



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

**Application Number:** 3029091-SD  
**Applicant Name:** Chester Weir, Mahlum Architects for Seattle Public Schools  
**Address of Proposal:** 1330 North 90<sup>th</sup> St

**SUMMARY OF PROPOSAL**

Land Use Application to allow 10 new light poles (six 90-foot poles and four 80-foot poles) to illuminate the existing athletic field at Robert Eagle Staff School.

The following approvals are required:

**Establishment of Development Standard Departure for Public Schools Chapter 23.79**  
Seattle Municipal Code to approve or condition the following departures:

1. To allow less than required setback. (SMC 23.51B.002.E4)

**Special Exception** - to allow light standards that are taller than 30 feet at a public school.  
(SMC 23.51B.002 D.6).

**Substantive SEPA Review**- to approve, condition or deny pursuant to SEPA substantive authority provided in SMC 25.05.660\*

\*Seattle Public Schools has identified that the SEPA Environmental Checklist dated January 2018 and subsequent DNS meets the environmental review needs for the current proposal to install athletic field lighting at Robert Eagle Staff School using funding from the Buildings, Technology and Academics/Athletics IV Program (BTA IV), approved by voters in February 2016.

**SEPA CONDITIONING:**

Determination of Non-Significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts



## BACKGROUND

### Site and Location

Robert Eagle Staff Middle School is located at 1330 North 90th Street, Seattle. The project site is bounded by N 92<sup>nd</sup> Street to the north, Wallingford Avenue North to the east, North 90<sup>th</sup> Street to the south, and Stone Avenue North to the west. There are mapped steep slope environmentally critical areas (ECA) on the site at the site edges where the site has been leveled and retaining walls hold the grade, and a former riparian corridor for Licton Springs Creek which now runs under the site. To the south there is Pillings Pond a private pond classified as a wetland.

### Zoning

The site is split zoned with Lowrise 2 (LR2) located, approximately, on the western half and single family 5000 (SF 5000) on the eastern half. The site borders a single-family zone to the northeast, east and part of the southeast. Multifamily zones Lowrise 1, Lowrise 2, and Lowrise 3 are located to the north, south and west.

### Proposal Information

Seattle Public Schools (SPS) proposes to construct ten over-height field lighting poles (80 to 90 feet tall) to light the existing athletic fields during low light or dark evenings and mornings. The fields are used by school teams for practice and play including in the morning and for community games in the evenings. The proposed new field lights may be used in the morning but will mostly be used later in the evening for school games and matches and community organized games. SPS has a joint use agreement with City of Seattle Parks and Recreation (SPR) for use of the athletic fields. If the fields are scheduled to be used, then the field lights are

proposed to be employed until 9:45 pm with lower lights for exiting and shut off at 10 pm. Information on the project proposal is available in the electronic file at <http://www.seattle.gov/dpd/>.

### Previous SEPA Related Actions

Prior to application for a Master Use Permit, the District exercised its prerogative to act as lead agency. A Determination of Non-Significance (DNS) was issued by Seattle Public Schools in January, 2018. An appeal was registered. On May 17, 2018 the DNS was recommended to be affirmed by the Hearing Examiner Pro Tem subject to mitigating measures. The Seattle School District submitted its MUP application to SDCI for review. For the purposes of this permit application, exercise of substantive SEPA authority by SDCI is limited to conditioning only for impacts previously identified by Seattle Public Schools. Conditioning pursuant to this authority will rely on the threshold DNS issued by the District and on environmental documents prepared by the District.

### Public Comments

Comment letters were received during the official public comment period. Comments included many letters contrary to the proposal and some letters in favor for field lights to extend the available time to use the fields. Letters can be viewed in the public electronic file at the following link <http://www.seattle.gov/dpd/> under the project number, MUP project 3029091-SD.

### Environmentally Critical Areas (ECA)

The proposed light poles will be sufficiently distant from the ECA Steep Slope Areas, neighboring wetland and former riparian corridor that the project will have no impact on the ECA or their buffers. This project may be evaluated as a non-ECA application.

### Development Standard Departure

The Seattle School District submitted a request for structure setback departures from Seattle Municipal Code Development Standards for two of the light poles located on the north side of the site. 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 staff non-voting Chair. 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.

## **I. ANALYSIS - DEPARTMENT OF NEIGHBORHOODS SCHOOL DEPARTURE PROCESS**

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 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, 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.

