



City of Seattle

**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:** 3011229  
**Applicant Name:** Ian Kell for Seattle Public Schools  
**Address of Proposal:** 10750 30<sup>th</sup> AVE NE

**SUMMARY OF PROPOSED ACTION**

Land Use Application to install a 3 foot by 7.6 foot double-faced, electronic, changing image-sign on an 18 foot monopole at Nathan Hale High School. The sign will be facing east and west on NE 110<sup>th</sup> Street. SEPA addendum to the environmental checklist for Nathan Hale HS renovation, demolition and construction project prepared by Seattle Public Schools.

The following approvals are required:

**Development Standard Departure – To approve or condition the following departures (SMC 23.79):**

1. To allow a changing-image sign in a single-family zone – SMC 23.55.020B
2. To allow a ground mounted, identifying sign to exceed six feet above grade – SMC 23.55.020D.7

**SEPA - to impose conditions** Chapter 25.05 Seattle Municipal Code.

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

DNS with conditions

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

## **BACKGROUND INFORMATION**

Site Location: Nathan Hale High School is located in the Meadowbrook Neighborhood. The school fronts 30<sup>th</sup> Avenue NE on the west, NE 110<sup>th</sup> Street on the north, the Meadowbrook Playfield on the south, and 35<sup>th</sup> Avenue NE on the east. The sign will be installed on the south side of 110<sup>th</sup> Street approximately midway between 30<sup>th</sup> Avenue NE and 35<sup>th</sup> Avenue NE. The Jane Addams School playfields are located immediately across the street from the proposed sign location.

Zoning: The site is zoned Single Family 7200.

Environmental Critical Area: Portions of the school site are designated wetland and riparian corridor. An exemption from wetland and riparian corridor standards has been granted based on development located outside of buffer areas and determination that no impacts to the wetland or riparian corridor will result from placement of the sign. Development will still need to comply with relevant liquefaction and flood prone development standards in the ECA ordinance.

Existing Use: The existing use is a Public School Site.

Public Comment: The public comment period ended April 7, 2011 after a 14-day extension. One comment letter was received.

### **Development Standard Departure Committee Meeting**

One public meeting of the Development Standard Departure Advisory Committee (“Advisory Committee”) was held on March 3, 2011 to consider development standard departures for the sign. The Department of Neighborhoods prepared and submitted a report to document public testimony and make recommendations to DPD for modifications to land use code development standards. The report contains the Committee recommendations and conclusions.

### **ANALYSIS – Development Standard Departure**

The Development Standard Departure process is being conducted pursuant to the provisions of Seattle Municipal Code sections 23.79.002-.012. Pursuant to these provisions an Advisory Committee was convened, public comment was received, and a written recommendation to the Director of DPD was made. This analysis and decision is made pursuant to the requirements of SMC section 23.79.010 that the Director determine the amount of departure to be allowed as well as mitigation measures to be imposed. The Director’s decision shall be based on an evaluation of the factors set forth in Section 23.79.008, the majority recommendations and minority reports of the Advisory Committee, comments at the public meeting(s) and other comments from the public. If the Director of DPD modifies the recommendations of the Advisory Committee, the reasons for the modification shall be put forth in writing.

In reviewing the departure request, Section 23.79.008 directs the Advisory Committee to “gather and evaluate public comment”, and to “recommend maximum departures which may be allowed for each development standard from which a departure has been requested”. It states, “Departures shall be evaluated for consistency with the objectives and intent of the City’s Land Use Code....., to ensure that the proposed facility is compatible with the character and use of its surroundings”.

The Advisory Committee is directed to consider and balance the interrelationships among the following factors:

- A. *Relationship to Surrounding Areas:*** *The advisory committee shall evaluate the acceptable or necessary level of departure according to:*
1. *Appropriateness in relation to the character and scale of the surrounding area;*
  2. *Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale;*
  3. *Location and design of structures to reduce the appearance of bulk;*
  4. *Impacts on traffic, noise, circulation and parking in the area; and*
  5. *Impacts on housing and open space.*

*More flexibility in the development standards may be allowed if the impacts on the surrounding community are anticipated to be negligible or are reduced by mitigation; whereas, a minimal amount or no departure from development standards may be allowed if the anticipated impacts are significant and cannot be satisfactorily mitigated.*

- B. *Need for Departure:*** *The physical requirements of the specific proposal and the project's relationship to educational needs shall be balanced with the level of impacts on the surrounding area. Greater departures may be allowed for special facilities, such as a gymnasium, which are unique and/or integral and necessary part of the educational process; whereas, a lesser or no departure may be granted for a facility which can be accommodated within the established development standards.*

#### Departure Request and Advisory Committee Recommendation

In December 2011, the Seattle Public Schools requested the Director to initiate the departure process for a changing image sign at Nathan Hale High School. Two departures from the land use code are requested.

