



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Number: 3025697
Applicant Name: Erik Salisbury for Miller Hayashi Architects for Green Dot Schools
Address of Proposal: 6020 Rainier Ave S

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 3-story 42,360 square foot school (Green Dot Seattle Middle School). Surface parking for 32 vehicles to be provided. Existing church, office building and two single family residences to be demolished.

The following approvals are required:

Development Standard Departure - Chapter 23.79 Seattle Municipal Code to approve or condition the following departures:

1. To allow height to exceed code required for a portion of the school in a Lowrise 3 and Single Family zone (SMC 23.51B.002 D).

SEPA — Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION:

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

SITE AND VICINITY

Site Zone: Multifamily Lowrise 3 (LR3) and
Single Family 5000 (SF5000)

Nearby Zones: North: (LR3) and (SF5000)
South: (LR3) and (SF5000)
West: (LR3) and (SF5000)
East: (SF5000)

ECAs: None.

Site Size: 1.29 acres



PUBLIC COMMENT:

The public comment period ended on January 25, 2017. In addition to the comment (s) received through the School Departure process, other comments were received and carefully considered to the extent that they raised issues within the scope of this review.

Development Standard Departure

The Washington Charter School Development (WCSD) and Green Dot Schools submitted a request for departures from certain Seattle Municipal Code development standards for a proposed new middle school (Green Dot Middle School). The Department of Neighborhoods (DON) is charged with administering the School Departure process per SMC 23.79.004. DON formed the required Advisory Committee of eight voting members with a City non-voting Chair. The final Development Standard Departure Report is available in the public electronic file at the following link <http://www.seattle.gov/dpd/> under the project number.

ANALYSIS – Development Standard Departure for Public Schools

The Development Standard Departure process is conducted pursuant to the provisions of Seattle Municipal Code sections 23.79.002-.012. An advisory committee was convened, public comment was received, and a written recommendation to the Director of Seattle Department of Construction and Inspections (SDCI) was prepared. The SDCI Director prepares an analysis and decision per SMC section 23.79.010. The Director will 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 C, 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 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 in SMC 23.79.008 C 1:

- 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;*

Departure Request and Advisory Committee Recommendation

On November 29, 2016, WCSD and Green Dot Schools submitted a request for departures from certain Seattle Municipal Code development standards to accommodate the construction of a new Charter Middle School at 6020 Rainier Avenue South. The School is proposed to be approximately 42,360 gross square feet with 32 parking spaces and will serve approximately 600 school students. The existing site is approximately 1.2 acres.

The City initiated the Development Standard Departure Process, pursuant to SMC 23.45.504 and 23.79. The Code requires that the Department of Neighborhoods convene an Advisory Committee (Development Standard Advisory Committee) when the applicant proposes a departure from the development standards identified under the Code. These standards are referred to as the “zoning code”.

The purposes of the Development Standard Departure Advisory Committee are: 1) to gather public comment and evaluate the proposed departures for consistency with the objectives and intent of the City's land use policies to ensure that the proposed facility is compatible with the character and use of its surroundings; and 2) to develop a report and recommendation to the City of Seattle Department Construction and Inspections from the Department of Neighborhoods.

Following completion of the Committee Report and its transmittal to the City's Department of Construction and Inspections, that department will produce a formal report and determination. The Director of the Department of Construction and Inspections will determine the extent of departure from established development standards which may be allowed, as well as identify all mitigating measures which may be required. This decision is appealable.

The Department of Neighborhoods sent notices to residents within 600 feet of the proposed new school and to a list of individuals and organizations that had shown interest in other community issues in the vicinity requesting self-nominations for membership on the Development Standard Departure Advisory Committee. The Committee was formed and is composed of eight voting members with a City non-voting Chair.

In order to accommodate the educational program for this project, the applicant requested the following departure from the Seattle Municipal code:

Departure #1 -Greater than Allowed Building Height (SMC 23.51B.002 D) – The zoning code restricts the height of development on the site to 30 feet plus an additional 15 feet for a pitched roof, if pitched at a rate of not less than 4:12. The District requested a departure to allow the School to exceed this standard to a total height of 49 feet for classrooms, mechanical and elevator penthouses, and façade elements above the maximum.

