

SCHOOL DEVELOPMENT STANDARD DEPARTURE ADVISORY COMMITTEE

JOHN MUIR ELEMENTARY SCHOOL DEPARTURE RECOMMENDATIONS

Project # 3040569-SD

JANUARY 18, 2024



This report was produced according to the City of Seattle Municipal Code (SMC 23.79). The intent and purpose of this report are to document the Advisory Committee and public's testimony and make recommendations to the City for modifications to development standards at John Muir Elementary School located at 3301 S. Horton St.

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John Muir Elementary School Design Departure Advisory Committee Report and Recommendations

2. Background

2.1 Project Description

On July 3, 2023, Seattle Public Schools submitted a request for departure from the Seattle Municipal Code (SMC) Development Standards to allow lot coverage of 37.9% of the lot area, a 5' building setback at S. Horton St., a 5' building setback at 34th Ave S, and a reduction of six short-term bicycle parking spots with an equal number of spots added to long-term bicycle parking at John Muir Elementary School located at 3301 S. Horton St.



Departure 1

23.51B.002.C.2. Lot Coverage in Single Family Zones
*The Land Use code allows 35% lot coverage.
The proposal is 38% lot coverage, for a departure of 4%.*

Departure 2

23.51B.002.E.4.a. Setbacks
*Land Use code requires a 20-foot setback on South Horton Street.
The proposal is a 5-foot setback for an 82-foot-long portion of the building, for a departure of 15 feet.*

Departure 3

23.51B.002.E.4.a. Setbacks
*Land Use code requires a 9-foot, 7-inch setback on 34th Ave South.
The proposal is for a 5-foot setback for a 63-foot long portion of the building, for a departure of 4 feet, 7 inches.*

Departure 4

23.54.012 Table D.B.9. Bicycle Parking Quantity
*Land Use requires 13 short-term bicycle parking spaces.
The proposal is for 7 short-term parking spaces, for a departure of 6.*

2.2 Neighborhood Characteristics

The John Muir Elementary School is in the Mount Baker neighborhood in the heart of Rainier Valley.

The nearby parks and green spaces include Horton Hill Corridor, Mount Baker Boulevard, Lake People Park, and Courtland Place P-Patch. The neighborhood is well-served by public transit and is mostly a single-family residential neighborhood with commercial corridors along Martin Luther King Boulevard and Rainier Ave S.



2.3 Requests for Departure and Committee Formation

The City initiated the Development Standard Departure Process, according to SMC 23.44.006.F. and 23.79. The Code requires that the Department of Neighborhoods (DON) convene a Development Standard Advisory Committee (hereinafter the Committee) when the School District proposes a departure from the development standards identified under Code 23.51B. These standards are popularly referred to as the “zoning code.”

The purpose of the Committee is 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 Seattle Department of Construction and Inspections (SDCI) from DON. (SMC 23.79.008)

Following the completion of the Committee Report and its transmittal to SDCI, the Director of SDCI will issue a formal report and the Director’s decision. The Director of SDCI will consider the recommendations of the Committee and will determine the extent of departure from established development standards which may be allowed, as well as identify all mitigating measures that may be required. The Director’s decision is appealable to the City of Seattle Hearing Examiner.

On August 8, 2023, DON sent notices to residents within 600 feet of the John Muir Elementary School for outreach and recruitment on the Committee. Three (3) community members applied and were interviewed virtually by DON staff and a representative from the Seattle Public Schools, and all three were chosen to be part of the Committee. The applicants include an architect and a nearby neighbor with two children who will be attending the school in a few years, a project manager, a parent of a returning student, and an architect and resident who has lived near the school area for 25 years.

On November 16, 2023, the Committee was formed. The Committee was composed of three (3) voting members, a representative from SDCI, a representative from Seattle Public Schools, and a City staff from DON as a non-voting Chair.

The Committee was appointed as follows:

Patrick Donnelly	A person residing within 600’. Architect and Urban Designer. Has lived near the school site for 25 years.
Jennifer Lehman	A person residing within 600’ of the school site. Parent of a student returning for 1 st grade.
Laura Sinn	A person residing within 600’ of the school site. Has two young children that will be attending the school in a few years.
Matisia Hollingsworth	A representative of the Seattle Public School
Carly Guillory (Ex-officio)	Seattle Department of Constructions and Inspections (SDCI)
Nelson Pesigan (Ex-officio)	Seattle Department of Neighborhoods (DON)

3. Departure

3.1 Specific District Request

Most of the existing buildings at John Muir Elementary School were constructed in 1991, except for one portion built in 1971. The proposed changes to the 1971 structure are not consistent with a scope of work requiring SEPA (State Environmental Policy Act) referral to the Historic Preservation program under SMC 25.05.800.

