



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

**Project Number:** 3037700-SD  
**Applicant Name:** J. Stolzman, Bassetti Architects for Seattle Public Schools  
**Address of Proposal:** 8815 Seward Park Avenue South

**SUMMARY OF PROPOSED ACTION**

Public School Departure to demolish and build a new public school. Related site work to include parking, loading areas, playfields, and utilities. Existing school will be demolished, and portables removed (Rainier Beach High School). The new high school will encompass approximately 291,000 sq. ft.

The following approvals are required:

**Establishment of Development Standard Departure for Public Schools (SMC Chapter 23.79)** to approve or condition the following departures:

1. To allow greater than allowed building height. (SMC 23.51B.002.D1b)
2. To allow bus loading/unloading (SMC 23.51B.002.I)
3. To allow a changing image electronic sign. (SMC 23.55.020B)
4. To allow an over height fence in a setback. (SMC.23.45.518.I.7)
5. To allow an over height retaining wall in a setback. (SMC 23.45.518.I.8)

**SITE AND VICINITY**

**Site Zone:** Split zoned Multi-family Lowrise 2 and Lowrise 3 (LR2 [M], LR3 [M]), Residential Small Lot (RSL [M])

**Nearby Zones:** Residential Small Lot (RSL) zoning immediately to the east. Multi-family Lowrise 3 (LR3) occurs to the north of the school. Along Rainier Ave S. to the west, the zoning classification changes to Neighborhood Commercial 2 with 55’ and 65’ height limits (NC2 55, NC2 65). To the south across S. Henderson St., the zoning includes NC2 55 and LR 3. Each zone has a M suffix which designates it for mandatory housing affordability requirements.



ECAs: A narrow edge of mapped steep slope runs along the site's western edge and a smaller area lies along the east property line parallel to Hamlet Ave. S. A category One Peat Settlement Prone Area covers the entire school district property, and a Liquefaction occupies the western two-thirds. Mapped wetlands and buffer are found at the site's northern portion near S. Cloverdale Place. A riparian corridor buffer extends along the eastern half of S. Henderson St.

### **PROPOSAL INFORMATION**

Seattle Public Schools (SPS) proposes to construct a new approximate 291,000 square foot high school. Project documents are available in the electronic file at <http://www.seattle.gov/SDCI/>.

#### **Previous SEPA Related Actions**

Prior to application for a Public School Departure Permit, the District exercised its prerogative to act as lead agency. A Determination of Non-Significance (DNS) was issued by Seattle Public Schools (SPS) on October 19, 2021. An appeal was registered. On December 28, 2021, the DNS was recommended to be affirmed by the SPS Hearing Examiner and accepted by the SPS SEPA official on December 29, 2021.

SPS submitted the following site plan revision requests to SDCI after the conclusion of the departure review process for Rainier Beach High School. Per SDCI, no further departures from zoning code are required to approve these new proposals.

- 1) To accommodate and provide additional classroom space during the construction of the new building, SPS requested one temporary double classroom portable be placed at the front of the school, on Seward Park Avenue S. Installation of the portable is proposed for summer 2022 and removal in late 2024. A temporary single classroom portable was also proposed for installation in summer 2023 and removal in late 2024; however, it is undetermined at this moment in time if it is needed.
- 2) A Visitor Ticketing, Concessions & Restroom building is proposed for an area near the proposed visitor bleachers. The structure is requested to provide visitor amenities and help with crowd control during school events.

On January 25, 2022, SDCI informed DON that SPS had amended its proposed site plan for the Rainier Beach High School site. Although approval of the proposed amendments would not require a departure process, SDCI and DON determined an additional public comment period would be an appropriate way to inform the public about the site plan additions.

On February 9, 2022, DON initiated a public comment period that extended through February 25, 2022. To increase awareness of the public comment opportunity, DON sent a related press release directly to media outlets, produced translated outreach materials in Spanish and Vietnamese, sent postcards to addresses within approximately 600 feet of the school, and established a location on DON's website where the public could submit their comments. DON did not receive any comments from the public regarding the proposed site plan revisions.