The Committee was convened in a public meeting held on April 13, 2017 at Hillman City Collaboratory, 5623 Rainier Ave. S. Seattle, WA 98118. Approximately 17 members of the public attended the meeting, three of whom provided public comments, two of those were from Green Dot and WCSD. All public comment was supportive of the school locating in the neighborhood and allowing the requested height.

Application of Review Criteria to Requested Departures and Committee Recommendations

The Seattle Municipal Code intent is to grant departures from the requirements of the Municipal Code to accommodate the educational needs of the programs. WCSD has demonstrated that it cannot accommodate the program necessary for the school without requesting a departure for additional height. The Committee is charged with evaluating the Code criteria and the departure request to see if the criteria are met. The following are notes of the Advisory Committee discussion.

SMC 23.79.008C1a 1-5

1. A two-story building would degrade the bus and parent drop-off and pick-up, reduced play space, and not meet the needed square footage. It would also require a larger footprint, which would be out of scale with surrounding structures. Three stories are consistent with the scale of structures in the surrounding neighborhood and is an efficient use of space as the site is located in an urban corridor.
2. As Rainier Avenue South is an urban corridor, the committee did not take issue with the development. They were appreciative that the neighbors to the east would be abutting mostly parking and play space which will help minimize the sense of bulk.
3. Methods and materials used to break up the appearance of bulk are encouraged, and are already proposed by the staggering of those materials and the use of colors. The Committee suggested other elements that the design team should explore to further reduce the appearance of bulk. The Committee was supportive of the design and additional height of the building, and emphasized their desire to see design elements reflected in the proposed drawings be maintained through the design process. The colored rain screens at the entrances were supported, and the Committee felt the additional height above 30 feet should be allowed. The parapet may be at 45 feet and the mechanical spaces and façade elements to 49 feet. There was concern regarding the upkeep and appearance of unpainted concrete along the base of the building. In an acknowledgement to the neighboring residential properties, as well as passers-by along Rainier Avenue South, the Committee recommended landscaping to serve as a buffer.

4. There will be some impacts of traffic, noise and circulation and parking in the area. The applicant proposes locating parking and bus drop off and pick up on site which addresses some concerns around parking and traffic. The design team did acknowledge the adjacent property owners concerns about cars using his driveway to access the site. The school will address this in their Transportation Management Plan (TMP). The location of the school at this location is advisable due to the proximity to public transportation.
5. The Committee acknowledged the loss of two houses, but did not express concern about the loss of those units. The Committee was supportive of the open space that will be gained.

SMC 23.79.008C1b

The Committee agreed that the additional height is needed for a three-story building to allow for other uses on the site. Additional site space will allow for separate bus and parent drop-off and pick-up as well as outdoor play space.

After consideration of the above, the Committee voted and unanimously recommended that the departure to allow for an additional 19 feet of height for a total of 49 feet be granted as requested by the WCSD and Green Dot Schools with the following conditions:

1. The design team should attempt to keep the following design elements:
 - Separation between horizontal bands of façade,
 - Offset the horizontal bands that correspond with each floor,
 - Continue to use materials that show dimension to minimize the appearance of bulk,
 - Continue to use a contrasting color in window frames, and
 - Continue to use a contrasting color for the rain screen used at the entrances.
2. The design team should explore a thicker and/or contrasting color for the roof cap that would match or balance the entry rain screens.
3. Pursue a clear anti-graffiti coating to avoid painting the cast concrete base in the future.
4. Plant and maintain plantings as shown to provide scale and serve as a buffer, most importantly at the frontage along Rainier Ave S and where the site abuts residential neighbors. Provide irrigation for all landscaping.

