) ADA Connection

By sinking the HUB down into the berm at the south edge of the property, with its lower level at Park Grade, an ADA connection can be made from the park up to the main level of the site and neighborhood and bus line beyond. The HUB will contain an elevator linking the park level with the upper site.

6. Will granting the variance be materially detrimental to the public welfare or unduly injurious to the property or improvements in the vicinity? Yes No

Explain:

The variance is limited to allowing the HUB to move 12' toward the park, while maintaining an 18' setback. This increases public welfare and addresses neighboring improvements in a number of ways:

- a) Moving the HUB toward the Park allows more space on the site.
- b) Moving the HUB toward the Park allows the project to align with Community input.
- c) Moving the HUB toward the Park is part of an overall plan that puts lower buildings near adjacent residences and taller apartment buildings further from neighboring residences. The 3 level HUB, if located near the south property line, can be dug down into the site to match the level of the adjacent park, thus lowering its height to 2 stories above grade as seen from the neighborhood (north) side. The 18' setback allows this relationship to occur,
- d) Since the HUB sits to the north of the Park, there are not significant sun shading issues.
- e) By removing landscape screening requirements between the Community Center and Park, visibility and safety in the Park is enhanced.

7. Explain how the variance is the minimum necessary to grant relief.

As noted above, the variance proposes that only 2,040 SF of new building footprint be allowed in the south setback to the park. This is less than the site area within the setbacks that must be dedicated to wetland setbacks. This allows the HUB to move closer to the Park by 12', but still maintains an 18' setback for fire department access and terraces facing onto the Park. The proposed 12' projection into the setback is the minimum necessary to allow for a safe gap to the residential building to allow fire department access and also allows sufficient site area for a central recreational plaza area as envisioned by the community.

8. Are there any private covenants established for the subject property? Yes No

If yes, attach a copy of the covenants and explain whether or not the requested variance infringes upon or interferes with covenant rights.

Private covenants are assumed not to exist, based on a review of the site survey. Please refer to site survey included with the CUP submittal for a list of easements associated with the site.

9. Is the property served by sanitary sewers? Yes No

If not, will the request result in the alteration of an existing septic tank and drainfield system or installation of a new septic system? Yes No

Has the Seattle-King County Health Department approval been obtained for an onsite sewage disposal?

Yes No

10. Have interested community groups or neighboring property owners been notified of the proposed development? Yes No

If yes, who has been contacted and what were their reactions?

The direct affected neighbor is Dick Thurnau Park, a King County Park. King County Parks is supportive of the project, and especially the mutual benefits of having a community center located on the edge of the Park. King County Parks has been sent a copy of the proposed variance and has indicated that they will be providing a letter of support.

A community advisory group was formed, made up of neighbors and other stakeholders. Many meetings were held, including with neighbors, Highline School District staff and other community organization leaders. Participants were generally excited about the resulting scheme. One adjacent neighbor expressed reservations about project impacts generally. The proposed variance will help reduce the height of the HUB building by about a story by digging down into the berm adjacent to the park. A full list of community and neighborhood workshops and outreach is included below.

2020

White Center Community Design Workshops (online):

- May 21st
- June 17th
- July 8th

2019

- White Center Community Summit
 - o Dec 7th
- Community Learning Session- Comp Plan
 - o July, 25th

2018

- Southwest Youth and Family Service - Youth Board Meetings
 - o August 30th – Back to school celebration
 - o March 6th - Youth Board meeting
 - o July 10th – Youth Board Meeting
- White Center Community Summit
 - o November 10th
- Environmental Works- White Center HUB - Community Workshop
 - o December 8th
- White Center HUB- Neighborhood Advisory Council Meeting
 - o January 24th
 - o February 21st
 - o March 21st
 - o April 24th
 - o July 18th
 - o October 29th

2017

- White Center HUB -Neighborhood Advisory Council
 - o Open House
 - o December 12th
 - o Door-to-door outreach
 - o December 10th 2017
 - o Second Door-to-Door Outreach/Survey
 - o December 17th
- White Center Community Summit
 - o November 4th

Applicants may submit any additional information (sketches, site plans, engineering reports, petitions, photographs, etc.) which may justify, clarify, or assist in the review of the requested Zoning Code Variance. The department of Permitting may, at any time, request further information or studies for these purposes.