#### **Public Comment**

The Department of Neighborhoods (DON) published a notice of School Advisory Committee formation as per the School Departure Process per SMC 23.79. DON received public comments during the process. The City of Seattle does not publish a notice of application for the Public School Departure process.

### Development Standard Departure

The Seattle School District submitted a request for five departures from certain Seattle Municipal Code Development Standards (SMC 23.51B) for the proposed high school. The Department of Neighborhoods (DON) is charged with administering the School Departure process per SMC 23.79.

### **PROCESS CHANGES DUE TO COVID-19**

- Seattle City Council approved legislation on Monday April 27, 2020, to keep key projects safely moving forward for at least 180-days.
- The school departure recommendation process typically requires in-person public meetings, which are prohibited due to public health mandates on social distancing and limited gatherings.
- While this ordinance is in effect, DON staff will accept written public comment and the Director of Seattle Department of Neighborhoods will make a recommendation to the Seattle Department of Construction and Inspections (SDCI) taking into consideration the public's comments, in lieu of the committee holding public meetings.

The final Development Standard Departure Report is available in the public electronic file at the following link <http://www.seattle.gov/SDCI/> 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 (SMC) sections 23.79.002-012. Public comment was received and a written recommendation to the Director of SDCI prepared. The 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 and comments from the public. If the Director modifies the recommendations of the recommendation, the reasons for the modification shall be put forth in writing.

In reviewing the departure request, SMC Section 23.79.008 directs the Advisory Committee (DON in the Covid emergency legislation) 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 (DON) 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; whereas, a lesser or no departure may be granted for a facility which can be accommodated within the established development standards.*

#### Departure Request and Department of Neighborhood's Recommendation

The Seattle School District submitted a request for departures from certain Seattle Municipal Code Development Standards to accommodate the construction of a new high school.

The City initiated the Development Standard Departure Process, pursuant to SMC 23.44.006F and 23.79. The Code requires that the Department of Neighborhoods (DON) convene a Development Standard Advisory Committee (hereinafter referred to as "the Committee") when the School District proposes a departure from the development standards identified under the Code. 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)

Due to public health mandates on social distancing and limited gatherings related to COVID-19, the Seattle City Council approved legislation on Monday, April 27, 2020 to keep key projects safely moving forward by suspending public meeting requirements.

While this ordinance is in effect, in lieu of the committee holding public meetings, DON staff accepts written public comment and the Director of DON makes a recommendation to SDCI, taking into consideration the public's comments.

Following completion of the Recommendation Report and its transmittal to SDCI, the Director of SDCI will issue a formal report and decision. The Director of SDCI will consider the recommendations and 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. The Director's 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.

#### *District Departure Requests*

In order to accommodate the educational program for this project, the District requested the following departures from the development standards found in SMC 23.51B.002. The departure

requests are further outlined in the applicant power point presentation found in the electronic public file under the project number.

**#1 Departure for Building Height SMC 23.51B.002.D.1.b**

The code allows a maximum building height of 35' above existing average grade plane. SPS proposes a maximum building height of 60' above existing average grade plane plus a maximum of 10' for mechanical penthouses. The proposed departure requested is a total of 25 feet to allow for a four-story building.

**#2 Departure for Bus Loading/Unloading SMC 23.51.002.I.4**

The Seattle Municipal Code allows an existing on-street bus loading area to be utilized when a public school is remodeled or rebuilt at the same site. An existing on-street bus loading area is allowed if the following conditions are met:

- a. The school site is not proposed to be expanded;
- b. The student capacity of the school is not being expanded by more than 25 percent;  
and
- c. The location of the current on-street bus loading remains the same.

The school district requests that the city allow bus loading on S. Henderson St. where it presently exists.

**#3 Departure for Double-Sided, Electric Changing Image Message Board Sign SMC 23.55.022**

The code does not allow flashing, changing image or message board signs in multi-family zones. SPS proposes one, double-sided, electric changing image message board sign as a departure.

**#4 Departure for an over height fence in a setback. (SMC.23.45.518I.7)**

The Code allows a maximum fence height of six feet within a setback in low-rise zones. SPS proposes a maximum height fence of eight feet to replace the existing fence near S. Cloverdale Pl. The requested departure would allow two additional feet of fence height in the setback.