- 1) To allow a changing image sign in a single family zone; and
- 2) To allow a ground mounted, identifying sign to exceed six feet above grade for a secondary school in a single family zone.

The Advisory Committee met on March 3, 2011. At the meeting, the Advisory Committee determined that the requested departures were MINOR in nature. During this same meeting the Advisory Committee listened to public comment and recommended APPROVAL of the departures. The Advisory Committee prepared the Nathan Hale High School Design Departure Recommendations Report, dated March 2011. The recommendation report was forwarded by the Department of Neighborhoods to the Director of DPD for consideration.

Director's Analysis

**A. Relationship to Surrounding Areas:**

*1. Appropriateness in relation to the character and scale of the surrounding area;*

Nathan Hale High School is part of a large campus with school buildings, surface parking lots and sports field with football, track and grand stand seating. The school is adjacent to Meadowbrook playfield and Jane Addams Middle School is located on the north side of NE 110<sup>th</sup> Street. The three institutions are located within a single family residential neighborhood. The sign will be located on the south side of NE 110<sup>th</sup> Street, adjacent to the Nathan Hale High School. This school property extends the length of NE 110<sup>th</sup> Street, between 30<sup>th</sup> Avenue NE and 35<sup>th</sup> Avenue NE. The sign is located across the street from the middle school. The sign is integrated among the institutional uses in the neighborhood and is within the character of the institutional uses. The scale of the sign is no taller than surrounding buildings and not as high as existing utility poles located in the right of way.

The sign as proposed is consistent with the character of the surrounding institutional uses, public school sites are generally located in residential areas and identification signs are customary to other public school sites in the City. However, a changing-image sign is not necessarily within character of a single family neighborhood. Therefore the Advisory Committee determined that mitigation should be imposed to limit impacts of the changing image sign and the Director concurs with the following mitigation:

Recommendation One: The hours of operation are restricted to: 7am -9pm 300 days per year; 7am-9:30pm 20 days per year; and, 7am-10pm 10 days per year. With the sign not in operation for no fewer than 35 days per year when the school is not in general use, the District to determine the distribution of the above.

Recommendation Two: The sign be approved as shown in the submitted plans dated, November 24, 2010 and that any future conversion of the graphic character of the sign, and particularly the incorporation of advanced technologies, such as video image capacity or rapid animation, be prohibited unless approved through a future departure process.

The Advisory Committee recommended that the current sign be removed with installation of the new changing- image sign. Only one sign is permitted on site so the old sign will need to be removed prior to final approval of the sign installation by the City. Therefore, no conditioning is required.

*2. Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale;*

The impact of the proposed sign is minimal and is much smaller in scale than residences, institutional buildings and utility poles in the area. The pole is located at

least 280 feet from the closest residence. Existing structures and setbacks provide a transition in scale from residential structures in the area. No further mitigation is required for the size of the sign.

3. *Location and design of structures to reduce the appearance of bulk;*

The proposed sign is smaller in size and scale of surrounding structures and utility poles. The sign will be located below the sidewalk grade reducing the appearance of height from the right-of-way. No further mitigation is required for the size of the sign.

4. *Impacts on traffic, noise, circulation and parking in the area; and*

Installation of the changing-image sign will not impact noise, circulation and parking in the area. However impacts to driver and pedestrian safety may result from drivers distracted by the changing messages.