The 1991 building is not more than 50 years old and therefore does not qualify for referral to the Historic Preservation program.

In the last school year, over half of the children enrolled were black, over 60% were low-income and almost 70% were non-English language learners.

This project will help students be ready for kindergarten and meet an urgent need for affordable health care.



Departure #1 – Lot Coverage

SMC 23.51B.002.C.2 Lot Coverage in Single Family Zones.

The Land Use Code allows 35% lot coverage. The proposal is 38% lot coverage, for a departure of 3%.

Existing:

41,113 sq. ft. or 34.4% lot coverage

Proposed:

45,251 sq. ft. or 38% lot coverage; an additional 4,138 sq. ft.

The Land Use code allows 35% lot coverage. The proposal is 38% lot coverage for a departure of 3%.



Departure #2 – Setback at South Horton Street

SMC 23.51B.002.E.4.a Setbacks

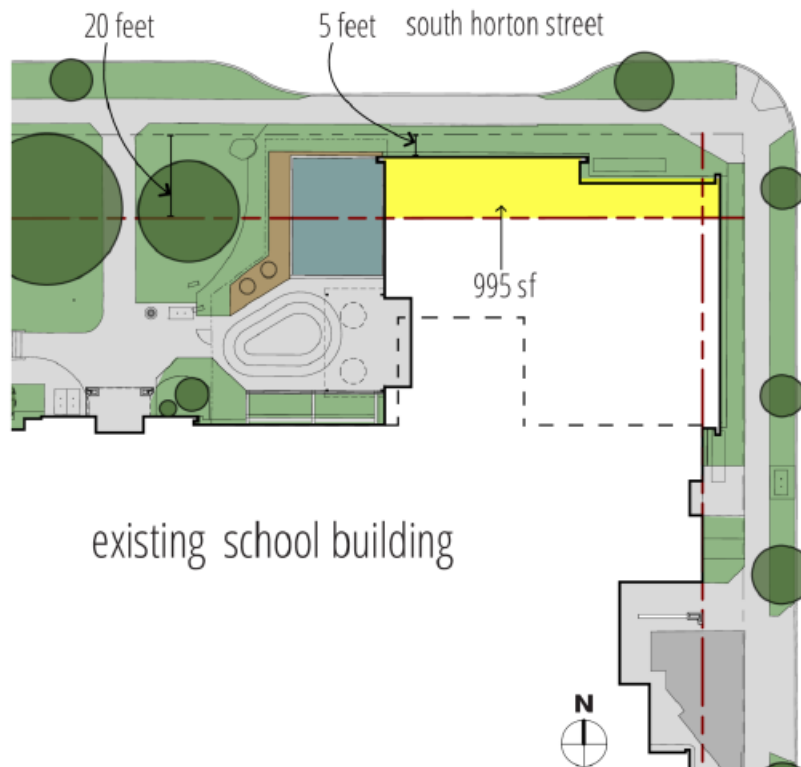
The Land Use code requires a 20-foot setback on South Horton Street.

Proposed:

5 feet for 82 feet or 20% of the north lot boundary.

The proposal is a 5-foot setback for an 82-foot-long portion of the building, for a departure of 15 feet.