**#5 Departure for an over height retaining wall in a setback. (SMC 23.45.518I.8)**

The Code allows a maximum retaining wall of six feet within a setback in low-rise zones. SPS proposes a maximum retaining wall of nine feet within a setback near the east property line. The requested departure would allow three additional feet of retaining wall height in the setback.

*DON Review and Recommendations*

**Public Comment**

The public comment period extended from September 28 through November 5, 2021. DON also sent a press release directly to media outlets. On October 27, 2021, DON sent out another press release in Spanish and Vietnamese translation and extended the public comment period through November 19 to better accommodate community members for whom English is not their primary spoken language. DON also sent postcards about the public comment period to addresses within approximately 600 feet of the school and created a webpage where the public could submit their comments. In addition, DON had signs posted at the perimeter of the school and published a notice of public comment opportunity in the City's Land Use Information Bulletin (LUIB). A total of one public comment was received via email submission.

## Review Criteria

Section 23.79 of the Code directs the Committee (DON) 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 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.
- 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 departure may be allowed for special facilities, such as a gymnasium, which are unique and/or an 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.

## 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 to be located in lowrise zoned neighborhoods. The Seattle School District has demonstrated that it cannot accommodate the program necessary for this area without granting departures.

## Need for Departures

DON received one public comment via email. The comment expressed the following: 1) the proposed height increase should be denied because it is out of proportion to the surrounding neighborhood; and 2) the proposed message board should be denied because it presents visual distractions for pedestrians and drivers. The comment also suggested that the new building needs to conform to its surroundings, i.e., across the street from a park and lakeshore, with single family homes along Seward Park Ave.

Each departure was evaluated by DON staff for consistency with the general objectives and intent of the Code, and to balance the interrelationships. The analysis is included in the DON Rainier Beach High School Design Departure Recommendations Report in the public electronic file.

The Director's decision shall be based on an evaluation of the factors set forth in Section 23.79.008 C1, the majority recommendations and minority reports of the Advisory Committee, comments at the public meeting, (DON, emergency legislation) and comments from the public.

Section 23.79.008 C1 criteria are the following:

*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.*

*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 departure may be allowed for special facilities, such as a gymnasium, which are unique and/or an integral and necessary part of the educational process.*

***a. Relationship to Surrounding Areas:***

**Departure #1 – To allow greater than allowed building height. (SMC 23.51B.002 D.1.b)**

- 1) **Appropriateness in relation to the character and scale of the surrounding area** was considered and DON had concerns about the school's increased height having an impact on its relationship to the surrounding neighborhood.
- 2) **Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale** was considered and DON did not have concerns about the school's increased height having an impact on the transition in scale.
- 3) **Location and design of structures to reduce the appearance of bulk** was considered and DON did not have concerns about the school's increased height having an impact on the appearance of bulk.
- 4) **Impacts on traffic, noise, circulation, and parking in the area** was considered, and DON did not have concerns about the school's increased height having an impact on traffic, circulation, and parking in the neighborhood.
- 5) **Impacts on housing and open space** was considered and DON had concerns about the school's increased height having an impact on housing and open space, including single family homes along Seward Park Avenue.

DON received a comment on this departure. The comment was critical of the increased height and contended it would be out of proportion to the surrounding neighborhood.

Altering the color scheme of the façade would help the building blend into the landscaping and surrounding neighborhood and visually reduce the bulk and scale of school's appearance.

After consideration of the above, DON recommends:

**Recommendation #1 – That the departure to allow greater than allowed building height be GRANTED as requested by SPS with the following conditions:**

- 1) **SPS reconsider the façade to include warmer tones that blend into the landscaping and surrounding neighborhood to create an appearance of camouflaging the building.**

**Departure #2 – To allow the existing bus loading/unloading zone. (SMC 23.51.I)**

- 1) **Appropriateness in relation to the character and scale of the surrounding area** was considered and DON did not have concerns about bus loading and unloading having an impact on its relationship to the surrounding area.