Director's Analysis

The Director's decision shall be based on an evaluation of the factors set forth in Section 23.79.008 C, the majority recommendations and minority reports of the Advisory Committee, comments at the public meeting and other comments from the public. Section 23.79.008 C states:

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.*

Departure #1 is an applicant request to allow greater than allowed building height for a portion of the building. Code allowed is 30 feet with 5 for pitched roofs. With this departure, the School would exceed the development standard (SMC 23.51B.002 D) resulting in total height of 49 feet to accommodate screened mechanical penthouses, classrooms and areas of building facade. The building itself is proposed to be at or below 45 feet.

The area of requested height departure would allow for an additional floor of classrooms, mechanical equipment, and a façade feature at the building entries. The Committee considered the height departure request for the school and determined that it appeared to be an appropriate response to the site and uses. In evaluating this departure, the Committee noted the additional landscaped setbacks from the street and full landscaping were mitigating circumstances to additional height and bulk.

The departure is appropriate in relation to the character and scale of the surrounding area in that there is a three-story apartment building to the south and single family and fire station to the north. There is a zone change mid-site to single family 5000, but the mass of the building is proposed within the Lowrise zone near the street. Parking and play areas are located in the Single-Family zone at the rear of the site, thus locating the bulk of the project in the higher density zone along an arterial street.

The building mass is along an arterial in a Lowrise zone and open play areas and parking help are located in the single-family zone. There is then, a transition in the height, bulk, and scale from the arterial and Lowrise zone to the single family zone to the rear of the site.

The departure request has some impact on traffic, noise, and circulation in that an additional floor of classrooms will be constructed allowing for a larger school population. The Committee understood some of the proposed mitigating measures that the school proposes and agreed that they were appropriate to follow. Additionally, the SEPA analysis below discusses this issue and mitigating conditioning.

Two single family dwellings will be demolished in the Lowrise 3 zone. Open space is expected to be impacted because some open space surrounding the single family dwellings and the church will be removed to accommodate the building. New open space in the way of play areas and surface parking will open up to the rear of the site.

The Committee noted that extra height was acceptable yet proposed conditions to help blend the school with neighborhood surroundings and suggested conditions. The Director accepts the Committees suggestions as follows:

1. Keep the following design elements:
 - Separation between horizontal bands of façade,
 - Offset the horizontal bands that correspond with each floor,

- Continue to use materials that show dimension to minimize the appearance of bulk,
 - Continue to use a contrasting color in window frames, and
 - Continue to use a contrasting color for the rain screen used at the entrances.
2. Explore a thicker and/or contrasting color for the roof cap that would match or compliment the rain screen used at the entrances and if it enhances the design update the MUP sets.
 3. Apply a clear anti-graffiti coating to the concrete base to avoid painting the cast concrete base in the future.
 4. Plant and maintain landscaping as shown and install the irrigation to provide scale and serve as a buffer. This is most important at the frontage along Rainier Avenue South and where the site abuts residential neighbors.

The Committee discussed the overall need for departures (SMC 23.79.008C1b) as part of their deliberations. The Seattle Municipal Code generally envisions granting departures from the requirements of the Municipal Code to accommodate the educational needs of the programs to be located in the proposed building. In this case, the applicant stated that both the construction of the new school and important outdoor play space present challenges and that without granting a departure for greater height, school operations would be diminished. Without the departure, the alternatives would be either further reductions in critical open play space by spreading the school over a greater site area or reductions in the proposed size of the educational program provided at the school.

The Committee recommends that the departure to allow greater than allowed height be approved as requested by the applicant with conditions, the Director concurs. The greater height is located in the lowrise zone and out of the single-family zone. The additional height is also a reasonable fit in the neighborhood where the neighboring multifamily building to the south is similar in height and bulk. The City of Seattle Fire Station to the north is also a multi-story building with significant bulk.

The Director's analysis balances departure requests through criteria based on the relationship to surrounding areas with need for development standards departures. Considering the criteria, the majority recommendation from the Advisory Committee, and public comments, the Director grants the departure request and finds that the departure recommendations of the Advisory Committee be accepted with some conditions. See the conditions at the end of this document.

