

# SDCI Director's Report

## Seattle Asian Art Museum Ordinance

### July 2017

#### Proposal Summary

SDCI is proposing amendments to the Land Use Code (Seattle Municipal Code (SMC) Title 23) that would allow the Seattle Asian Art Museum, a non-conforming landmark structure and use, to expand subject to new development standards to help ensure compatibility with Volunteer Park.

#### Background

The Seattle Asian Art Museum (SAAM) is located at 1400 E Prospect St., in Seattle's Volunteer Park. The 45-acre park was designed by the Olmsted Brothers between 1904 and 1909 and completed in 1912. The SAAM building was designed by Carl Gould and built in 1933. The City of Seattle owns the building and the park. The building was used by the Seattle Art Museum for their main collection until 1991, when the collection moved to Downtown Seattle, and has been used for the Seattle Asian Art Museum since 1994. Several changes have been made to the building over the years, including additions in 1947, 1954, 1955, and 2007. The largest addition, a three-story gallery space and board room, was added to the structure's southeast corner in 1955.

Volunteer Park and the SAAM building are both designated City of Seattle and National Historic Landmarks. As such, the City's Landmarks Preservation Board must review the project and issue a Certificate of Approval before SDCI may issue a permit to modify the structure or premises. The landmarks process is governed by SMC Chapter 25.12.

Volunteer Park, and the buildings within the park, are located in a single-family zone. Under the current Land Use Code, museums are not allowed in single-family zones. Because the museum pre-dates this rule, it is considered a non-conforming use. In most instances, non-conforming uses may continue to exist but may not expand. Various exceptions to this limit on expansion are located in SMC Section 23.42.106. The existing museum building also exceeds the maximum height of 30 feet allowed in single-family zones by approximately ten feet. Because the museum pre-dates this height limit, it is considered a non-conforming structure.

SAAM submitted an application for a Master Use Permit for the renovation and expansion of the museum to SDCI on October 3, 2016 under project number 3024753. The project involves the renovation of the existing building, changes to the landscaping surrounding the building, and two additions to the existing structure: a 2,042 sf addition on the north end of the building and a 11,843 sf addition on the east side of the building. A director's decision on the permit associated with this proposal was issued on March 16, 2017. The decision included an environmental (SEPA) decision addressing the proposed code amendments, as well as the permit and a pending lease and development agreement with Seattle Parks and Recreation. The applicant has applied for a Certificate of Approval and is proceeding through the Landmarks Board review process. SDCI may not issue the Master Use Permit for the project, or any associated construction permits, until: 1) a Certificate of Approval to modify a designated landmark is granted by the Landmarks Board and 2) code amendments allowing the expansion of a non-conforming use and structure are adopted by City Council.

The applicant has indicated that the renovation to the interior of the building is necessary to upgrade mechanical, plumbing, electrical and seismic systems and equipment to meet the needs of the museum and preserve the historic building. The proposed north addition is located in a notch in the north façade in the same space as the existing loading dock. It would convert the existing loading dock area to a new receiving area and add a new three-story freight elevator and loading dock. The proposed east addition would be built onto the southeast corner of the existing museum footprint extending the building further to the east,

and would occupy approximately 3,500 sq. ft. of Volunteer Park. It would attach to the location of a previous addition from 1955. The addition would be three stories tall and provide space for administrative offices on the first floor, new meeting space on the second floor, and new gallery space on the third floor. The third floor would also include a glass lobby wrapping around the northeast corner of the addition.

## Proposal & Analysis

The proposed amendments would only apply to one site, the Seattle Asian Art Museum in Volunteer Park. The amendments would allow the museum, a non-conforming landmark structure and use, to expand subject to new development standards to help ensure compatibility with the park.

Specifically, the amendments would:

- Limit the size of any future addition(s) to 15,000 square feet of gross floor area and limit the height of any museum additions to the highest point of the existing structure;
- Require bicycle parking facilities;
- Require measures to reduce potential light impacts on adjacent areas;
- Allow the SDCI Director to waive parking and loading requirements, subject to the results of a traffic, parking, and loading study;
- Exempt the expansion from street and sidewalk improvements; and
- Clarify that other development standards that typically apply in single-family zones would not apply to the museum.