- 2) **Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale** was considered and DON did not have concerns about bus loading and unloading having an impact on edges.
- 3) **Location and design of structures to reduce the appearance of bulk** was considered and DON did not have concerns about bus loading and unloading having an impact on the appearance of bulk.
- 4) **Impacts on traffic, noise, circulation, and parking in the area** was considered and DON did have concerns about bus loading and unloading having an impact on traffic, circulation and parking the neighborhood.
- 5) **Impacts on housing and open space** was considered and DON did not have concerns about bus loading and unloading impact on housing and open space.

DON received no comments regarding the bus loading and unloading departure request. SPS' request is to maintain the existing on-street bus loading area on S. Henderson Street.

After consideration of the above, DON recommends:

**Recommendation #2** – That the departure to allow existing on-street bus loading on S. Henderson Street be GRANTED as requested by SPS with the following conditions:

- 1) A robust School Transportation Plan (STP): Prior to the school opening, SPS and the school principal should establish a STP to educate parents and students about the preferred access and circulation model. The STP should encourage supervised walking (such as walking school buses), carpooling, and school bus ridership for those eligible. The plan should define clear procedures and travel routes and preferred load/unload locations.
- 2) Engage Seattle School Safety Committee: SPS should engage with the Seattle School Safety Committee (led by SDOT) to review walk routes and determine if any changes should be made to crosswalk locations, signage, pavement markings, school zone speed limits or crossing guard locations.
- 3) Develop a Neighborhood Communication Plan for School Events: SPS and school administration should develop a neighborhood communication plan to inform nearby neighbors of events each year. The plan should be updated annually (or as events are scheduled) and should provide information about the dates, times, and rough magnitude of attendance to be posted at the school website. The communication would be intended to allow neighbors to plan for the occasional increase in on-street parking demand that would occur with large events.

**Departure #3 – to allow for a Double-Sided, Electric Changing Image Message Board Sign (SMC 23.55.022)**

- 1) **Appropriateness in relation to the character and scale of the surrounding area** was considered and DON did not have concerns about the message board sign having an impact on 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** was considered and DON did not have concerns about the message board having an impact on the presence of edges.
- 3) **Location and design of structures to reduce the appearance of bulk** was considered and DON did not have concerns about the message board having an impact on the location and design of structures to reduce the appearance of bulk.



- 4) **Impacts on traffic, noise, circulation, and parking in the area** was considered and DON did not have concerns about the message board having an impact on traffic, noise, circulation, and parking in the area.
- 5) **Impacts on housing and open space** was considered and DON did not have concerns about the message board having an impact on housing and open space.

DON received one comment that was critical of this departure due to the flashing sign message sign that could present a visual distraction to pedestrians and drivers.

DON recommends:

**Recommendation #3** – That the departure to replace the existing sign and allow a changing image electronic sign be GRANTED as requested by SPS with the following conditions:

- 1) The sign should be lit only when school is in session and not used on the weekends.
- 2) The sign should turn on no earlier than 7 a.m., and turn off no later than 7 p.m., except for special school events such as family nights and school programs, during which it can stay operational until 9 p.m.
- 3) Sign illumination should be limited to one color with a dark background.
- 4) No flashing, scrolling, or moving images.

**Departure #4 – To allow an over height fence in a setback. (SMC.23.45.518.I.7)**

- 1) **Appropriateness in relation to the character and scale of the surrounding area** was considered and DON did not have concerns about structures (fences) in setbacks having an impact on 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** was considered and DON did not have concerns about structures (fences) in setbacks having an impact on the presence of edges.
- 3) **Location and design of structures to reduce the appearance of bulk** was considered and DON did not have concerns about structures (fences) in setbacks having an impact on the appearance of bulk.
- 4) **Impacts on traffic, noise, circulation, and parking in the area** was considered and DON did not have concerns about structures (fences) in setbacks having an impact on traffic, noise, circulation, and parking in the area.
- 5) **Impacts on housing and open space** was considered and DON did not have concerns about structures (fences) in setbacks having an impact on housing and open space.

DON did not receive any comments regarding this requested departure.

DON recommends:

**Recommendation #4** – That the departure to allow fences to extend 2 feet above the 6-foot height maximum be GRANTED as requested SPS.

