



Development Services Department
425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072
Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

**Staff Report to the Hearing Examiner
Curtis Clay Training Conditional Use Permit**

Date of Report: January 14, 2016
Date of Hearing: January 26, 2016

File Number: CUP15001

Project Description: Conditional Use Permit to operate an exercise training studio out of an existing industrial building.

Applicant & Contact: Curtis Van Wyck

Property Owner: Woodinville Warehouse Associates, LLC

Location Of Proposal: 19510 144th Avenue NE (Suite D-7)

Legal Description: S 1/4 OF W 1/2 OF SE 1/4 OF NE 1/4 LESS W 30 FT & LESS S 30 FT

Staff Recommendation: Staff recommends approval of the conditional use permit, subject to conditions.

Staff Contact: Amanda Almgren, Associate Planner
425-877-2285; amandaa@ci.woodinville.wa.us

PROJECT DESCRIPTION

Location: 19510 144th Avenue NE; located in the North Industrial neighborhood.

Parcel Number: 0326059102

Parcel Size: 4.37 acres

Current Zoning: Industrial

Comprehensive Plan Designation: Industrial

Site/Area Description: This property was developed in 1980 with one commercial building. Current uses include manufacturing, warehousing, wine making and brewery operations. The property is located in the North Industrial District.

Utilities: Water: Woodinville Water District
Sewer: Woodinville Water District
Electricity: Puget Sound Energy
Natural Gas: Puget Sound Energy
Phone/Cable: Frontier, Comcast

Fire Service:	Woodinville Fire and Rescue
Surrounding Land Uses/Zoning:	North: Industrial South: Industrial West: Industrial East: R-1, Single family Residential (1 units per acre)

BACKGROUND

The current structure on the property was constructed in 1980 and intended to serve light industrial uses. The site currently houses several wineries, a brewery, a bakery, woodworking, and other industrial businesses. The proposed use would be located in Suite D-7 near the south east corner of the building. Immediately to the east of the suite is Triplehorn Brewing and to the west is a vacant suite. The property has been owned by Woodinville Warehouse Associates, LLC since 1995.

Curtis Van Wyke submitted an application for a Conditional Use Permit, to operate a personal training studio, to the City of Woodinville for property located at 19510 144th Avenue NE. The application for a Conditional Use Permit was received by the City of Woodinville on November 25, 2015.

This project requires a Conditional Use Permit, and a building permit to complete the interior tenant improvements.

PUBLIC NOTICE

The application was determined incomplete on December 7, 2015 and a letter was sent out the same day. Application revisions were received on December 7, 2015 from the applicant and December 9, 2015 from the property manager and the application was determined complete on December 10, 2015.

The Notice of Application was issued on December 21, 2015, within 14 days of the determination of completeness. A 15-day comment period was utilized for the Notice of Application, which was mailed to property owners within 500 feet, published in the *Woodinville Weekly*, and posted on the site and other Public Notice locations consistent with Chapter 17.11 WMC.

The Notice of Hearing was issued on January 11, 2016, 15 days prior to the public hearing. The notice was mailed to property owners within 500 feet, published in the *Woodinville Weekly*, and posted on the site and other Public Notice locations consistent with Chapter 17.11 WMC.

COMPREHENSIVE PLAN

The Comprehensive Plan encourages northwest woodland character design, promotes pedestrian friendliness and traffic linkages, encourages recreation space, and requires adequate infrastructure for development within the City limits. The City of Woodinville Comprehensive Plan Future Land Use Map designates this property as Industrial. Pursuant to WMC 17.13.010, the proposal complies with the intended goals, objectives, and policies of the Comprehensive Plan. The following Comprehensive Plan Policies apply to this project:

Goal LU-10: To provide an active and diverse industrial area that promotes industrial growth.

Policy LU-10.1: Limit non-industrial use of industrial lands to uses which are complementary to industrial activities, and do not create potential land use conflicts with industrial activities.

Policy LU-10.2: Protect industrial lands from encroachment by other land uses, which would reduce the economic viability of industrial lands.

Goal ED-1: To take a positive, partnership role in retaining and enhancing the existing diverse and vital economic base in the City by assisting existing firms and welcoming new firms that will enhance the quality of the economic base.

Policy ED-1.1: Maintain and enhance the existing level of industrial development which may allow a mixture of business and employment opportunities.

Goal PRO-2: To ensure adequate and enriching recreational activities for the citizens of Woodinville.

