



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

PROJECT NAME: i-Ball

FILE NUMBER: CUP13004/SEP13022

PROJECT DESCRIPTION: Conditional use permit to operate i-Ball which is a sports club that coaches kids in basketball. The proposed tenant space is 11,340 sf with tenant improvements limited to bathroom upgrades and energy amendments as required through the building permit process of a change of use. The building is pre existing so site improvements are not required. SEPA is required for a conditional use.

DATE OF REPORT: February 5, 2014

DATE OF HEARING: February 25, 2014

APPLICANT: Kyle Keys of i-Ball and Eric Koch of Partners Architectural Design Group on behalf of i-Ball

CONTACT: Address: 12712 180th Street #E301 Bothell, WA
Phone: 206-715-5209
Email: kylekeyes@iBallLive.com

PROPERTY OWNER: Benton & Sollitt, LLC

LOCATION OF PROPOSAL: 14304 NE 193rd Place, Woodinville, WA

ASSESSOR'S PARCEL NUMBER(S): 032605-9083

CURRENT USE: Northwood Industrial Park North is a multi-tenant building with buildings A, B, C and D off of 144th Ave NE. The proposed i-Ball tenant space would be in Building A. There are industrial uses currently in this building including Kirkwood Industries which supplies rebar and A&I Stone which is a kitchen and bath counter top supplier. There is a vacant tenant space just north of the proposed i-Ball location.

PROPERTY SIZE: 1.65 acres

CURRENT ZONING: Industrial

COMPREHENSIVE PLAN DESIGNATION: Industrial

SHORELINE DESIGNATION: N/A

FIRE SERVICE: Woodinville Fire District

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WATER SERVICE: Woodinville Water & Sewer District

SEWER SERVICE: Woodinville Water & Sewer District

SCHOOL DISTRICT: Northshore School District

STAFF RECOMMENDATION: STAFF RECOMMENDS THAT THE HEARING EXAMINER APPROVE WITH CONDITIONS THE PROPOSED CONDITIONAL USE PERMIT

STAFF CONTACT: Sarah Ruether, Project Planner 425-877-2293
sarahr@ci.woodinville.wa.us

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PROJECT DESCRIPTION:**Location:**

14304 NE 193rd Place,
Building A of Northwood Industrial Park North

Legal: LOT 2 OF KC SHORT PLAT #787036 REC #8811309002 SD SP DAF - POR OF E 1/2 OF NW 1/4 OF SE 1/4 OF STR 3-26-5 DAF- BEG AT E 1/4 COR OF SD SEC TH N 88-58-13 W ALG E/W C/L 1330.70 FT TO NE COR OF SD SUBD TH S 00-13-19 W ALG E LN 99.01 FT TH N 88-58-13 W PL W SD E/W C/L 30 FT TO TPOB TH S 00-13-19 W PLW SD E LN 357.04 FT TH N 88-58-13 W 633.84 FT TO W LN OF SD SUBD TH N 00-03-51 E ALG SD W LN TAP WCH BEARS N 88-58-13 W FR TPOB TH S 88-58-13 E TO TPOB

Parcel Size:

72,016 sf

Site/Area Description:

This property is accessed from 144th Ave NE and is within the Northwood Industrial Park North Complex in Building A. The Northwood Industrial Park North Complex contains Buildings A, B, C and D; all are owned and managed by Benton & Sollitt. Building A contains two current tenants Kirkwood Industries, Inc. and A&I Stone. There is one vacant tenant space just north of the proposed i-Ball and the tenant space that is proposed for i-Ball is south of this vacant space. No improvements are proposed as part of this project. The streets internal to the complex are private.

Utilities:

Available utilities include:

Water: Woodinville Water District
Sewer: Woodinville Water District
Electricity: Puget Sound Energy
Natural Gas: Puget Sound Energy

Access/Street Improvements:

This property is accessed from 144th Ave NE

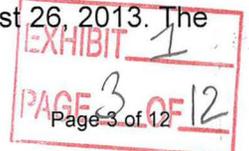
Surrounding Land Uses/Zoning:

North: Industrial
South: Industrial
West: Industrial
East: Industrial

BACKGROUND:

Building A was constructed in 1979 under King County codes; it was developed prior to incorporation of the City of Woodinville in 1993. The Northwood Industrial Park North development includes four buildings: A, B, C and D. Buildings A, B and C were developed under King County code: Building B was constructed in 1980, Building C was constructed in 1982 and Building D was constructed in 1996 under City of Woodinville codes.