departure 2: setback at south horton street



Departure #3 – Setback at 34th Avenue South

SMC 23.51B.002.E.4.a Setbacks

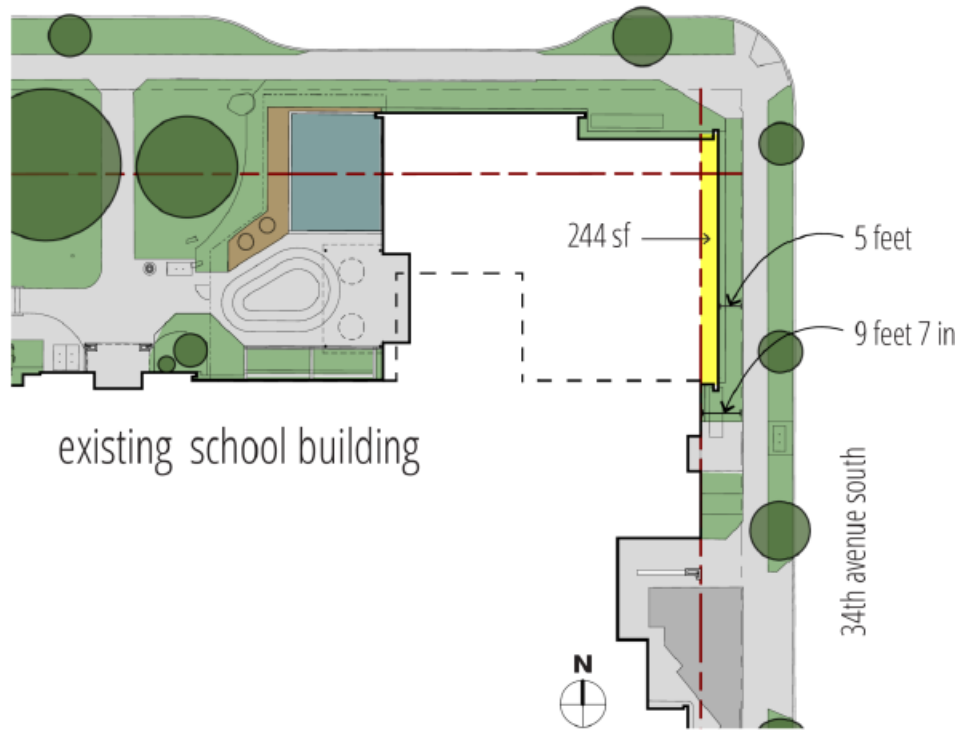
The Land Use code requires a 9-foot, 7-inch setback on 34th Avenue South.

Proposed:

5 feet for 63 feet or 20% of the lot boundary.

The proposal is for a 5-foot setback for a 63-foot-long portion of the building, for a departure of 4 feet, 7 inches.

departure 3: setback at 34th avenue south



Departure #4 – Bicycle Parking quantity

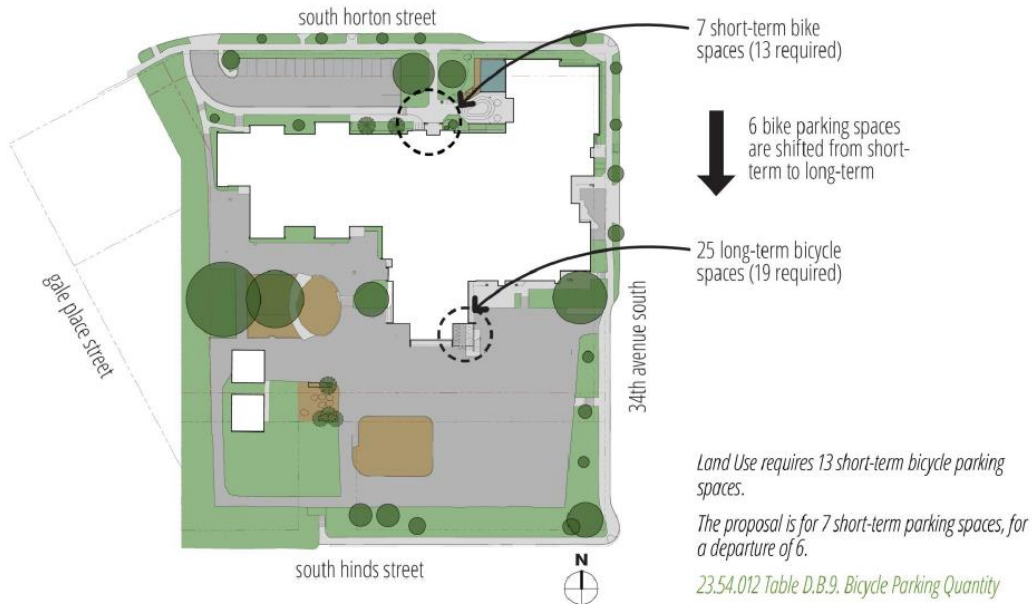
SMC 23.54.012 Table D.B.9 Bicycle Parking Quantity

The Land Use code requires 13 short-term bicycle parking spaces.