Name of the person who prepared the Zoning Code Variance Application

Gladys Ly Au Young

05/07/2021

Print Name

Date Prepared



Signature

Check out the Permitting Web site at www.kingcounty.gov/permits

White Center HUB Variance Request

Introduction

SUNDBERG
KENNEDY
LY-AU YOUNG
ARCHITECTS

The White Center Community HUB project is planned as a welcoming center for learning, services, and healthcare, co-located with homes for working families. Located on a 2.81 acre site immediately adjacent to Dick Thurneau Park (Park), the project aligns with King County's stated goals in its 2020 plan to lead transformation through community-driven partnerships, by creating greater racial, economic, and health equity that enables all people in White Center to thrive and prosper. The project is grounded KC Equity and Social Justice Strategic Plan of investing upstream and where needs are greatest, in community partnerships. Plans call for 76 affordable housing units adjacent to a three level Community Center Building (HUB) that will house Family and Youth Services, a community-based Healthcare clinic, a meeting room, and several community organizations including the White Center Community Development Association.

The project is requesting a variance to allow the HUB's footprint to extend 12' into a 30' required setback at the south edge of the property, facing Dick Thurnau Park, and to waive requirements for a landscape screen between the Park and Community Center that would normally be required in residential zones. Our primary reasons for requesting the variance are as follows:

a. Wetland Constraints

Approximately 3,200 SF of the site is not allowed to be developed because it is part of a wetland buffer/setback, which represents a hardship on the ability of the project to fit community amenities on the site. The proposed 12' extension of the Community Center Building into the setback represents 2,040 SF of site area that would be allowed in response to this site-specific hardship. Note that the wetland buffer may be averaged.

b. Community Feedback

The project has had several community planning meetings, which yielded a preference to locate the HUB at the Park's northern edge (site's southern edge). The idea is to create mutual benefits that can result from co-location, including overlapping community events, safety, and ADA access. The community also requested a shared outdoor amenity area on the site, to the north of the HUB building. All of the above community requests are enhanced by moving the HUB southward.

c. Intent of Setback/Landscape Screening

KCC 21A 12.220 requires that the standard 5' required interior lot line setback be increased up to 30' required for all non-residential uses in residential zones, which would apply to the HUB Community building. A landscape buffer is also required. We believe that the intent of the increased 30' setback and landscape screen is to provide a buffer between non-residential uses and adjacent residences. At this location, however, Dick Thurnau Park borders the property to the south, so there is not the same need for a buffer between uses. On the contrary, it is the intent of both the White Center HUB and King County Parks to integrate the two sites, and to connect Park and Community Center programs, safety, ADA access, and other aspects. This proposed symbiosis between Park and Community Center has been demonstrated by the TAF/Bethaday Center, located at the east edge of the Park. Note that an 18' building setback would still be maintained, and that the landscape buffer will be designed to save existing significant trees, and will include a combination of new terraces, lawn, low shrubs, and groundcovers.

d. Topography- Decreased Height

There is a roughly 10' tall berm along the property line, rising up from the park to the site. By moving the HUB southward, it can be sunken down into the berm, with a "daylight lower level" facing the park. This reduces the height of the building by about 10', and down to two stories above grade when viewed from the neighborhood to the north, and allows ADA access from the Park up to 108th Street.

Relevant Code Passages

Zone: R-18 (adjacent to R-6. Park is listed as R-6)

Setbacks:

KCC 21A 12.030 5' setback for interior lot lines

KCC 21A 12.030 footnote 10: increase setback to 20' for apartments in R zones

KCC 21A 12.220: increase setback to 30' for non-residential in R zones

Landscape Buffer:

KCC 21A 16.010 20' average Type 1 landscape screen, commercial abutting residential (Park is zoned R-6, but not used in a residential capacity)

Height:

KCC 21A 12.030: 60' height limit

Variance Criteria to be Met:

KCC 21A.44.030

Applicant must provide adequate justification that requested variance meets all of the following criteria for approval:

a) Strict enforcement on zoning rules creates an unnecessary hardship to the Owner.