Kyle Keys of i-Ball submitted an application for a conditional use for i-Ball on August 13, 2013. The application was deemed complete on August 13, 2013, and a complete letter was sent August 26, 2013. The



notice of application was published September 9, 2013 and mailed to all addresses within 500 feet and posted on-site and at city hall and the post office. There was one public comment made after the notice of application on September 18, 2013. This comment was in regards to concern for children's safety and the heavy industrial uses and the potential for conflict between children and the industrial uses in the complex. A determination of nonsignificance was issued and published on October 7, 2013 and mailed to all addresses within 500 feet and posted on site and at city hall and the post office. There was a comment submitted in regards to a concern for the conflict between children and industrial uses submitted on October 16, 2013. Another public comment was submitted on October 18, 2013 in regards to a concern for the safety of children in an industrial complex. A third comment was submitted on October 21, 2013 in regards to the traffic impacts, non-industrial uses and parking. These comments were in regards to a concern that the facility would generate more traffic and parking than the facility could handle and a concern the potential conflict of having children in an industrial complex and the potential for safety concerns. The determination of non-significance was not appealed and the determination of nonsignificance stands as issued.

Re-submittals from i-Ball in regards to parking and a safe pick up drop-off zone were received on October 15, 2013, November 20, 2013, January 13, 2014, and January 28, 2014. Public Comment in regards to these re-submittals was submitted on December 9, 2013 and January 24, 2014.

A hearing date is scheduled for February 25, 2014. The public notice for the hearing will be published, posted at designated City locations and mailed to all addresses within 500 feet and parties of record.

This project requires a conditional use permit and will require a building permit once the conditional use permit is issued for minor tenant improvements. These permits will be reviewed under the Woodinville Municipal Code (WMC) regulations and standards, The Woodinville Comprehensive Plan, International Building Code and any applicable State and Federal regulations.

COMPREHENSIVE PLAN:

The i-Ball sports club proposal, with conditions, complies with the following applicable Comprehensive Plan Goals and Policies. The following goals are stated with the appropriate policies that apply to this development.

Parks & Recreation

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

Staff Comment:

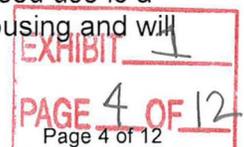
Basketball is one way to address the recreational needs of the citizens of Woodinville. It enhances children's growth, friendship and career building skills and provides positive after school activities. Other uses similar to this, the gymnastics connection, was previously located at 14207 NE 193rd Place adjacent to the Northwood Industrial Park until December 2013. Northshore batting cage facilities that accommodate all ages is currently located within building B of the Northwood Industrial Park. A dance school, the Woodinville Dance Academy, is located in the north industrial zone and has safely provided after school recreation for children and teens of various ages. Large open spaces and high ceilings are required for these types of recreation activities and the industrial zone provide the required space for these types of activities.

Land Use

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

Staff Comment:

The site is designed to provide industrial, manufacturing and warehousing space. The proposed use is a conditional use, as a basketball sports club is a different type of use than industrial or warehousing and will



require different conditions in order to operate safely in conjunction with industrial uses. The zoning code allows sports clubs and specialized instruction with a conditional use permit in the industrial zone. This promotes a diversity of uses that operate with different peak hours. These specialized uses have peak hours that are different from industrial and manufacturing uses, thereby maximizing the use of the Industrial zone and providing economic opportunity for other commercial uses which promotes economic growth.

Goal LU-1.1 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.

