



City of Seattle
Greg Nickels, Mayor

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3007900
Applicant Name: Rico Quirindongo, DKA Architects for the Urban League
Address of Proposal: 2300 South Massachusetts Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow signage for a museum (Northwest African American Museum).

The following approvals are required:

- **Variance** – to allow a sign to be located within an LDT zone (SMC 23.55.022.D6).
- **Variance** – to exceed the allowed size of a sign in an LDT zone (SMC 23.55.022.D7).
- **Variance** – to exceed the number of allowed signs in an LDT zone (SMC 23.55.022.D7).
- **Variance** – to exceed the maximum allowed size of a sign in an LDT zone (SMC 23.55.022.G).
- **Variance** – to provide off-premise signs in an LDT zone (SMC 23.55.022.I).

SEPA DETERMINATION: Exempt DNS MDNS EIS

 DNS with conditions

 DNS involving non-exempt grading or demolition,
 or involving another agency with jurisdiction.

BACKGROUND DATA

The proposal site, known as the “Old Colman School”, contains a three-story; brick faced building with a good sized paved parking area to the south. The corner site is bounded by South Massachusetts Street to the south, 23rd Avenue South to the west and a park located over the I-90 tunnel lid to the north and east. Across Massachusetts Street is the Colman Playground. Along the south and east sides of the proposal site, the topography drops down to the street grade and is mapped as having a slope of 40% or greater. An exemption from the Environmentally Critical Areas Regulation was submitted and granted (under Project # 2502856) based on the submitted documentation and street profile history showing that the steep slopes along the west and south property lines were created by improvements to the right-of-ways along 23rd Avenue South and South Massachusetts Street, respectively.



Vehicular access to the site is currently provided via an access easement over the abutting property to the east. The driveway is accessed from South Massachusetts Street approximately about 21 feet south of the south property line. The driveway turns to the north and leads into the paved parking area to the south of the existing building.

Mapped environmentally steep slope and potential slide critical areas are found on the site along the west and south property lines. The ECA codes of Seattle generally prohibit disturbance areas with slopes greater than 40%. However, an exemption from the critical area standards was granted under Project #2502856 where a finding was made that the steep slopes were created as a result of right-of-way improvements.

The original Colman School was constructed in 1909 and a gymnasium wing was added in 1940. Based on the review of the information submitted by the applicant, the existing building was designated a Seattle Historic Landmark on August 17, 2005 by the Seattle Landmarks Preservation Board. The original building, designed by Seattle School District Architect James Stephen, functioned as a school from 1910 to 1985. The Preservation Board determined that the structure was historically significant based on the noteworthy context of the Rainier Valley and Mt. Baker neighborhoods, the notable Jacobean style architecture, as well as the history of the Seattle School District and building architect.

An application to agree upon Controls and Incentives regarding proposed modifications to the structure was made to the Department of Neighborhoods on August 20, 2005. The landmark status prevents the structure from being demolished and limits the alterations that can be made to the building exterior. Redevelopment of this site is limited to the adaptive reuse of the existing structure. Under a previously issued permit (Master Use Permit #2401534) and compliant with Landmark status, the existing exterior is being rehabilitated along with alterations to the interior to allow for museum and low-income housing uses.

A Certificate of Approval by the Landmarks Preservation Board was granted on September 24, 2007 for the proposed signage plan that is under review by this application. The Certificate of Approval stated that the proposed work does not adversely affect the features or characteristics specified in the Designation Report because the proposed alterations do not destroy the historic materials that characterize the property and are compatible with the massing, size, scale and architectural features of the property, as per Standard #9 of the *Secretary of the Interior’s Standards for Rehabilitation*.

Proposal

The proposal is to allow a signage package for a new museum (Northwest African American Museum) that does not meet the Code prescribed allowances. The following table lists the specific variances needed in order to accommodate the requested signage plan, as well as a description of the proposed non-compliant signage.