DECISION-DEVELOPMENT STANDARD DEPARTURES

The school development standard departure for additional height is **CONDITIONALLY GRANTED**.

ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 12/12/2016. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and 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.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes *construction*-related noise, air quality, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant. Therefore, no further mitigation is warranted pursuant to SMC 25.05.675.F.

Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

The area includes limited and timed or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route and a Construction Parking Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Construction Impacts - Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of: 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends and legal holidays in Lowrise, zones.

If extended construction hours are desired, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

A Construction Management Plan will be required, including contact information in the event of complaints about construction noise, and measures to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>. A Construction Noise Management Plan with specific mitigation for work beyond non-holiday weekdays from 7:00 AM to 6:00 PM is required to be incorporated into the Construction Management Plan.

Earth / Soils

Excavation to construct the residential structures will be necessary. Excavation will remove an estimated 1,500 cubic yards of material from the development site. Soil, gravel and similar materials may be imported to or exported from the site. Transported soil is susceptible to being dropped, spilled or leaked onto City streets. The City's Traffic Code (SMC 11.74.150 and .160) provides that material hauled in trucks not be spilled during transport. The City requires that loads be either 1) secured/covered; or 2) provide a minimum of six inches of "freeboard". The regulation is intended to minimize the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the impacts associated with the grading/excavation impacts of the project is warranted pursuant to SEPA policies (SMC 25.05.675.D).

Environmental Health

The applicant submitted studies regarding existing contamination on site “*Phase I Environmental Site Assessment, located at 5970-6020 Rainier Ave S and 5989 46th Ave S. by SESI, Inc. June 18, 2015.*”

If not properly handled, existing contamination could have an adverse impact on environmental health.

Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology (“Ecology”), consistent with the City’s SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State Agency Program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency’s regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology’s jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

As indicated in the SEPA checklist, the Phase I and Phase II reports advise the applicant to comply with all provisions of the Model Toxic Controls Act (MTCA) in addressing these issues in the development of the project.

If the recommendations described in the reports are followed, then it is not anticipated that the characterization, removal, treatment, transportation or disposal of any such materials will result in a significant adverse impact to the environment. This conclusion is supported by the expert environmental consultants for the project, whose conclusions are also set forth in the materials in the MUP file for this project.

Adherence to MTCA provisions and federal and state laws are anticipated to adequately mitigate significant adverse impacts from any existing contamination on site. The applicant will adhere to MTCA provisions and compliance with Washington State Department of Ecology regulatory authority.

Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology (“Ecology”), consistent with the City’s SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency’s regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology’s jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

The proposed strategies and compliance with Ecology’s requirements are expected to adequately mitigate the adverse environmental impacts from the proposed development. Therefore, no further mitigation is warranted for impacts to environmental health per SMC 25.05.675.F.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. The City acknowledges PSCAA’s jurisdiction and requirements for remediation will mitigate impacts

associated with any contamination. No further mitigation under SEPA Policies 25.05.675.F is warranted for asbestos impacts.

Should lead be identified on the site, there is a potential for impacts to environmental health. Lead is a pollutant regulated by laws administered by the U. S. Environmental Protection Agency (EPA), including the [Toxic Substances Control Act \(TSCA\)](#), [Residential Lead-Based Paint Hazard Reduction Act of 1992](#) (Title X), [Clean Air Act \(CAA\)](#), [Clean Water Act \(CWA\)](#), [Safe Drinking Water Act \(SDWA\)](#), [Resource Conservation and Recovery Act \(RCRA\)](#), and [Comprehensive Environmental Response, Compensation, and Liability Act \(CERCLA\)](#) among others. The EPA further authorized the Washington State Department of Commerce to administer two regulatory programs in Washington State, The Renovation, Repair and Painting Program (RRP) and the Lead-Based Paint Activities Program (Abatement). These regulations protect the public from hazards of improperly conducted lead-based paint activities and renovations. No further mitigation under SEPA Policies 25.05.675.F is warranted for lead impacts.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas, historic resources, height bulk and scale, parking, and traffic warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted pursuant to SMC 25.05.675.F

