



The City of Seattle

Pioneer Square Preservation Board

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Street Address: 600 4th Avenue, 4th Floor

PSB 87/23

Staff REPORT

for Board meeting April 19, 2023

Board Members Please Note: The citations from the District Ordinance, Rules for the Pioneer Square Preservation District, and Secretary of the Interior's Standards listed below are for your consideration in addition to any other citations you find relevant in considering each application.

041923.31 **Lowman Building**

Hope is Alive Church
620 1st Ave
Reach Ministry

Change of use for a 2991 square foot space from retail to an institution/religious facility for a church with accessory human services and accessory retail.

Staff report: The Board previously saw an application for change of use at this space on February 1, 2023. The application was tabled so that the applicant could provide more information. Since then, the organization has reevaluated what use classification more accurately reflects the use of the space. The use is a religious facility for church services. The street level frontage of the block front is still under 25% so the human services complies with the conditions in 23.66.130 D. The retail component includes displaying Reach Ministry shirts for sale in the windows and is accessory to the religious facility. A religious facility is neither a preferred use nor a discouraged use at street level as described in the code and is not among the prohibited uses at street level in 23.66.130. A religious facility is also not a prohibited use in 23.66.122, therefore a religious facility is an allowable use per 23.66 120.

A change of use is required whenever there is a change in use: a new use or even addition of uses to a previous use. A use still occurs regardless of the proportion of the space used or the percent of time in the use and requires a Certificate of Approval.

Draft Motion: I move to recommend granting a Certificate of Approval for: Change of use for a 2991 square foot space, from retail to an institution/religious facility for a

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church with accessory human services and accessory retail in the storefront windows.

The Board directs staff to prepare a written recommendation of approval based on considering the application submittal and Board discussion at the April 19, 2023, public meeting and forward this written recommendation to the Department of Neighborhoods Director.

Code Citations:

Seattle Municipal Code

23.66.030 Certificates of Approval required

- A. Certificate of approval required. No person shall alter, demolish, construct, reconstruct, restore, remodel, make any visible change to the exterior appearance of any structure, or to the public rights-of-way or other public spaces in a special review district, and no one shall remove or substantially alter any existing sign or erect or place any new sign or change the principal use of any building, or any portion of a building, structure or lot in a special review district, and no permit for such activity shall be issued unless a certificate of approval has been issued by the Department of Neighborhoods Director.

23.66.130 - Street-level uses

- A. 1. Uses at street level in the area designated on Map B for 23.66.130 require the approval of the Department of Neighborhoods Director after review and recommendation by the Preservation Board.
- B. Preferred Street-level Uses.
 - 1. Preferred uses at street level must be highly visible and pedestrian oriented. Preferred street-level uses either display merchandise in a manner that contributes to the character and activity of the area, and/or promote residential uses, including but not limited to the following uses:
 - a. Any of the following uses under 3,000 square feet in size: art galleries and other general sales and service uses, restaurants and other eating and drinking establishment uses, and lodging uses;
 - b. Theaters.
- C. Discouraged Street-level Uses.
 - 1. The following are discouraged at street level in the area designated on Map B for 23.66.130:
 - a. Any use occupying more than 50 percent of any block front;
 - b. Any of the following with gross floor area over 3,000 square feet: general sales and services uses, eating and drinking establishment uses, and lodging uses;
 - c. All other uses with gross floor area over 10,000 square feet;
 - d. Professional services establishments or offices that occupy more than 20 percent of any block front; and

- e. Parking garages that are not accessory to preferred uses.
 - 2. Discouraged uses may be approved by the Department of Neighborhoods Director after review and recommendation by the Preservation Board if an applicant demonstrates that the proposed use is compatible with uses preferred at street level.
- D. Conditions on Street-level Uses. Approved street level uses in the area designated on Map B for 23.66.130 are subject to the following conditions:
- 1. No use may occupy more than 50 percent of the street-level frontage of a block that is 20,000 square feet or more in area;
 - 2. Human service uses and personal service establishments, such as hair cutting and tanning salons, may not exceed 25 percent of the total street-level frontage of any block front.
- E. The following uses are prohibited at street level in the area designated on Map B for 23.66.130:
- Wholesaling, storage and distribution uses;
 - Vocational or fine arts schools;
 - Research and development laboratories;
 - Radio and television studios;
 - Taxidermy shops;
 - Appliance repair shops;
 - Upholstery establishments; and
 - Other similar uses.