Proposed:

The proposal is for 7 short-term parking spaces for a departure of 6.

departure 4: bicycle parking quantity



3.2 Committee Review and Recommendations

3.2.1 Process & Public Meeting

The Committee was convened in one public meeting on December 11 at John Muir Elementary School, one member of the public attended, and provided a comment. The themes raised in public comment and during the committee's clarifying questions revolved around traffic and pedestrian concerns during construction, the use of artificial turf and its composition in the play area, typical usage of the short- and long-term bicycle parking and the protection and preservation of the existing trees.

3.2.2 Review Criteria

Section 23.79 of the Code directs the Committee to evaluate the requested departures for consistency with the general objectives and intent of the Code, and to balance the interrelationships among the following factors:

a. Relationship to Surrounding Areas:

- (1) Appropriateness 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.

b. Need for Departures: For the proposed departures of lot coverage, setbacks, and bicycle quantity, this project will help more students be ready for early learning and kindergarten

and address an urgent need for affordable childcare for the community and the school district.

Section 23.51B.002 contains further development standards related to public schools located in residential zones.

3.2.3 Application of Review Criteria to Requested Departure and Committee Recommendation

The Seattle Municipal Code intends to grant departures from the requirements of the Municipal Code to accommodate the educational needs of the programs to be in residential neighborhoods. The Seattle School District has demonstrated that it cannot accommodate and address the current needs of the existing facility without granting the departures for lot coverage, setbacks, and bicycle parking quantity.

Need for Departures

The committee understood the school district's rationale for the proposed departures. The committee expressed their concerns about traffic safety and circulation during the construction. The School District mentioned that a traffic consultant has been assigned to monitor and observe traffic and pedestrian safety around the school. The School District also mentioned that they will work with the school, and school volunteers, PTSA, Safe Routes to School, and this committee to communicate and address any concerns about traffic safety during construction.

The School District also made aware to the committee that the need for departures for setbacks is to address that the school site is constrained by existing geothermal wellfields and steep slopes and the early learning addition supports a needed entrance and separate play area.

One committee member expressed concern about reducing the bicycle parking quantity but noted that the School District did manage to address the concern by shifting some of the short-term bicycle parking to long-term.

Departure #1 – Lot Coverage

- 1) **The appropriateness to the character and scale of the surrounding area** was considered by the committee, and they did not have any concerns about the school's required lot coverage having an impact on its relationship to the surrounding area.
- 2) **The presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) that provide a transition in scale** was considered by the committee, and they did not have any concerns about the school's required lot coverage having an impact on the transition in scale.
- 3) **The location and design of structures to reduce the appearance of bulk** were considered by the committee, and they did not have any concerns about the school's required lot coverage having an impact on the appearance of bulk.
- 4) **Impacts on traffic, noise, circulation, and parking in the area** were considered by the committee, and they did have concerns about the proposed lot coverage having an impact

on traffic, circulation, and parking in the neighborhood. The committee recommends that the school send out timely communication plan updates about the status of traffic and pedestrian safety before and after the construction.

- 5) **Impacts on housing and open space** were considered by the committee, and they did not have any concerns about the school's requested lot coverage having an impact on housing and open space.

The committee's deliberation revolved around traffic circulation, noise, and safety during construction. The committee agreed that it would be the school district's responsibility to address the concerns about traffic circulation through an updated communication plan to parents, school staff volunteers, and nearby neighbors.

After consideration of the above, the Committee recommends:

Recommendation – That the departure that allows 38% lot coverage for a departure of 3% to be GRANTED as requested by the Seattle Public Schools with the following conditions.

- 1) **Transportation Management Plan (TMP):** SPS and the principal of John Muir Elementary School should establish a TMP to educate families about traffic and pedestrian safety during construction.
- 2) **Neighborhood Communication Plan:** SPS and John Muir Elementary School administration should develop a neighborhood communication plan to inform nearby neighbors about parking, noise, traffic, and circulation during construction.