Historic Preservation

The existing structures on site are more than 50 years old. These structures were reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structures on site are unlikely to qualify for historic landmark status (Landmarks Preservation Board letter, reference number LPB 677/16). Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Height, Bulk, and Scale

It is the City's policy that the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the land use element of the Seattle Comprehensive Plan. Development should provide for a reasonable transition between areas of less intensive zoning and more intensive zoning. Subject to the overview policy set forth in SMC Section 25.05.665, the decision may condition or deny a project to mitigate the adverse impact of substantially incompatible height, bulk and scale.

Section SMC 25.05.675G2b lays out some mitigating measures including screening, landscaping colors and materials.

The proposal has been reviewed for height, bulk and scale as it relates to the structures to the south, a multifamily apartment building and to the north, single family dwellings and a City of Seattle fire station. The height is proposed to be one story higher than the multifamily dwelling to the south. Older, single family dwellings to the north may one day be replaced by structures that could rise to 44 feet, the height limit for multifamily structures in the LR3 zone. This building is proposed to be 45 feet high with additional height for mechanical penthouses and stair penthouses. The building is entirely located in the Lowrise 3 zone which has a school structure height limit of 30 feet. Behind the LR3 zone to the east is a zone change to Single Family 5000 (SF 5000). Single family heights are limited to 30 feet with a pitched roof allowable to be at 35 feet at the top of a roof ridge. No school buildings are proposed in the SF 5000 area, only parking lot and play area.

The Advisory Committee considered mitigation for height, bulk and scale through modulation, façade articulation, landscaping, and façade treatment. The Director has reviewed the DON report and the Committee's recommendation on height, bulk and scale mitigation and supports the recommended conditions. The height, bulk and scale of the proposed development and relationship to nearby context have been addressed and no further conditioning is warranted per SMC 25.05.675G.

Parking

The traffic and parking analysis (*Heffron, Revised Transportation Technical Report, Feb 2017*) studied parking needs generated by the school. At the proposed capacity of 600 students and 45 faculty/staff, the school is projected to generate a peak school-day parking demand of 54 vehicles. The project proposes to provide 32 on-site parking spaces, which would result in spillover of about 22 vehicles to the adjacent streets. The report notes there is adequate on-street capacity to accommodate this level of potential parking overspill.

During the evenings when occasional large events are held at the school, on-street neighborhood parking demand is expected to increase. Large events may cause parking spill over to the neighboring streets. On-street capacity will be able to accommodate the overspill although parking will reach farther into the neighborhood.

With the proposed project, roadway infrastructure, such as sidewalks and crosswalks, and bus service there will be opportunity to locate parking. However, conditioning is warranted in order to capture the breadth of recommended measures to reduce the parking impacts associated with the proposal pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.675). See conditioning at the end of this document.

Transportation

The traffic and parking analysis (*Heffron, Revised Transportation Technical Report, Feb, 2017*) indicates a peak demand for approximately 424 trips in the morning peak hour, 262 trips in the afternoon peak hour, and 88 trips in the evening peak hour. Traffic volume increases generated by the school on nearby local streets—resulting from the right-turn-out restriction that would require vehicles destined to the south to go around the block—may be noticeable to residents

during the peak periods of drop-off and pick-up activity. However, according to the report, because these streets currently carry low traffic volumes, school-generated traffic is expected to have a very small effect on local street traffic operations.

The additional trips would have minimal impact on levels of service at nearby intersections and on the overall transportation system. Concurrency analysis was conducted for nearby identified areas. That analysis showed that the project is expected to be well within the adopted standards for the identified areas. The SDCI Transportation Planner reviewed the information and determined that while impacts are adverse, they are not expected to be significant. Some impacts, however, will occur with the new construction which should be addressed.