Staff Comment

The site is designed to provide industrial, manufacturing and warehouse space. The proposed use is a conditional use, principally because a sports club is a different type of use than the industrial and warehousing uses. This sports club caters to children; however the hours of operation are after school per the submitted project narrative and therefore this use is complementary. The hours of operation are 3:00 pm to 9:00 pm with their peak time from 6:00 pm through 9:00 pm Monday through Thursday. Because the peak hours of the proposed i-Ball classes are when most industrial activity will be closed; staff believes potential conflict will be minimized. Other sports clubs and specialized instruction uses in the Industrial zone that have peak hours when industrial businesses have closed will be a complementary use and thus minimize potential conflicts.

Goal LU-11.2 Protect industrial lands from encroachment by other land uses, which would reduce the economic viability of industrial lands.

Staff Comment:

The industrial complex where this conditional use is proposed contains a majority of industrial and manufacturing businesses. Gymnastics Connection left their previous space on NE 193rd in December 2013. The economic viability of Woodinville’s industrial area has changed with a large number of wineries with production moving in along with traditional industrial and manufacturing uses. While there are other non-industrial uses in this complex, including the Northshore Sports Complex in Building B, the tenants in the different spaces in this industrial park continues to change to keep up with the changing economic needs of the area. The proposed use of a sports club for i-Ball will not overtake the complex and the complex will remain as having primarily industrial uses.

SHORELINE MASTER PROGRAM:

This project is not within a shoreline area so this is not applicable to this project.

ZONING CODE:

In accordance with the consistency test outlined in the Growth Management Act (RCW 36.70B.040), prior to making a decision or recommendation on an application, the City must consider whether a project meets the adopted development regulations and/or Comprehensive Plan policies. The subject property is located in the Industrial Zone and the following standards apply:

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Regulation	Requirement	Submitted
Land Use:	<p>WMC 21.08.040(A) requires a conditional use for a sports club.</p> <p>Code definition of sports club: WMC 21.06.620</p> <p>Sports club: an establishment engaged in operating physical fitness facilities and sports and recreation clubs, including uses located in the NAICS Industry Nos:</p> <p>(1) 71394 - Physical fitness facilities; and</p> <p>(2) 7139 - Membership sports and recreation clubs.</p>	<p>The applicants use is considered a sports club.</p> <p>A CUP has been applied for as part of this project</p>
Parking off-street: for Building A	<p>Ratio: There is no specific ratio for a recreational use.</p> <p>The general services and office parking ratio is 1 space per 300 square feet and this ratio is used for sports club facilities.</p> <p>The manufacturing and storage space ratio is 0.9 per 1,000 square feet.</p> <p>A tasting room requires 1 space per 50 square feet.</p>	<ul style="list-style-type: none"> • Building A is 33,750 square feet • The proposed i-Ball tenant space is 11,340 sf • Total required parking for i-Ball is 38 spaces • NW tenant in building A is currently vacant. For the parking matrix it was assumed a future tenant would have 10,266 SF of manufacturing uses and 950 SF of office for 12 total spaces required. • The NE tenant in Building A Kirkwood Industries has 5625 SF of manufacturing and 621 SF of office for a total parking requirement of 7 spaces. Per their lease these 7 spaces are exclusively reserved for them. These parking spaces were subtracted from the parking matrix as a result. • The SE tenant in Building A, Accents and Interiors has 6000 SF of manufacturing and 621 SF of office for 7 required parking stalls • If you remove the Kirkwood Industries from the required and provided parking as their parking is exclusive the total required parking is 57 stalls and the total provided parking is 58 stalls. • According to letter by Benton and Sollitt, Kirkwood Industries is the only tenant in the complex that

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		has exclusive rights to its adjacent parking spaces (7 spaces reserved for them)
Shared Parking in Northwood Industrial Complex, Buildings A, B, C and D	Shared Parking is permitted in Woodinville code per 21.18.040 Shared and mixed use parking requirements	<ul style="list-style-type: none"> • Applicant meets this requirement because the total parking area exceeds 5,000 SF • The parking facilities are designed and developed as a single on-site parking facility, as all parking spaces are within the Northwood Industrial Complex • No building or use is more than 800 feet from the most remote shared facility • The total number of parking spaces in the common facility is not less than the minimum required spaces for any single use • A covenant or other contract will be required and must be recorded with the County records and elections division as a deed restriction on all properties as it is recorded against the title. The property owner Benton and Sollitt has agreed to record the shared parking agreement against the title. • A shared parking matrix for Buildings A, B, C and D is included in the exhibits that shows that there is a total of 200 spaces available for shared parking and a required parking for the complex of 176 spaces. This does not include the Parking Required or Available for Kirkwood Industries which has their parking exclusively reserved as part of their lease. • Property owner Benton and Sollitt has agreed to remove all markings that indicate parking for different businesses • If a more intensive use goes into the vacant tenant space in Building A these permits would be reviewed by the City and if