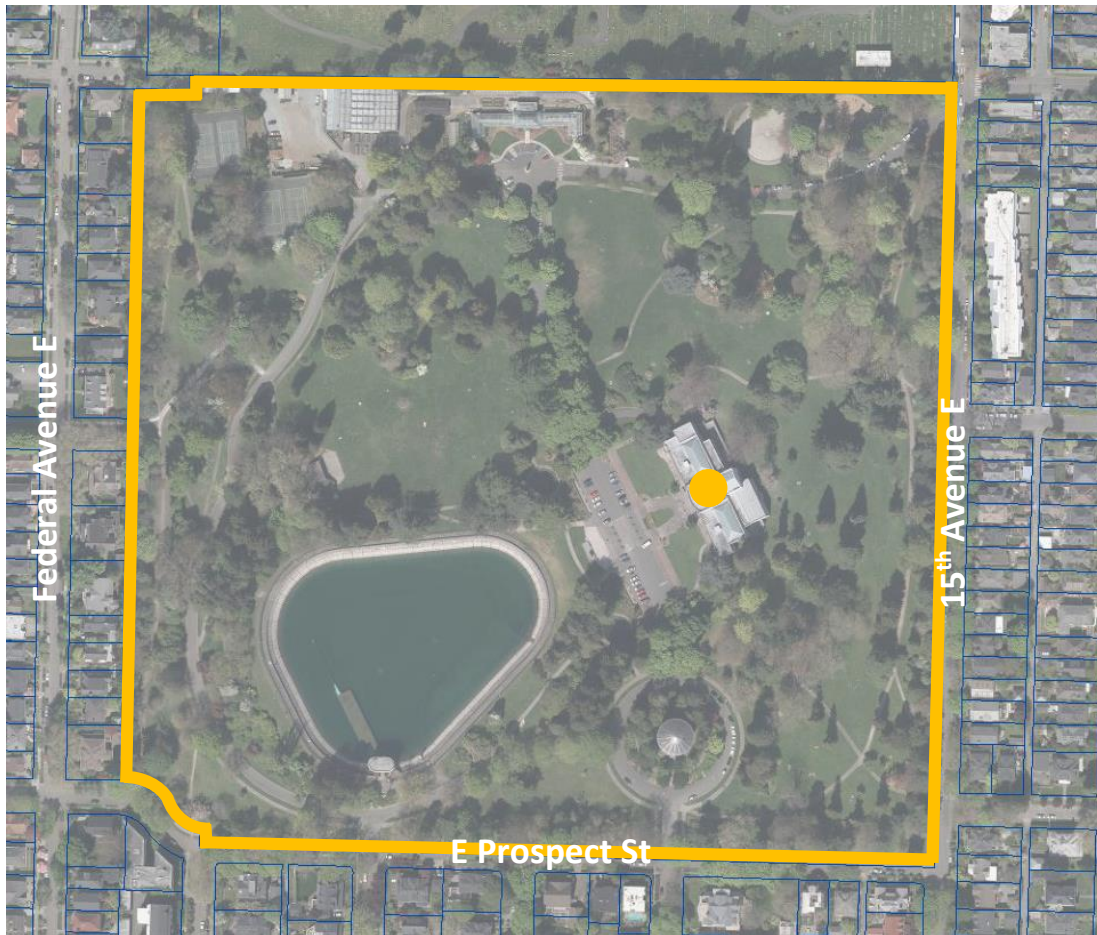
The proposed amendments would not alter the authority of the Landmarks Preservation Board over the project. The Landmarks Board may, at their discretion, require additional conditions on the project as part of their Certificate of Approval. Such conditions would be required in addition to the development standards proposed to be included in the Land Use Code.

The SEPA checklist and determination associated with this proposal evaluated potential adverse impacts that could result from the expansion. As the determination indicated, any adverse impacts related to the proposed alterations to the designated features of the landmark and the park will be considered by the Landmarks Board when it acts upon SAAM's application for a Certificate of Approval. The Board may, at that time, impose conditions to avoid or mitigate impacts if it decides to approve a Certificate of Approval. The Board's action on the Certificate of Approval constitutes compliance with SEPA for historic preservation purposes.