	Code Requirements	Departure Request	Description of Non-Compliant Signage
1	<p>SMC 23.55.022.D6 GROUND IDENTIFICATION SIGN OF MULTIFAMILY STRUCTURES One (1) non-illuminated wall or ground identification sign for multifamily structures on each street or alley frontage in addition to signs permitted by subsection D2....</p>	<p>To allow the location of one sign that is not on a street or alley frontage.</p>	<p>Proposed wall-mounted directional sign distinguishing the residential entrance from the museum entrance to be located on south façade of the existing structure. The sign will face the shared parking lot and is intended to direct and separate museum patrons from the residential tenants.</p>
2	<p>SMC 23.55.022.D7 IDENTIFYING SIGN -- DIMENSIONS One (1) electric or non-illuminated double-faced identifying wall or ground sign on each street frontage, not to exceed twenty-four (24) sq. ft. of area per sign face.</p>	<p>a) To exceed the allowed size of two signs by 31 sq. ft., from 24 sq. ft. to 56.25 sq. ft. b) To exceed the allowed size of five changeable exhibit signs from 24 sq. ft. to 104 sq. ft. c) To exceed the allowed size of one changeable exhibit signs from 24 sq. ft. to 96 sq. ft.</p>	<p>a) Two pedestal-mounted, 56.25 sq. ft. facility signs are proposed at the two corners of the site fronting onto the main arterial, South Massachusetts Street. The sign at the southwest corner includes the museum logo and name, the site address and parking directional information. The proposed sign at the northwest corner includes the logo and name of the residential uses at the site. b) Five, wall mounted, changeable, vinyl banner exhibit signs measuring 104 sq. ft. are proposed along the south façade of the existing building. c) One identifying changeable vinyl blade banner sign on a permanent wall mounted metal frame armature</p>

			<p>located on the northwest corner of the existing building measuring 96 sq. ft. that includes the museum name and logo.</p> <p>d) Note: One wall mounted entry sign proposed above the museum entry that includes the museum name and logo and measures 32 sq. ft. is allowed outright and does not require a variance.</p>
3	<p>SMC 23.55.022.D7 SIGN QUANTITY One (1) electric or non-illuminated double-faced identifying wall or ground sign on each street frontage.</p>	<p>To exceed the number of allowed signs from two to eleven.</p>	<p>Eleven additional signs are proposed as follows:</p> <ol style="list-style-type: none"> 1) One sign described in Variance #1 above. 2) Five signs described in Variance #2b above. 3) One sign described in Variance #2c above. 4) Four proposed pole mounted changeable vinyl exhibit banner signs are proposed on two poles located in the parking lot and measuring 16 sq. ft.
4	<p>SMC 23.55.022.G DIRECTIONAL SIGN -- DIMENSIONS On-premises directional signs shall be permitted. Maximum sign area shall be eight (8) sq. ft. One (1) such sign shall be permitted for each entrance or exit to a surface parking area or parking garage.</p>	<p>To exceed the maximum allowed size of one (1) sign by 17 sq. ft. (from 8 sq. ft. to 25 sq. ft.).</p>	<p>One sign indicating the parking location, as well as the museum name and logo that measures 25 sq. ft.</p>
5	<p>SMC 23.55.022.I OFF PREMISE SIGNS Off-premises signs shall not be permitted.</p>	<p>To provide six (6) off-premise signs measuring 16 sq. ft.</p>	<p>Six, off premise <i>changeable</i> vinyl pole-mounted exhibit banners posted on street light poles at least eight feet above the sidewalk. All banners are the same 2' by 8' (16 sq. ft.) dimension.</p> <p>Note: Street use permits from SDOT are required for all signs within the right-of-way.</p>

Public Comments

No comments were received during the public comment period which ended on November 21, 2007.