**Departure #5 – To allow an over height retaining wall in a setback. (SMC 23.45.518.I.8)**

- 1) **Appropriateness in relation to the character and scale of the surrounding area** was considered and DON did not have concerns about structures (retaining wall) having an impact on the site's relationship to the surrounding area.

- 2) **Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale** was considered and DON did not have concerns about structures (retaining wall) in setbacks having an impact on the transition in scale.
- 3) **Location and design of structures to reduce the appearance of bulk** was considered and DON did not have concerns about structures (retaining wall) in setbacks having an impact on the appearance of bulk.
- 4) **Impacts on traffic, noise, circulation, and parking in the area** was considered and DON did not have concerns about structures (retaining wall) having an impact on traffic, circulation and parking the neighborhood.
- 5) **Impacts on housing and open space** was considered and DON did not have concerns about structures (retaining wall) in setbacks having an impact on housing and open space.

DON did not receive any comments regarding this requested departure.

DON recommends:

**Recommendation #5** – That the departure to allow retaining walls to extend 3 feet above the 6-foot height maximum be GRANTED as requested by SPS.

*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 departure may be allowed for special facilities, such as a gymnasium, which are unique and/or an 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.*

The DON considered the overall need for departures (SMC 23.79.008C1b) as part of its deliberations. The Seattle Municipal Code provides for granting departures from the requirements of the Municipal Code to accommodate educational needs of programs to be located in proposed buildings. In this case, the Seattle School District stated that both the need for the new school and the need to meet educational standards present site planning challenges. SPS notes that without departures to development standards the educational program could not be met. Without the departures, reasonable alternatives could be reductions in important open play space.

#### Director's Analysis

The Director's decision shall be based on an evaluation of the factors set forth in Section 23.79.008 C1, the DON recommendations,(DON, emergency legislation) and comments from the public.

Section 23.79.008 C1 criteria are the following:

*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.*

*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 departure may be allowed for special facilities, such as a gymnasium, which are unique and/or an integral and necessary part of the educational process.*

*a. Relationship to Surrounding Areas:*

**Departure #1 – To allow greater than allowed building height. (SMC 23.51B.002 D.1.b)**

For new public schools on existing public school sites, the maximum height permitted is 35 feet plus 15 feet for a pitched roof. The district requests a departure to allow 25 feet above the height limit or 60' above existing average grade plane plus a maximum of ten feet for mechanical penthouses.

DON shared its concerns about the school's increased height having an impact on its relationship to the surrounding neighborhood and its impact on housing and open space, including single family homes along Seward Park Avenue. Based on DON's summary of a public comment, the commenter was concerned that the new school did not conform to its surroundings, i.e., across the street from a park and lakeshore, with single family homes along Seward Park Ave. In essence, the comment stated that the school's height was out of proportion with the neighborhood. DON did not express concerns about the school's increased height having an impact on the transition in scale at the site's physical edges, the school's increased height having an impact on the appearance of bulk or upon vehicular circulation in the area.

The bulk of the proposed high school will be located on the existing practice field between the track and field stadium and the baseball field. The angled shape of the new structure will have a theatre and skill center to the east and a larger four-story classroom facility to the west. The lower wing on the east will approach the single-family residences facing Hamlet Ave. S. but will remain separated by a row of parking and a wide swath of planting next to the property line and unimproved right of way. Much of this portion of the high school will have a height lower than 35 feet. A distance between 66' and 90' will separate the school's eastern wall from the property line at the unimproved right of way where the Residential Small Lot zone begins. The portion of the building closest to the homes along Hamlet Avenue S. is 27' tall and sits approximately 11' lower than the neighbor's finish grade for a net effect of a 16' building mass. This contrasts with the existing Paul Robeson Center at 47'6" in height and only set back 10' and 18' from the same property line.

The larger classroom wing sits directly between the two fields mentioned above. It lies 103 feet from the Neighborhood Commercial (NC2 55 and 65) zone to the west, a zone that allows a comparable height and bulk to the proposed high school. In addition, the school will sit on grade approximately 11 feet below the commercial structures flanking Rainier Ave S. The bulk of the proposed building lies a considerable distance (270 to 380') from S. Henderson St. to the south. This distance is much farther from S. Henderson than the existing school. The greater mass of the structure will be perceived from the south rather than from the single family or RSL zones. The building's east-west orientation reduces the

perceived bulk from the neighborhoods beyond. The height, bulk and scale of the four-story building should not have significant impact upon the surrounding neighborhood as it will sit within the middle of a large tract of land (21.7 acres), separated from residential areas by playfields, parking and open space.