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		<p>the parking in the complex does not support a more intensive use then no permits for a more intensive use in this space would be issued. The assumption in the parking matrix is that if a tenant were to go in without a permit it could only be for a use which matched the one previously and that is how the SF for the vacant space was determined.</p>
<p>Traffic Impacts:</p>		<p>Public Works Department has determined that traffic impact fees will not be required.</p>

Conditional Use Permit Requirements (WMC 21.44.050). A conditional use permit shall be granted by the City, only if the applicant demonstrates that:

<p>(1) 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.</p>	<ul style="list-style-type: none"> • Parking is close to the building entrance, reducing potential pedestrian conflicts with other industrial users. • No exterior modifications, additions or other modifications are proposed that would provide a conflict with other uses • The hours of operation for this use are off-peak from other surrounding industrial users (late afternoon and evening are proposed hours of operation).
<p>(2) 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 of neighboring properties.</p>	<ul style="list-style-type: none"> • No modifications are proposed which meet these criteria. The building will continue to appear as an industrial/warehouse space. • There will be no impact to neighboring uses, either on-site, or properties to the north, south, east or west. • This project is not expected to interfere with the future use of neighboring properties.
<p>(3) The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property.</p>	<ul style="list-style-type: none"> • Sports clubs and other sports instructional uses, require the type of space usually found in industrial parks, with high ceilings and large floor plans. • Parking for the space will be located adjacent to the building where i-Ball is located, which is the closest possible spot for parking. There is also a pick up drop off location for those parents who are driving their children.
<p>(4) 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</p>	<ul style="list-style-type: none"> • No modification from the project standards are proposed or recommended for this project

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<p>(5) The conditional use is not in conflict with the health and safety of the community</p>	<ul style="list-style-type: none"> • The applicant is asking for the minimum necessary to operate a sports club in this space • With application of development conditions to require a safe pick up and drop off zone, and a requirement of off-peak hours for the use (late afternoon and evening are the approved times of use for the facility). These conditions as recommended by staff minimize the potential impacts to the general health, welfare and safety are minimized.
<p>(6) 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.</p>	<ul style="list-style-type: none"> • The Public Works Director determined that the increase in PM Peak Hour trips for this site did not require a traffic analysis to evaluate potential level of service issues on the public street system. As long as there is no parking added to the site no traffic impact fee will be assessed. • The Planning Director determined that the parking proposed onsite was sufficient under the City's code per site plan and letter submitted on January 28, 2014 stating that applicant would meet the required code for a shared parking agreement and that all names of business that exist indicating exclusive parking would be removed. The exception to this is Kirkwood Industries which has seven parking spaces exclusively reserved in their lease.
<p>(7) 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.</p>	<ul style="list-style-type: none"> • No agency comments were submitted regarding increasing public services or facility needs for this project • No additional water or sewer services over what is already in place will be needed

AGENCY REVIEW:

Environmental Review: As the lead agency the City of Woodinville issued a Determination of Non-Significance under Washington Administrative Code 197-11-340(2) on October 7, 2013. There were three parties who made comments on this SEPA determination. No appeals were filed and the Determination stands as issued.

Notice: Notice of this application has been provided in accordance with the provisions of WMC Title 17. This project was circulated for review and comment on September 9, 2013, by publishing the Notice of Application in the newspaper of record; mailing a copy of the Notice 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. The notice

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for the SEPA determination was advertised in the same manner.