STAFF ANALYSIS

GENERAL:

1. Curtis Van Wyke submitted a Conditional Use Permit to operate Curtis Clay Training, a sports conditioning and personal training studio at 19510 144th Ave NE Suite D-7. The property consists of one large industrial building and associated parking. The building houses multiple tenants, including woodworking, storage for various businesses, a brewery, wineries, and a bakery. The property is owned by Woodinville Warehouse Associates, LLC. The applicant has made the property owner aware of the proposal, as indicated on the Owner Authorization Form (Exhibit 2).
2. The parcel is zoned Industrial. The parcel is approximately 640 feet long by 300 feet wide and totals approximately 4.37 acres. The existing building is built on a hill sloping down to the west at a 12 percent grade towards 144th Avenue NE. The east portion of the property is in an identified erosion hazard area and the property to the immediate east is in a potential landslide hazard area. The proposal does not include any exterior work to the building or site. The property is accessed from 144th Avenue NE to the west, which is designated as a local access street. A mix of industrial and low-density residential uses surrounds the property.
3. The personal training studio will be located in existing office space in the southeast section of the building. The space is approximately 1,750 square feet.
4. Pursuant to WMC 21.08.050(A), a Conditional Use Permit is required for sport and recreational instruction in the Industrial zone. Conditional Use Permits are processed as a Type III application. The Hearing Examiner is designated as the authority to decide Conditional Use Permits pursuant to WMC 17.07.030.
5. Proper legal notice of the hearing was provided in accordance with Chapter 17.11 WMC. The notice was posted on the property and on public notice boards, mailed to property owners consistent with WMC 17.11.040, and published in the *Woodinville Weekly* newspaper on January 11, 2016, more than 15 days prior to the date of the hearing pursuant to WMC 17.11.030.

ZONING STANDARDS:

6. Curtis Clay Training is a personal training studio that provides three main services, MAT (Muscle Activation Techniques), strength training, and speed/agility conditioning. Services are provided by appointment only and operations may range from one to four clients per hour. This proposed use falls under NAICS 713940 as a body building and physical fitness studio and qualifies as a sports club pursuant to WMC 21.06.620. Pursuant to WMC 21.08.050(A), a sports club is a conditional use in the Industrial zone.

7. The property is developed with one existing building, which currently has several different tenants. The structure was built in 1980, prior to the city's incorporation. The proposal is for an internal tenant improvement and no exterior alterations are proposed to the structure. The proposal does not include any changes to the bulk or dimensional requirements (Chapters 21.12 and 21.14 WMC), trees (Chapter 21.15 WMC), and landscaping (Chapter 21.16 WMC).
8. According to the City's critical areas map, the site is partially located within an erosion hazard area and within the buffer of a Type IV stream. The stream runs the length of the property directly to the south in an open channel. The stream runs through a series of culverts to the south and west before entering Little Bear Creek. The existing site features portions of the building and parking area within these critical areas; however, all proposed improvements are within existing structures and no alterations of the critical areas are proposed pursuant to WMC 21.24.050.
9. The required parking rate for sports clubs, which qualifies as a general service use, is one space per 300 square feet of net square footage. The total space is approximately 1,750 square feet, which requires six spaces. Approximate square footages and current tenant uses were provided by Melody Warouw, property manager for the development (Exhibit 6). Based on the provided information and information from permits issued by the City, staff was able to calculate the parking demand based on the parking requirements in WMC 21.18.030. The property currently has a total of 104 parking spots and the current calculated demand, including the proposed conditional use, is 103 parking spots (Exhibit 7).
10. Traffic impact fees are reviewed as part of a building permit or change of use pursuant to Chapter 3.39 WMC. The Public Works Department has determined that no traffic impact fees are required for the project, as the use is an interior tenant improvement pursuant to WMC 3.39.050.
11. No signage is proposed as part of the proposal. A sign permit is required for any signage installed for the project pursuant to Chapter 21.20 WMC.

CONDITIONAL USE PERMIT CRITERIA:

12. Pursuant to WMC 21.44.050, the following criteria must be satisfied before the Hearing Examiner approves a conditional use permit:

- (a) The conditional use is designed in a manner which is compatible with the character and appearance of the existing or proposed development in the vicinity of the subject property.