- b) The variance is necessary due to unique size, shape, topography, or location of property.
- c) The property is deprived of rights and privileges of other properties in vicinity and in identical zone.
- d) The variance does not create health and safety hazards, is not detrimental to public welfare, and not injurious to property or improvements in the vicinity.
- e) The variance does not relieve the applicant from any procedural provisions of the code.
- f) The variance does not relieve the applicant from any standard or provision that specifically disallows a variance.
- g) The variance does not relieve an applicant from conditions established during prior permit review.
- h) The variance does not allow non-permitted use to be established.
- i) The variance does not allow creation of density beyond base residential density (+10%).
- j) The variance is the minimum necessary to grant relief from the requirement.
- k) The variance from setback (or height) requirements does not conflict with easements or covenants.
- l) The variance does not relieve an applicant from critical areas requirements.
- m) Within a special district overlay, the variance does not modify uses, waive requirements for reports, or reduce vegetation retention standards.

Conclusion

We believe that the requested variance represents a positive modification to the code in this particular location, meets the criteria required for variances, and most importantly provides a safer, community-based solution for locating a community center next to a park. The King County Variance Application forms are attached to this document along with other supporting information.

Thank you for taking this into consideration,

White Center Community Development Association

along with our partner organizations:

The Yes! Foundation

FEEST

Southwest Youth and Family Services

SW 108TH STREET

SETBACK

10'-0"

20'-0"
SETBACK

PROPOSED APARTMENT BUILDINGS
(ROUGH FOOTPRINTS)

8TH AVE SW

10'-0"

20' SETBACK TO
RESIDENTIAL
STRUCTURES

TYPE 1 WETLAND
PER PBS REPORT
IN PARK

95'-0"

BUILDING SETBACK

80'-0"

BUFFER

SITE

2.81 ACRES
122,317 SF
APN 062304-9405

+/- 20'X 160' = 3,200 SF

AREA OF SITE THAT CANNOT BE
USED FOR DEVELOPMENT DUE TO
NEIGHBORING WETLAND
NOTE: EXACT PROFILE OF WETLAND
BUILDING SETBACK MAY BE
ADJUSTED
BUT SF DEDUCTED WILL NOT BE
DECREASED

PROPOSED
COMMUNITY
PLAZA

12' x 170' = 2,040 SF

PROPOSED FOOTPRINT OF
COMMUNITY CENTER IN
THE SETBACK TO BE
ALLOWED BY VARIANCE

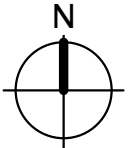
ROOF
OVERHANG

NOTE: LANDSCAPE
BUFFER REQUIREMENTS
PROPOSED TO BE WAIVED
TO SOUTH WEST OF
COMMUNITY CENTER

30'-0"

DICK THURNAU MEMORIAL PARK

R-6



(E) 30' SETBACK FROM
RESIDENTIAL ZONES TO
NON RESIDENTIAL ZONES

30'-0"

15'-0"

12'-0"

170'-0"

18'-0"

30'-0"

30'-0"