The four-story building will be comprised of a warm colored two-story brick base and the exterior of the upper floors will be clad with glazing and blue metal panels. The theatre wing will have mostly brick exterior walls with accent metal panel in places to reduce the scale. These materials should respond to both the vernacular residential structures to the east and south and to commercial construction witnessed in the Rainier Beach neighborhood commercial zones across S. Henderson and along Rainier Ave S. to the west.

The school site is located within a mix of zoning including LR2 & LR3, SF, NC2-55 and NC2-65. Adjacent development includes two-story housing on the corner of Seward Park Ave S. and S. Henderson, large retail fronting S Henderson, 55' and 65' proposed development on adjacent Rainier Ave sites and single-family backyards abutting the RBHS east property line. The proposed RBHS building is flanked by lower building massing around much of the perimeter which reduces the scale.

The combination of stepped massing and increased building setback help modulate the structure's mass, bulk, scale, gives breathing room to all neighboring buildings and provides a safety buffer for the school and a welcoming presence on S. Henderson. Architectural elements, building and hardscape materials, raingardens and landscaping help to reduce the perceived scale of the building. It also helps the building blend with the character of the area, which is diverse both in use and building height due to the varying zoning classifications.

The Director finds that the height departure will not exacerbate existing traffic, noise, circulation or significant impacts on housing in the area. The areas of additional height are interior to the site and not at the edge of the school or near property lines. Considering the criteria, the Director grants the departure request with no conditions.

**Departure #2 – To allow the existing bus loading/unloading zone. (SMC 23.51.I)**

The DON did not have concerns about maintaining the existing bus loading/unloading area along S. Henderson St. The recommendation from DON did not foresee impacts on the surrounding area, on transitions between the school and the neighborhood, on physical bulk, and open space and housing. DON noted that the bus loading area would have vehicular circulation and parking impacts along the adjacent streets. No comments were received concerning this departure. The Director also finds that maintaining the existing bus loading and unloading zone would contribute to reduced demolition of residential structures.

DON provided a series of recommendations: creating a School Transportation Plan (STP); engaging the Seattle School Safety Committee to review walk routes and determine if changes should be made to pertinent elements of the right of way to ensure pedestrian safety; and developing a Neighborhood Communication Plan for school events to inform nearby neighbors of events each year.

The first recommendation requests that the School Transportation Plan encourage

“supervised walking (such as walking school buses)”. This safety technique, typically used for elementary school students rather than those who matriculate in high school, has been removed from the condition.

**Departure #3 – to allow for a Double-Sided, Electric Changing Image Message Board Sign (SMC 23.55.022)**

Departure #3 is a School District request to allow a changing image electronic message board in the multi-family, lowrise zone. Changing image message boards are not allowed in LR zones.

The DON considered the changing image development standard and understood the School District’s desire to provide a way to communicate to the community and school, students and staff. The DON was favorable to the benefits of a changing image message board to post school information, post in multiple languages, provide a means of information for those who do not have internet or mobile devices, and to be used in emergencies for neighborhood communication. After consideration, the DON recommended that the departure be granted as requested by SeattlePublic Schools with conditions.

An existing message board sign, located adjacent to the front of the school on S. Henderson St., stands on a 20’ high post above the right of way. The proposed reader board is much lower, less pronounced, a pedestrian-scale and meets the code required signage size. The first DON recommendation requires that the sign only be used when school is in session and not used on weekends. However, fall sports often begin before school is in session and sports are often played on weekends. Staff is also present when school is not scheduled. The Director finds that this recommendation is not necessary given the existing sign and the second DON condition that provides time limitations for the electronic message board sign. The Director finds that the departure will not impact the character and scale of the surrounding area, presence of edges, or exacerbate existing traffic, noise, circulation, or housing in the area. The departure request does not have impacts on housing. The departure request does not impact the appearance of bulk or open space at the site. Considering the criteria, the recommendations from the DON and public comments, the Director grants the departure request with the conditions as follows:

- 1) The sign should turn on no earlier than 7 a.m., and turn off no later than 7 p.m., except for special school events such as family nights and school programs, during which it can stay operational until 9 p.m.
- 2) Sign illumination should be limited to one color with a dark background.
- 3) No flashing, scrolling, or moving images.