A Notice of Public Hearing was advertised in the same manner as the Notice of Application and SEPA on February 10, 2014

Agency Comments:

Agencies with no comments:

- Woodinville Water District
- Woodinville Police Department
- Woodinville Public Works Department
- Woodinville Fire and Building Department

Agencies with comments:

- No agencies have provided comments

Public Comment:

There was one public comment made after the notice of application on September 18, 2013. This comment was in regards to concern for children's safety and the industrial uses and the potential for conflict between children and the industrial uses in the complex.

There was a comment submitted in regards to a concern for the conflict between children and industrial uses submitted on October 16, 2013. Another public comment was submitted on October 18, 2013 in regards to a concern for the safety of children in an industrial complex. A comment was submitted on October 21, 2013 in regards to the traffic impacts, non-industrial uses and parking.

Re-submittals from i-Ball in regards to parking and a safe pick up drop-off zone were received on October 15, 2013, November 20, 2013, January 13, 2014, and January 28, 2013. Public Comment in regards to these re-submittals was submitted on December 9, 2013 and January 24, 2014.

The applicant has been required to address the impacts identified that are under the authority of the City.

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;

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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 i-Ball Conditional Use Permit has met the requirements of the City of Woodinville Infrastructure Standards, 2012 Amended Comprehensive Plan, and Woodinville Municipal Code. The conditional use permit has, also, made appropriate provisions for the public health, safety, and general welfare by:

1. Creating a safe pedestrian pick-up/drop-off area that does not interfere with local traffic shall be provided.
2. Reviewing total parking required to assure that there is adequate parking facilities are available to handle the volume of use that i-Ball will generate.
3. This site is pre-existing. Storm drainage, street improvements, parking facilities, site utilities and street lighting are existing. No other improvements are required.

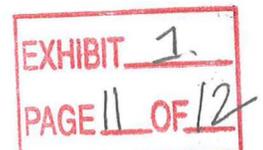
STAFF RECOMMENDATION:

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 i-Ball conditional use permit, subject to the following conditions:

- 1.) This conditional use permit allows for the operation of a sports club use in an existing tenant space that is 11,340 square feet. Any expansion of this use into additional tenant spaces will require a major modification of the conditional use permit.
- 2.) All interior work shall require a building permit. No occupancy or use shall be permitted until a final inspection and certificate of occupancy has been issued by the City of Woodinville.
- 3.) A safe student "pick up drop off area that does not interfere with local traffic shall be provided.
- 4.) Walkways from the parking lot to the building shall be clearly marked.
- 5.) Children under 16 years of age will be required to stay on site and not leave without the accompaniments of an adult.
- 6.) On-site food preparation is prohibited.
- 7.) Class sizes are limited by the occupancy that is listed on the certificate of occupancy.
- 8.) All fire code required exits shall be maintained at all times.
- 9.) Retail sales onsite shall be limited to basketball related items, and the retail sales area shall not exceed 500 square feet.
- 10.) The shared parking agreement between buildings A, B, C and D in the Northwood Industrial Park North proposed as part of this conditional use must be approved by the City and recorded against the title before the issuance of the conditional use permit.
- 11.) The shared parking agreement must be recorded against the title before the issuance of the certificate of occupancy for i-Ball.

EXHIBIT LIST:

- | | |
|-----------|---|
| Exhibit 1 | Staff Report |
| Exhibit 2 | Application forms received August 13, 2013 |
| Exhibit 3 | Site Plan |
| Exhibit 4 | Project Narrative, Statement on Decision Criteria, and Floor Plan |
| Exhibit 5 | SEPA Checklist |



- Exhibit 6 Letter of Complete Application issued August 26, 2013
- Exhibit 7 Published and Posted Notice of Application September 9, 2013
- Exhibit 8 Published and Posted SEPA Determination of Non-Significance October 7, 2013
- Exhibit 9 Comment Letters to the Applicant
- Exhibit 10 Letters from Benton and Sollitt and Partners Architectural Regarding Parking
- Exhibit 11 Final Site Plan submitted 1/28/14
- Exhibit 12 Photographs of Site
- Exhibit 13 Parking Worksheet of Shared Parking in Buildings A, B, C and D
- Exhibit 14 Public Works Traffic Impact Fee Worksheet
- Exhibit 15 Public Comment