23.66.120 - Permitted uses

- A. All uses are permitted outright except those that are specifically prohibited by Section 23.66.122 and those that are subject to special review as provided in Section 23.66.124.

23.66.122 - Prohibited uses

- A. The following uses are prohibited in the Pioneer Square Preservation District as both principal and accessory uses:
- 1. Retail ice dispensaries;
 - 2. Plant nurseries;
 - 3. Frozen food lockers;
 - 4. Animal shelters and kennels;
 - 5. Pet daycare, except as permitted as a street-level use in subsection 23.49.180.F if an applicant elects to use added height under the provisions of Section 23.49.180;
 - 6. Automotive sales and service, except gas stations located in parking garages;

7. Marine sales and service;
8. Heavy commercial services;
9. Heavy commercial sales;
10. Adult motion picture theaters;
11. Adult panorams;
12. Bowling alleys;
13. Skating rinks;
14. Major communication utilities;
15. Advertising signs and off-premises directional signs;
16. Transportation facilities, except passenger terminals, rail transit facilities, parking garages, and streetcar maintenance bases;
17. Outdoor storage;
18. Jails;
19. Work-release centers;
20. General and heavy manufacturing uses;
21. Solid waste management;
22. Recycling uses;
23. Major marijuana activity; and
24. High-impact uses.

Pioneer Square Preservation District Rules

B. Use Approval

An applicant seeking a Certificate of Approval for a proposed new use, change of use, or expansion of use must submit to the Board staff a complete Application for Certificate of Approval, including all documentation listed in the application instructions pursuant to SMC 23.66.030. Once an application is received, determined complete, and scheduled for Board review, the Board staff may make a report and recommendation to the Board. No Certificate of Approval for use shall be granted until the applicant has provided all information requested by the Board regarding the proposed new use. (7/99)

Definitions in the code:

"Institution" means structure(s) and related grounds used by organizations for the provision of educational, medical, cultural, social and/or recreational services to the community, including but not limited to the following uses:

11. **"Religious facility"** means an institution, such as a church, temple, mosque, synagogue or other structure, together with its accessory structures, used primarily for religious worship.

"Human service use" means a use in which structure(s) and related grounds or portions thereof are used to provide one or more of the following: emergency food, medical or shelter services; community health care clinics, including those that provide mental health care; alcohol or drug abuse services; information and referral services for dependent care, housing, emergency services, transportation assistance, employment or education; consumer and credit counseling; or day care services for adults. Human service uses provide at least one (1) of the listed services directly to a client group on the premises, rather than serve only administrative functions.

"Sales and services, general" means one of the uses listed below, in which goods are rented or sold or services are provided primarily for household and personal use rather than for business establishments, institutions, or government agencies, but excluding medical services and uses in which goods are sold that primarily need to be delivered by truck, such as building materials, major durables and/or heating fuel.

1. "Retail sales and services, general" means a general sales and service use that is not a multi-purpose retail sales use. General retail sales and services include general retail sales uses, general services uses, and customer service office uses. Examples of general retail sales include but are not limited to bookstores, florists, and clothing stores. Examples of general services include but are not limited to shoe repair, hair cutting salons, pet grooming, pet daycare centers and dry cleaning. Customer service offices are uses in which services are provided to individuals and households in an office setting in a manner that encourages walk-in clientele and in which generally an appointment is not needed to conduct business, including but not limited to uses such as branch banks, travel agencies, brokerage firms, real estate offices, and government agencies that provide direct services to clients.

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Genna Nashem
Pioneer Square Preservation Board Coordinator