**Departure #4 – To allow an over height fence in a setback. (SMC.23.45.518.I.7)**

The School District proposes a fence two feet over Code allowable height in a lowrise zone. The fence would replace an existing fence situated between S. Cloverdale St. on the north and the softball field to the south. The intention of an eight-foot-high fence is to help ensure safety and security. DON did not express concerns about the fence’s impact on the following: the character and scale of the surrounding area; its presence at physical edges within the setback; upon vehicular circulation in the area; and on housing and open space. Public comments have been considered.

Considering the criteria, the recommendations from the DON and public comments, the Director agrees with the recommendation and approves the departure with no conditions.

**Departure #5 – To allow an over height retaining wall in a setback. (SMC 23.45.518.I.8)**

The School District proposes a retaining wall three feet over Code allowable height in a lowrise zone.

The proposed retaining wall would be placed within the setback near the east property line between a future school parking area and the unimproved right of way which extends between 53<sup>rd</sup> Ave S and Seward Park Ave S. The wall would be situated approximately 30 feet from the single-family neighbors to the east. The intention of the nine-foot-high wall is to ensure safety. DON did not express concerns about the wall's impact on the following: the character and scale of the surrounding area; its presence at physical edges within the setback; upon vehicular circulation in the area; and on housing and open space. Public comments were considered.

Considering the criteria, the recommendations from the DON, and public comments, the Director agrees with the recommendation and approves the departure with no conditions.

*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 departure may be allowed for special facilities, such as a gymnasium, which are unique and/or an 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.*

The DON considered the overall need for departures (SMC 23.79.008C1b) as part of its deliberations. The Seattle Municipal Code provides for granting departures from the requirements of the Municipal Code to accommodate educational needs of programs to be located in proposed buildings. In this case, the Seattle School District stated that both the need for the new school and the need to meet educational standards present site planning challenges. SPS notes that without departures to development standards the educational program could not be met. Without the departures, reasonable alternatives could be reductions in important open space and athletic fields.

The Director balances departure requests through criteria based on the relationship to surrounding areas with need for development standards departures to meet educational program requirements and finds that there is a need for the departure requests and that they are in balance with the level of impacts on the surrounding area.

**DECISION-DEVELOPMENT STANDARD DEPARTURES**

The school development standard departure requests two and three are **GRANTED with conditions**. Departure requests one, four and five are **GRANTED**.

## **CONDITIONS –SCHOOL DEVELOPMENT STANDARD DEPARTURES**

### *For the life of the project*

1. A School Transportation Plan (STP): Prior to the school opening, SPS and the school principal should establish a STP to educate parents and students about the preferred access and circulation model. The STP should encourage carpooling, and school bus ridership for those eligible. The plan should define clear procedures and travel routes and preferred load/unload locations.
2. Engage Seattle School Safety Committee: SPS should engage with the Seattle School Safety Committee (led by SDOT) to review walk routes and determine if any changes should be made to crosswalk locations, signage, pavement markings, school zone speed limits or crossing guard locations.
3. Develop a Neighborhood Communication Plan for School Events: SPS and school administration should develop a neighborhood communication plan to inform nearby neighbors of events each year. The plan should be updated annually (or as events are scheduled) and should provide information about the dates, times, and rough magnitude of attendance to be posted at the school website. The communication would be intended to allow neighbors to plan for the occasional increase in on-street parking demand that would occur with large events.
4. Allow a double-sided, electric change image message board sign with the following conditions.
  - a. The sign should turn on no earlier than 7 a.m., and turn off no later than 7 p.m., except for special school events such as family nights and school programs, during which it can stay operational until 9 p.m.
  - b. Sign illumination should be limited to one color with a dark background.
  - c. No flashing, scrolling, or moving images.

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Seattle Department of Construction and Inspections

Date: May 5, 2022