ANALYSIS - VARIANCE

As provided in SMC 23.40.020, variances from the provisions or requirements of Seattle Municipal Code Title 23 shall be authorized only when all of the facts and conditions stated in the numbered paragraphs below are found to exist:

- 1. Because of unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity;***

With the Colman school building's location in an LDT zone, it was a recommendation of the Old Colman School Use Advisory Committee (SUAC) in June 2002, that the possible permitted uses include the ground floor as heritage museum. Per the SUAC recommendation and approval, MUP Permit No. 2401534 and Building Permit No. 6084018, construction is currently being completed for the Northwest African American Museum at the Colman School. As its approved designation of museum, it is vital to the facility's success as a cultural institution and community gathering space that the museum be able to announce itself to both pedestrian and vehicular traffic. The topography of the site is such that the structure is located above the main arterial, 23rd Avenue South, and is bounded by fairly high retaining walls. Thus, identifying the building and finding the entrance can be difficult for both the pedestrian and driver without clear, visual building and use identification.

The existing building is located at the junction between the Central Area Neighborhood and the North Rainier Valley Neighborhood. It is adjacent to open park space on the north and east sides and adjacent to heavily trafficked S. Massachusetts St. and 23rd Ave. S. Across S. Massachusetts Street is the Colman School playground and across 23rd Ave. S. is a multi family residential development.

The proposed signage will allow the building to function as a destination as well as a hub for connecting the Central Area District and North Rainier Valley District; both of which are important as outlined in the Central Area and North Rainier Neighborhood development plans, as well as in the Seattle Comprehensive Plan. A lack of signage or insignificant signage would deprive these neighborhoods as well as the city in general of the ability to celebrate the museum as a point of cultural and historic interest for the adjoining neighborhoods and community at large. Furthermore, the presence of clear directional and informational signage will assist museum patrons from needlessly circulating through the neighborhood.

The following items draw from Seattle's Comprehensive Plan and the Central Area Neighborhood Plan:

- One policy highlighted in the city plan (CA-P9) is to, "Identify key streets and areas where neighborhoods can be linked together."

- The neighborhood development plan asks that attention be paid to, “...Respect(ing) historic and cultural resources, and mak(ing) them important aspects of the community.” In addition to this, the neighborhood plan asks that buildings use signage to help connect their use to the pedestrian and vehicular traffic to promote people gathering.
- The proposed signage for the museum works to promote Theme and Identity (UD-4.5.1) as a matter of community development.
- The proposed signage addresses the Identification Program (UD-4.5.2) in order to, “Work with the City to establish a signage, banner, and/or kiosk program in the Central Area that identifies various neighborhoods and key landmarks.”
- The signage works to provide Cultural Facilities and Amenities (UD-4.5.4) to, “...reflect the values and cultures of the Central Area community, serving as beacons of community pride.”
- In addition the signage helps the museum and its surrounding area function as a Gateway (UD-4.5.5) by using, “landscaped areas, public art pieces, banners, and/or signage,” to help promote “community gateways.”

These objectives support a functional and informative signage program that helps announce the presence of a cultural institution within this zone.

In keeping with the spirit of similar facilities located in residential neighborhoods, several museums including The Frye Museum, The Burke Museum, The Seattle Asian Art Museum, The Nordic Museum and the Museum of History and Industry (MOHAI) were taken into consideration when developing the signage for NAAM. The Frye Museum is located in a HR zone and MOHAI in a SF 7200 zone, the later being more restrictive than the LTD zone of our project. The Burke Museum is in an MIO zone, but is immediately adjacent to an L3 zone and the Nordic Heritage Museum is in an SF5000 zone.

Thus, the strict application of the Land Use Code would prevent the enjoyment of normal land use privileges allowed for similar uses within the City.

2. ***The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located;***

It is critical to the success of the Northwest African American Museum, that the cultural institution be able to identify itself to potential patrons. The signage design has minimized the number of signs proposed as well as size and location of each sign. The quantity, size, location, and purpose of each sign takes into account the relationship to the overall size of building and lot size as well as proximity to neighboring residential areas.

Facility Sign

Located at the prominent intersection of 23rd Ave S. and S. Massachusetts St., an increase in the size of this sign is necessary for identification of museum and direction to parking for patron use, as well as for fire department and post office use.