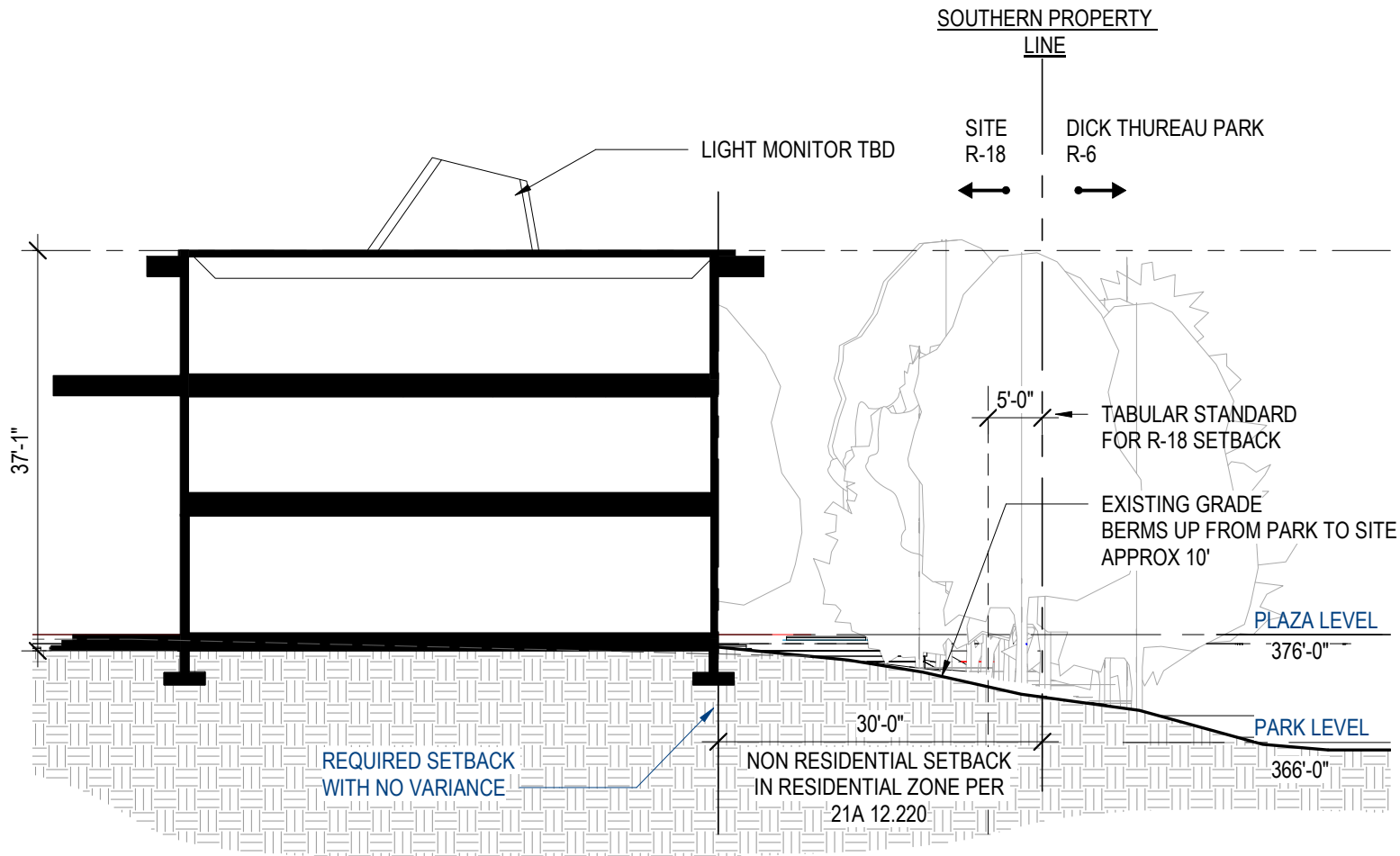
(E) RESIDENCE

A

SITE PLAN

SCALE: 1/64" = 1'-0"