The SEPA decision also indicated that existing and proposed City regulations are sufficient to mitigate impacts to height, bulk, and scale, which are not expected to be significant. The height, bulk, and scale are compatible with the park and the nearby neighborhood. The east museum expansion matches the height of the existing building and occupies an approximately 3,500 sq. ft. footprint of the park. The north addition also matches the height of the existing building and fills in an area currently occupied by the loading dock.

A cemetery borders the north side of the park. The properties along the west edge of the park are single-family zoned homes, as are the properties across East Prospect Street to the south of the park. There are two pockets of lowrise-zoned property near the park, one along a portion of the east side across 15<sup>th</sup> Avenue East and one property adjacent to the park at the southwest corner. The footprint of the addition is over 250 feet from the closest edge of the park, to the east. There is a buffer of trees along the east edge at 15<sup>th</sup> Avenue East, across from which there are single-family homes and a 4-story apartment building. The nearest homes are over 350 feet from the east side of the museum.

### Map of Seattle Asian Art Museum in Volunteer Park



### Comprehensive Plan Consistency

The proposal is consistent with goals and policies in the Comprehensive Plan. The following Seattle 2035 Comprehensive Plan policies are directly applicable to this proposal:

#### Uses

- LU 2.4 “Limit nonresidential uses in residential zones to those necessary or highly compatible with the function of residential neighborhoods.”
- LU 2.5 “Allow nonconforming uses to be maintained and enhanced, but generally not to be expanded or extended, and encourage them to become more conforming over time.”

#### Public Facilities & Small Institutions

- LU G3 “Allow public facilities and small institutions to locate where they are generally compatible with the function, character, and scale of an area, even if some deviation from certain regulations is necessary.”
- LU 3.1 “Regulate public facilities and small institutions to promote compatibility with other developments in the area.”
- LU 3.2 “Allow public facilities and small institutions to depart from development standards, if necessary to meet their particular functional requirements, while maintaining general design compatibility with the surrounding area’s scale and character. Require public facilities and small institutions to

adhere to zoned height limits, except for spires on religious institutions. Consider providing greater flexibility for schools in recognition of their important role in the community.”

LU 3.3 “Allow standards to be modified for required off-street parking associated with public facilities and small institutions based on the expected use and characteristics of the facility and the likely impacts on surrounding parking and development conditions, and on existing and planned transportation facilities in the area.”

LU 3.5 “Allow nonconforming public facilities and small institutions to expand or make structural changes, provided these alterations comply with the zone’s development standards and do not increase the structure’s nonconformity.”

### **General Development Standards**

LU G5 “Establish development standards that guide building design to serve each zone’s function and produce the scale and character desired, while addressing public health, safety, and welfare.”

LU 5.1 “Allow for flexibility in development standards so existing structures can be maintained and improved, and new development can better respond to site-specific conditions.”

### **Single-Family Residential Areas**

LU 7.6 “Limit the number and types of nonresidential uses allowed in single-family residential areas and apply appropriate development standards in order to protect those areas from the negative impacts of incompatible uses.”

### **Historic Preservation**

LU 14.4 “Encourage the adaptive reuse of designated landmark structures by allowing uses in these structures that may not otherwise be allowed under the applicable zoning, provided such action is approved by the Landmarks Preservation Board.”

LU 15.4 “Explore and provide various financial and regulatory incentives, if possible, to allow for the productive, reasonable, and adaptive reuse of historic resources.”

LU 16.1 “Encourage rehabilitation and adaptive reuse of buildings to conserve resources, reduce waste, and demonstrate stewardship of the built environment.”

LU 16.2 “Promote seismic and energy efficiency retrofits of historic buildings to reduce carbon emissions, save money, and improve public safety.”

### **Cultural Space and Placemaking**

AC 4.5 “Encourage using public and institutional spaces, such as parks, community centers, libraries, hospitals, schools, universities, and City-owned places, for arts and culture.”

## **Recommendation**

SDCI recommends adoption of the proposed amendments to the Land Use Code. This proposal would allow the Seattle Asian Art Museum in Volunteer Park to expand by modifying existing standards related to the expansion of non-conforming uses and landmark structures, consistent with the Comprehensive Plan.