Staff comment: The proposed personal training studio will be located inside an existing building. No new modifications or changes to the exterior are proposed. Parking is available close to the suite entrance, reducing potential conflicts with pedestrians and automobile-reliant businesses in the development. The hours of operation for the use are limited to daytime (late morning to early evening hours), and should not conflict or impact other uses or alter the character of the surrounding development. The proposal complies with this requirement.

- (b) 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.

Staff comment: No exterior modifications are proposed. The training studio is located near the southeast end of the building, which is farthest away from the access off 144th

Avenue NE. The building will continue to appear as an industrial development. Services are provided by appointment only and children under 16 years of age will be required to stay on site and not leave without the accompaniment of an adult.

- (c) The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property.

Staff comment: The proposed use will utilize an existing tenant space and no changes to the building exterior or site is proposed. Operations will be exclusively indoors and will not create physical impacts or change the character of the property. The conditional use is oriented in a manner to be compatible with other businesses on the property.

- (d) Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title.

Staff comment: No modifications from the standards are proposed by the applicant for this project.

- (e) The conditional use is not in conflict with the health and safety of the community.

Staff comment: With application of the development conditions in Chapter 21.08 WMC and as recommended by staff, potential impacts to the general health, welfare and safety are minimized. The personal training studio provides one-on-one and small group instruction. The training studio is contained within the tenant space and does not generate any additional impacts such as noise, odor, light or other similar impacts. The applicant is requesting the minimum necessary to operate a sports club business in this space. 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.

- (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 can be established to mitigate adverse impacts on such facilities.

Staff comment: No agency comments were submitted regarding increased public services or facility needs for this project. No additional water or sewer services beyond what is already in place is required to accommodate the sports and recreation instruction use.

AGENCY REVIEW

Environmental Review:	This project is categorically exempt from SEPA review pursuant to WAC 197-11-800.
Notice:	Notice of this application has been provided in accordance with the provisions of Title 17 WMC. This project was circulated for review and comment on December 21, 2015 by publishing the notice in the <i>Woodinville Weekly</i> ; mailing notices to property owners within 500 feet of the project and interested agencies; and posting the Notice at the site and at the official locations for City Notices. A Notice of Public Hearing was advertised in the same manner as the Notice of Application on January 11, 2016.
Public/Agency Comments:	No public or agency comments were received.

DETERMINATION OF CONSISTENCY

Revised Code of Washington 36.70B.040 – Determination of Consistency and WMC 17.13.100 requires that a proposed project shall be reviewed for consistency with a local government's development regulations during project review by consideration of:

1. Type of land use;
2. Level of development, such as units per acre or other measures of density;
3. Infrastructure, including public facilities and services needed to serve the development; and
4. The characteristics of the development, such as development standards.

Based on the above analysis, and with the proposed conditions listed below, staff finds that the Curtis Clay Training project has met the requirements of the City of Woodinville Infrastructure Standards, Comprehensive Plan, and Woodinville Municipal Code.

STAFF RECOMMENDATION

The proposed project was found to be consistent with and meet the intent of the Woodinville Comprehensive Plan and applicable development regulations; therefore, staff recommends **APPROVAL** of Curtis Clay Training (File No. CUP15001), subject to the following conditions:

1. This conditional use permit allows for the operation of a sports club business in an existing tenant space that is approximately 1,750 square feet. Any expansion of this use into additional tenant spaces will require a modification of the conditional use permit.
2. Children under 16 years of age will be required to stay on the premises and not leave without the accompaniment of an adult.
3. All conditions of approval shall be met at all times in order for the conditional use permit to be valid. Any change in operations that violates any condition of approval requires a major modification of the conditional use permit, to be submitted by the applicant.

EXHIBIT LIST

- | | |
|------------|--|
| Exhibit 1 | Staff Report |
| Exhibit 2 | Application received November 25, 2015 |
| Exhibit 3 | Site Plan received November 25, 2015 |
| Exhibit 4 | CUP criteria and project information |
| Exhibit 5 | Additional Information provided by Curtis Clay sent December 7, 2015 |
| Exhibit 6 | Email from Melody Warouw, Property Manager sent December 9, 2015 |
| Exhibit 7 | Parking Calculation Spreadsheet |
| Exhibit 8 | Notice of Incomplete Application dated December 7, 2015 |
| Exhibit 9 | Notice of Complete Application dated December 10, 2015 |
| Exhibit 10 | Notice of Application dated December 21, 2015 |
| Exhibit 11 | Notice of Hearing dated January 11, 2016 |