60' R-18 HEIGHT LIMIT



CODE COMPLIANT COMMUNITY CENTER

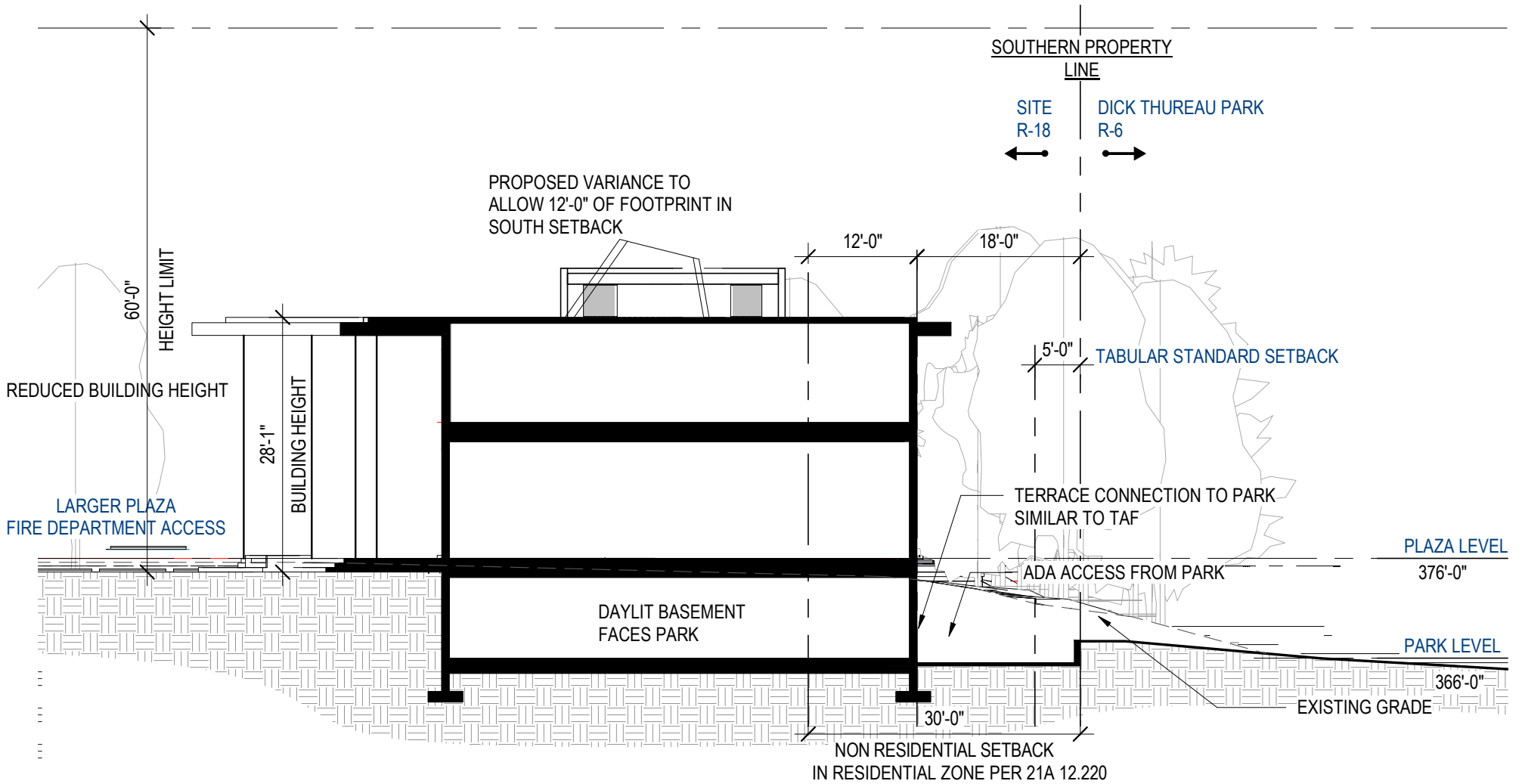
ATTACHMENT B: VARIANCE REPORT

SOUTH PROPERTY LINE CONDITION

REQUIRED SETBACK WITH NO VARIANCE

B.1

SCALE: 1/16" = 1'-0"