Specific measures to reduce impacts include a Transportation Management Plan to educate parents and students on circulation and drop off measures, work with SDOT and working with the Seattle School Safety Committee and other procedures outlined in the project SEPA documents. Recommendations of the Traffic Impact Analysis are described as mitigating measures in the environmental documents and the applicant has committed to enacting mitigation measures deemed appropriate to reduce impacts. Conditioning is warranted in order to capture the breadth of recommended measures to reduce the traffic impacts associated with the proposal pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.675). See conditions at the end of this document.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – DESIGN REVIEW

For the Life of the Project

1. The building and landscape design shall be substantially consistent with the materials represented at the Departures Advisory Committee meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Holly Godard 684-0532).
2. The design team shall explore a thicker and/or contrasting color for the roof cap that would match or balance the entry rain screens.
3. Use a clear anti-graffiti coating on the base concrete to avoid painting the cast concrete base in the future.
4. Plant and maintain plantings as shown and irrigated to provide scale and serve as a buffer, most importantly at the frontage along Rainier Ave S and where the site abuts residential zones.

CONDITIONS – SEPA

Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit

5. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.
6. If the applicant intends to work outside of the limits of the hours of construction described in condition #6, a Construction Noise Management Plan shall be required, subject to review and approval by SDCI Noise Abatement staff, and prior to a demolition, grading, or building permit, whichever is issued first. The construction noise management plan may be modified as needed through SDOT and SDCI review. The construction noise management plan shall be incorporated into the Construction Management Plan.

During Construction

7. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 7pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 7pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #6.

Prior to the Building Permit Final Certificate of Occupancy

8. Install right only turn signs at the school vehicle exit to ensure all outbound turns from the school site to Rainier Avenue South will be restricted to right-turn-only during morning arrival and afternoon dismissal periods.

For the Life of the Project

9. Prior to the beginning of each school year, a Transportation and Parking Communication Plan will be developed/updated and distributed to educate all staff, teachers, volunteers, students and their families about access and parking challenges for the school. The plan shall include rules for on and off-site circulation for walking, biking, and driving modes, including any drop-off and pick-up zones that are not located on-site. The Transportation and Parking Communication Plan will be provided to SDOT (Ashley Rhead, Ashley.Rhead@seattle.gov) for review and comment 60 days prior to opening for the first school year only. The guidelines will also be included in the school's information package for all students prior to the start of the school year and provided on the school's website.
10. Work with SDOT to implement a school zone speed limit of 20 mph along Rainier Avenue South adjacent to and approaching the school.
11. During peak arrival and dismissal times, staff will be present at the on-site vehicle and bus loading zones to help manage traffic flow through the site and to help enforce on-site pedestrian safety.
12. During peak arrival and dismissal times, a uniformed off-duty police officer or flagger certified by the American Traffic Safety Services Association (ATSSA) will be hired by the school and stationed at the north driveway on Rainier Avenue to direct vehicles entering and exiting the site and to enforce the queuing policy which prohibits overspill to the street.
13. All outbound turns from the school site to Rainier Avenue South will be restricted to right-turn-only during morning arrival and afternoon dismissal periods.
14. Each year the school will develop a Neighborhood Communication Plan to inform nearby neighbors of events. The plan should be updated annually (or as events are scheduled) and provide information about the dates, times, and estimated attendance. The Communication Plan will notify neighbors of potential increased on-street parking demand that could occur with large events and provide contact information for a school official to whom residents can directly report concerns or issues related to event parking. If events with attendance higher than about 220 persons are anticipated, the school will find additional off-site parking or explore options to reduce parking demand by splitting the event or holding the event at a location that can accommodate the expected level of parking demand.
15. If the transportation measures do not prevent queues from spilling onto Rainier Avenue or parent pick-up and drop-off occurring on Rainier Avenue, the school shall implement additional measures to mitigate these impacts. Additional measures may include staggered arrival or dismissal times, or additional bus service for students to reduce the number of parents driving to the school.

Holly J. Godard, Land Use Planner
Seattle Department of Construction and Inspections

Date: July 17, 2017

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three-year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by SDCI within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two-year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.