Parking Lot Sign

Located at the parking lot entrance, an increase in the size of this sign is necessary for identification of museum and direction to parking for patron use, as well as for fire department and post office use.

Directional Sign

Located in the parking lot, the location of this sign is necessary for museum patrons to help locate the museum entrance, while protecting the privacy of the residential entrance.

Museum Exhibit Banner Signs

Located adjacent to the parking lot, these signs are necessary to inform patrons of current exhibits on display.

Blade Banner

Located on 23rd Ave. S., the size and location of this sign is necessary for patrons for visibility of the museum location by patrons who will be arriving by automobile.

Facility Sign

Located on 23rd Ave. S., the size and location of this sign is necessary for patrons who will be arriving by automobile as well as pedestrians.

Pole Banner Signs

Located in the parking lot, along the prominent and well trafficked S. Massachusetts St. and 23rd Ave. S., these signs are necessary to inform patrons of exhibits currently on display.

In summary, no special privilege would be accorded by granting any or all of the proposed variances.

- The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located.***

With respect to the neighboring residential area and as a required condition of Landmarks Board approval, the signage has been designed to be minimally intrusive on the site, as well as to the building itself. In the event that the building should change ownership in the future or that there be a change in ground floor tenant, the signs have been designed to be easily removed with minimal impact.

The signage was developed in the spirit of Seattle's Comprehensive Plan regarding sign policies (A-5 LU42 and LU43) regarding adequate identification for intended use and communicating information of community interest. Special care was taken to correspond with the character and scale of signage to building and landscape.

The proposed signage is not anticipated to be materially detrimental to any adjacent property or improvement.

4. *The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties;*

Most of the code compliance issues addressed in Chapter 23.55.022 of the Seattle Municipal Code address restrictions for residential signage. As a public museum, the signage limitations as outlined in the Code would not allow the museum to announce itself to visiting patrons or surrounding neighborhood. Without appropriate signage, the museum's existing adjacencies to park areas and busy streets would make it difficult for the museum to promote and maintain patronage.

The Landmark status of the building affects the redevelopment and use potential of the land; thus the opportunity for adaptive re-use of the site and existing building is limited. Crucial to the economic viability of the re-use of the site as a museum is the ability to provide signage that establishes its presence (banners and exhibit signage) and organizes the related activity in a controlled manner (parking and entrance signage). The absence of this signage would cause undue hardship or practical difficulties for the approved museum function.

5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code and adopted Land Use regulations for the area.*

The Land Use Code provides for a variance process for relief from unusual conditions and situations that the rules of the Code could not anticipate. At the same time, the intent and purpose of the Code is to assure compatibility of uses within a zone and preservation of neighborhood character. The spirit and purpose of the rear and side setbacks is to reduce the impact of an institutional use on a residential neighborhood. In this unique situation, the property is a former public school use in a landmark building. Furthermore, the site is bounded by a public park to the north and east, an arterial to the west and a street with a playground and community center beyond to the south.

In granting the landmark status of this structure, the City of Seattle's Landmarks Preservation Board specifically recognized the importance of this building as the embodiment of the distinctive visible characteristics of an architectural style and period. Of particular importance to this application, the Board emphasized that the prominent location, age and scale, the Old Colman School is an easily identifiable feature of the neighborhood and contributes to the distinctive quality or identity of the Central Area and North Rainier Valley District neighborhoods. This variance

application seeks to reconcile the conflict between preservation of an identified, valuable community resource, the desire to make necessary improvements to a deteriorating structure through adaptive re-use and allow for reasonable accommodation of a cultural institution. The proposed additions are consistent with the spirit and purpose of the Land Use Code and adopted Land Use Comprehensive Policies as applicable.

DECISION - VARIANCE

Based on the above findings and analysis all of the facts and conditions stated in the numbered criteria of SMC 23.40.020, *Variances*, are found to exist. Each of the requested variances is **APPROVED**, subject to the following conditions:

CONDITIONS – VARIANCE

None.

Signature: (signature on file)
Lisa Rutzick, Land Use Planner
Department of Planning and Development

Date: December 31, 2007