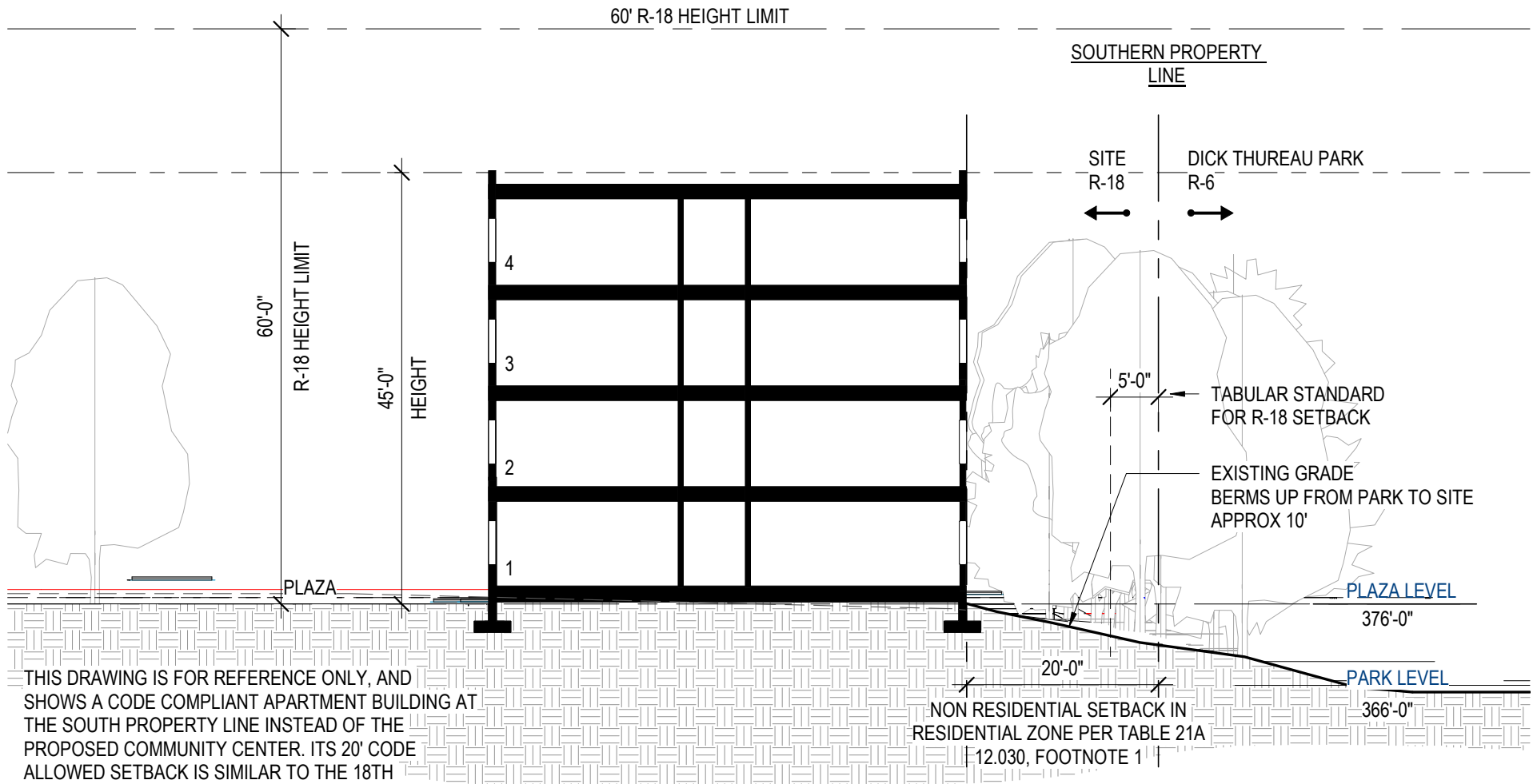


ATTACHMENT B: VARIANCE REPORT
 SOUTH PROPERTY LINE CONDITION

B.2

PROPOSED VARIANCE

SCALE: 1/16" = 1'-0"



THIS DRAWING IS FOR REFERENCE ONLY, AND SHOWS A CODE COMPLIANT APARTMENT BUILDING AT THE SOUTH PROPERTY LINE INSTEAD OF THE PROPOSED COMMUNITY CENTER. ITS 20' CODE ALLOWED SETBACK IS SIMILAR TO THE 18TH PROPOSED FOR THE COMMUNITY CENTER, BUT IS TALLER

ATTACHMENT B: VARIANCE REPORT
 SOUTH PROPERTY LINE CONDITION

CODE COMPLIANT APARTMENT BUILDING

B.3

SCALE: 1/16" = 1'-0"