Departures #2 & 3 – Setback at South Horton Street and 34th Avenue South

- 1) **The appropriateness to the character and scale of the surrounding area** was considered by the committee, and they did not have any concerns about the school's required setbacks having an impact on its relationship with the surrounding area.
- 2) **The presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) that provide a transition in scale** was considered by the committee, and they did not have any concerns about the school's required setbacks having an impact on the transition in scale.
- 3) **The location and design of structures to reduce the appearance of bulk** were considered by the committee, and they did not have any concerns about the school's required setback having an impact on the appearance of bulk.
- 4) **Impacts on traffic, noise, circulation, and parking in the area** were considered by the committee, and they did not have concerns about the proposed setbacks having an impact on traffic, circulation, and parking in the neighborhood.
- 5) **Impacts on housing and open space** were considered by the committee, and they did not have concerns about the school's requested setbacks having an impact on housing and open space.

After consideration of the above, the Committee recommends:

Recommendation – That the departure that allows a 5-foot setback for an 82-foot long portion of the building along South Horton Street, for a departure of 15 feet and a 5-foot setback for a 63-foot long portion of the building along 34th Avenue South, for a departure of 4 feet, 7 inches to be GRANTED as requested by the Seattle Public Schools

Departure #4 – Bicycle Parking quantity

- 1) **The appropriateness to the character and scale of the surrounding area** was considered by the committee, and they did not have any concerns about the school's required bicycle parking quantity having an impact on its relationship to the surrounding area.
- 2) **The presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) that provide a transition in scale** was considered by the committee, and they did not have any concerns about the school's required bicycle parking quantity having an impact on the transition in scale.
- 3) **The location and design of structures to reduce the appearance of bulk** were considered by the committee, and they did not have any concerns about the school's required bicycle parking quantity having an impact on the appearance of bulk.
- 4) **Impacts on traffic, noise, circulation, and parking in the area** were considered by the committee, and they did not have concerns about the proposed bicycle parking quantity having an impact on traffic, circulation, and parking in the neighborhood.
- 5) **Impacts on housing and open space** were considered by the committee, and they did not have concerns about the school's requested bicycle parking quantity having an impact on housing and open space.

After consideration of the above, the Committee recommends:

Recommendation – That the departure that allows for seven short-term bicycle parking spaces, for a departure of 6 to be GRANTED as requested by the Seattle Public Schools without modifications.

Recommendation Summary:

Departure #1	Lot Coverage	Granted with conditions
Departure #2	Setbacks along South Horton Street	Granted
Departure #3	Setbacks along 34 th Ave S.	Granted
Departure #4	Bicycle Parking quantity	Granted

Per SMC 23.790081C1 (b), the DON Director has considered the need for the above departure requests. DON has determined that for the Seattle Public Schools to meet the educational specifications, the above departures are required at this site. The physical requirements of the specific proposal and the project's relationship to the educational needs are balanced with the level of impact on the surrounding area.

For the Committee,

Nelson Pesigan
Non-Voting Chair

**John Muir Elementary
School Design Departure
Advisory Committee**

Members

Patrick Donnelly

Jennifer Lehmann

Laura Sinn

Matisia Hollingsworth (Seattle
Public Schools)

Ex-Officio Members

Nelson Pesigan, Department of
Neighborhoods (DON)

Carly Guillory, Seattle Department
of Construction & Inspections (SDCI)

John Muir Elementary School

(SDCI Project # 3040569)

Development Standards Design Departure Advisory Committee

Meeting Minutes

Meeting #1

December 11, 2023

John Muir Elementary School

3301 S. Horton St. - Library

Seattle, WA 98144

Members Present

Patrick Donnelly

Laura Sinn

Jennifer Lehman

Matisia Hollingsworth (SPS)

Staff and Others Present

Nelson Pesigan DON

Carly Guillory SDCI

Anjali Grant Anjali Grant Desing LLC

Vince Gonzales Seattle Public Schools

Isaac Patterson Member of the public

Catherine LaDuke Member of the public

I. Opening and Introductions

The meeting was opened by Nelson Pesigan from the City of Seattle, Major Institutions and Schools Program. Nelson Pesigan welcomed all in attendance and briefly summarized the agenda. Brief introductions followed.

II. Overview of the Process

Nelson Pesigan stated that this process is governed by the Land Use Code Sections of the Seattle Municipal Code (SMC Title 23), which specifies how the process works. Mr. Pesigan noted that the City of Seattle does not have a school zone, subject to the development standards of the underlying zone. Since most schools are in residential neighborhoods zoned “single-family,” schools do not normally meet the underlying zoning requirements.