Signs with movement can cause driver distraction which could possibly lead to accidents involving pedestrians, motorists and cyclists. In order to mitigate possible distractions the Advisory Committee determined that any future conversion of the graphic character of the sign, and particularly the incorporation of advanced technologies, such as video image capacity or rapid animation, be prohibited unless approved through a future departure process (see Recommendation Two above). The Advisory Committee also determined, and the Director concurs, that in addition to Recommendations One and Two, the following mitigation will be imposed to limit impacts of the changing image sign:

Recommendation Three: The frequency of change of the message displayed on the reader board shall be consistent with the requirements of the Seattle Municipal Code, but no more frequently than once every 20 seconds.

5. *Impacts on housing and open space.*

The proposed sign departures are not expected to have any impacts on existing open space and housing. The proposed sign will be located away from wetland and riparian corridors and will not result in the demolition of housing.

**B. *Need for Departure:*** *The physical requirements of the specific proposal and the project's relationship to educational needs shall be balanced with the level of impacts on the surrounding area. Greater departures may be allowed for special facilities, such as a gymnasium, which are unique and/or integral and necessary part of the educational process; whereas, a lesser or no departure may be granted for a facility which can be accommodated within the established development standards.*

Seattle Public Schools identifies the need to efficiently communicate Nathan Hale High school events to parents and the community at-large. It is Seattle Public Schools' experience that effective outreach to the parents and surrounding community tends to create more positive involvement and support for the school activities and organizations.

The community at large has opportunity to be involved with school activities and also plan in advance for any impacts to parking, traffic and noise resulting from large events. A sign is currently located at the northeast corner of the school site near the intersection of NE 110<sup>th</sup> and 35<sup>th</sup> Ave NE. With renovation of the high school, a new sign, located closer to the school structures and further from residences has been proposed. A programmable, and multi- message reader board provides greater efficiencies and allows for broader communication of upcoming events to students, parents and the surrounding community. Potential impacts from the changing-image sign located more than six feet above grade have been adequately mitigated and by granting the departures the educational needs as specified by Seattle Public Schools can be reasonably met.

### **DECISION-DEVELOPMENT STANDARD DEPARTURE**

The Director has determined the Departure requests as mitigated meet SMC 23.79.008C and are consistent with the intent of SMC 23.55.001.

The development standard departure to allow a changing-image sign in a single-family zone is **CONDITIONALLY GRANTED**.

The development standard departures to allow a ground related, identifying sign to exceed six-feet above grade at a secondary school in a single family zone is **CONDITIONALLY GRANTED**.

### **CONDITIONS-DEVELOPMENT STANDARD DEPARTURE**

#### *For the Life of the Project*

1. The hours of operation are restricted to: 7am -9pm 300 days per year; 7am-9:30pm 20 days per year; and, 7am-10pm 10 days per year. With the sign not in operation for no fewer than 35 days per year when the school is not in general use, the District to determine the distribution of the above.
2. The sign be approved as shown in the submitted plans dated, November 24, 2010, and that any future conversion of the graphic character of the sign, and particularly the incorporation of advanced technologies, such as video image capacity or rapid animation, be prohibited unless approved through a future departure process.

3. The frequency of change of the message displayed on the reader board shall be consistent with the requirements of the Seattle Municipal Code, but no more frequently than once every 20 seconds.

## **SEPA ANALYSIS**

Environmental impacts of the proposal have been analyzed in environmental documents prepared by Seattle Public Schools. The initial disclosure of the potential impacts from this project was made in the SEPA addendum to the environmental checklist for the Nathan Hale High School Renovation, Demolition and Construction project, issued January 24, 2011.

The Department is reviewing the environmental impacts of the proposal in order to impose further conditions if necessary. This proposal is reviewed under substantive SEPA authority. Disclosure of the potential impacts from this project was made in the environmental documents listed above. This information, supplemental information provided by the applicant and the experience of this agency with review of similar projects form the basis of this analysis and conditioning.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Adopted City codes and/or ordinances provide mitigation for the identified impacts. The Stormwater, Grading and Drainage Control Code, Building Code, Land Use Code, Environmental Ordinance and Tree Ordinance are adequate and will provide sufficient mitigation of impacts identified with placement of the sign, without further conditioning pursuant to SEPA policies.

## **SEPA CONDITIONS**

None

Signature: \_\_\_\_\_  
(Signature on File)  
Stephanie Haines, Senior Land Use Planner  
Department of Planning and Development

Date: April 11, 2011