Thus, the Land Use Code contains provisions that allow the Seattle School District to request departures from various development standards.

The Committee is meeting tonight to develop recommendations concerning the School District's requested departures from provisions of the SMC related to land use.

The Committee receives information on the departures being requested from the Seattle Public Schools and its consultants, public testimony, and then the Committee discusses the requested departures.

The Committee may do one of the following:

- 1) Recommend granting the departure as requested.
- 2) Recommend granting the departure with modifications or specific conditions, or
- 3) Recommend denial of the departure.

Conditions or modifications identified should be related to the requested departure and enforceable in the District.

The Committee may develop recommendations at this meeting, or if time does not allow, additional public testimony is desired, or additional information is needed, the Committee may hold up to two additional meetings. If the Committee concludes they have enough information and there is no further benefit from additional public testimony, the Committee can determine to move forward at the end of this meeting in establishing their recommendations; in that case, this would be the only public meeting.

Nelson Pesigan emphasized that the Committee would make recommendations that will be put into a report that will be reviewed by the Committee and forwarded to Carly Guillory of the Seattle Department of Construction and Inspections (SDCI), who will consider it when drafting the Director's decision.

III. Presentation

The Project:

Nelson Pesigan introduced Matisia Hollingsworth of Seattle Public Schools and Anjali Grant of Anjali Grant Design to present the project.

The school district is proposing four departures: 1) lot coverage; 2) setbacks along South Horton Street; 3) setbacks along 34th Avenue South; and 4) bicycle parking quantity. This project intends to help more students be ready for kindergarten and to address the urgent need for affordable care.

Most of the existing buildings were constructed in 1991 except for one portion of the building that was built in 1971. The proposed changes to the 1971 structure are not consistent with a scope of work requiring SEPA (State Environmental Policy Act) referral to the Historic Preservation program under Seattle Municipal Code (SMC) 25.05.800. The 1991 building is not more than 50 years old and therefore does not qualify for referral to the Historic Preservation Program within the Department of Neighborhoods (DON).

Summary of the Requested Departure:

1. Lot Coverage

Anjali Grant presented the proposed departure of lot coverage. The existing lot coverage is 41,113 sq. ft. or 34.4%. The School District is proposing 45,251 sq. ft. or 38% lot coverage: an additional 4,138 sq. ft. The Land Use code allows 35% lot coverage. The proposal is 38% lot coverage for a departure of 3% (SMC 23.51B.002.C2, Lot Coverage in Neighborhood Residential Zones).

Anjali Grant summarized the evaluation criteria for the proposed departure and noted that there will be minimal impacts on the relationship to the surrounding areas. There will be only a minor impact on traffic, noise, circulation, and parking per the traffic analysis that was conducted due to the additional classrooms in the same location.

Anjali Grant noted that the need for this departure is to address the location of the early learning addition that supports a needed separate entrance and play area and the need to meet the minimum classroom and outdoor play area sizes per the Seattle Public Schools and the Department of Youth Children and Families.

2. Setback at South Horton Street and 34th Avenue South

Anjali Grant presented the proposed departure of the setback at South Horton Street. The Land Use code requires a 20-foot setback on South Horton Street. The proposal is for a 5-foot setback for an 82-foot-long portion of the building, for a departure of 15 feet or 20% of the north lot boundary.

The proposal for 34th Avenue South is for a 5-foot setback for a 63-foot-long portion of the building for a departure of 4 feet, 7 inches. The Land Use code requires a 9-foot, 7-inch setback of the previous structure.

Anjali Grant summarized the evaluation criteria for the proposed departures and noted that there will be minimal impacts on the relationship to the surrounding areas. There will be only a minor impact on traffic, noise, circulation, and parking per the traffic analysis that was conducted due to the two additional classrooms in the same location.

3. Bicycle Parking quantity

Anjali Grant presented the proposed departure of bicycle parking quantity. The proposal is for 7 short-term parking spaces, for a departure of 6. The Land Use code requires 13 short-term bicycle parking spaces. The 6 bike parking spaces are shifted from short-term to long-term.

Anjali Grant noted that the need for this departure is to address family-friendly racks and a longer-term secure bicycle parking due to theft. Anjali noted that the area by the entry is very constrained, and this proposed departure will address safety and oversight issues with bike parking close to the roadway.

Anjali Grant summarized the evaluation criteria for the proposed departure and noted that there will be no impact on the relationship to the surrounding areas.

IV. Committee Clarifying Questions

Nelson Pesigan opened the floor for the Committee's clarifying questions.

One committee member asked about the short-term bicycle parking and if the space gets full during the biking months, and Anjali Grant noted that the parking spaces do not get full and commented that most families do not ride their bikes to school because the surrounding streets are not safe.

One committee member asked about the distinction between short-term and long-term bicycle parking in the Land Use code, and Anjali Grant noted that there is a distinction. Long-term bicycle parking has more requirements such as it needs to be covered and lit. The School District will be providing the type of high-quality bicycle parking that will be sheltered and more secure. It will be up to the School District and the school principal about how they would want to manage the bicycle parking.

One committee member commented about traffic concerns in the neighborhood and if there was any correlation between the proposed departures that would encourage drivers to go slower around the school site.

Anjali Grant mentioned that it is outside of the project's purview, but they are looking at ways to address the traffic concerns and prevent any vehicles going over the curb by rebuilding some of the curbs around the school site. Anjali Grant also noted that the School District will be doing ADA (American Disabilities Act) improvements to the sidewalks and adding the current ADA parking spot that is not accessible.

One committee member asked about the landscape and impacts on the existing trees, and Anjali Grant noted that the project team had a meeting with the entire second-grade class as part of this project, the plan is to replant two of every one of the same species of trees and bringing the existing boulders to protect these trees. The new trees will be protected for the first few years and have a chance to have these trees grow.

One committee member asked about astroturf as part of this project. Anjali Grant noted that there is an artificial turf that has an enviro fill which is a non-toxic fill. The project team is looking to make sure that the chemical contents of the artificial turf are non-toxic.

Vince Gonzalez of the Seattle School District noted that since it is a play area for young children, it will be different than an athletic field with synthetic turf.

Vince Gonzalez noted that there is a traffic consultant assigned to this project to address any traffic concerns around the school site and the neighborhood. Once the construction is completed, the consultant will make recommendations regarding traffic safety that the School District will support and will work with the school safety volunteers, the PTSA, and this committee. If there is funding available, the School District will request crossing guards to monitor drop-off and pick-up.

V. Public Comments

Nelson Pesigan opened the floor to public comments and questions.

(Editor's Note: The comments shown below are summaries of statements provided. They are not transcriptions and have been shortened and edited to include the major points raised. Full comments are retained in the files in voice recording (.mp3) form)

Comments from Catherine LaDuke: Catherine LaDuke commented if there are any PFAS (polyfluoroalkyl substances) being used regarding artificial turf, and the status of the existing trees during and after construction, and what the arborist has to say.

Response from Anjali Grant: Anjali Grant noted that no PFAS is being used. About the existing trees, the project team will protect the redwood trees during construction. These trees are important to the history of the school and will be using a technique to make sure these trees are protected and preserved.

VI. Committee Deliberation

Nelson Pesigan opened the discussions for committee deliberation. He asked the Committee to deliberate on the comments they heard from the public and the need for the departure and then discuss whether to recommend or deny with or without conditions.

Nelson Pesigan commented that it would be helpful for the Committee to review the evaluation criteria regarding the relationship to the surrounding areas and the need for the departure.

The Committee deliberated and discussed all four proposed departures and the concerns that were raised revolved around traffic and safety concerns during and after construction. The Committee noted that it would be helpful for a communication plan to be in place to inform the neighborhood about traffic and pedestrian circulation and safety during and after construction.

The Committee agreed that their questions about the proposed bicycle parking quantity were answered and were addressed.

Committee Recommendations

Nelson Pesigan opened the discussion for Committee recommendations.

He briefly summarized the requested departure and advised the Committee members on how to proceed with their recommendations.

The Committee recommended granting all the requested departures of lot coverage, setbacks at South Horton Street and 34th Ave S., and bicycle parking quantity with a condition that the School District and John Muir Elementary School would collaborate and address any traffic and pedestrian safety through a Transportation Management Plan (TMP) and a Neighborhood Communication Plan.

VII. Adjournment

Nelson Pesigan mentioned that he will send out the draft recommendation report and meeting minutes for feedback and comments as soon as possible and he will have the final report submitted to Carly Guillory and SDCI by mid-January.

With no further business being before the Committee, the meeting was adjourned.