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; whereas, a lesser or no departure may be granted for a facility which can be accommodated within the established development standards.*

#### Departure Request and Advisory Committee Recommendation

Seattle School District submitted a request for a departure from Seattle Municipal Code Development Standards to accommodate the construction and location of two of the ten field light poles (north two) which need a reduced setback from 15 feet to five feet to stay out of the existing track.

The City initiated the Development Standard Departure Process, pursuant to SMC 23.44.006E, 23.51B and 23.79. The code requires that the Department of Neighborhoods convene an Advisory Committee (Development Standard Advisory Committee) when the School District 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 Department of Construction and Inspections from the Department of Neighborhoods.

Following completion of the Advisory Committee Report and its transmittal to the City's Department of Construction and Inspections, SDCI, will publish the Director's Decision. 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. The Director's Decision is appealable to the City hearing examiner.

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 requesting self-nominations for membership on the Development Standard Departure Advisory Committee. The Committee was formed and composed of eight voting members with a City staff non-voting Chairperson.

The Seattle Municipal Code 23.79 intent is to grant departures from the requirements of the Municipal Code to accommodate Seattle Public Schools' proposed reduced light pole setbacks (two poles) to move them out of the center of the existing track and closer to the perimeter fence. SPS has demonstrated that there is a better location for the two north poles and code allowances dictate that a departure for reduced setback for the two poles is required.

In order to accommodate this project, Seattle Public Schools requested the following departure from the Seattle Municipal Code:

1. To allow a reduced setback from the property line for the two north light poles from 15 feet to 5 feet. (SMC 23.51B.002 E4)

#### Committee Review and Recommendation

#### **Departure #1 –To allow a setback of 5 feet for two light poles. (SMC 23.51B.002 E4)**

##### SC 23.79.008 C1a – Relationship to surrounding areas

- 1) Appropriateness in relation to the character and scale of the surrounding area were considered by the Committee, and they did not have concerns about the reduced setback of 5 feet for field lighting poles 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 were considered by the Committee, and they did not have concerns about the reduced setback of 5 feet for field lighting poles having an impact on the transition in scale.
- 3) Location and design of structures to reduce the appearance of bulk were considered by the Committee, and they did not have concerns about the reduced setback of 5 feet for the two northern field lighting poles 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 reduced setback of 5 feet for field lighting poles having an impact on traffic, circulation and parking the neighborhood.

- 5) Impacts on housing and open space were considered by the Committee, and they did not have concerns about the reduced setback of 5 feet for field lighting poles having an impact on housing and open space.

The Committee and community wanted to see the play field and track be open and accessible to the neighborhood during the day and evening hours, while also wanting to support a safer design. The Committee reconciled the fact that field lighting poles and lighting would be installed at this location and the question before them was where two of the 10 field lighting poles would be located so the poles would not be located in the middle of the track (the 15-foot setback location).

Some Committee and community members were frustrated that SPS had not considered the possibility of field lighting poles when designing and installing the field less than two years ago. The project team did indicate that the school project site and buildings were planned and developed under the BEX IV levy approved by voters in 2013. The School Board changed the morning bell times after the project was designed and construction had begun. Planning and funding for field lighting was included in the BTA IV levy approved by voters in 2016

#### SC 23.79.008 C1b - Need for Departure

The Committee recognized the need for additional lit playfields in the city limits. The playfield is an existing field and an asset to SPS and the neighborhood. As density increases and the need for play fields by students and community organizations grows, the ability to use the fields after dark would enable SPS athletic teams, as well as community groups, to use it longer into the evening.

A departure is needed for the north two proposed field lighting poles. SPS can place the other eight field lighting poles without a departure; whereas, if the two field lighting poles discussed here were placed at the required setback line, the function of the track would be compromised by having poles in the middle of the track and would thus present an increased safety hazard. SPS also noted that there are utilities located under the track that would need to be relocated if a departure is not granted.

LED lighting as well as aiming and mounting the lights in a way that best lights the field is proposed to minimize light glare and impacts on the residences.

The Committee contemplated conditioning their recommendation with conditions such as restrictions on time of use, amplification, etc. but chose to rely on the SEPA process to address the concerns they were hearing from the community. This Committee is assigned to review the departure request of the field lighting poles, and only that.

If the departure were to be approved by SDCI, the Committee was concerned with the safety of track and play field users and deliberated if they should condition their approval on the addition of safety measures, such as padding on the base of the field lighting poles and striping the outside track lane a contrasting color to indicate the outside edge of the running area. Ultimately the Committee decided that putting conditions regarding safety was unnecessary and SPS can and will make the decision about safety.

After consideration of the above, the Committee recommends:

**Recommendation Departure #1** – That the departure to allow a reduced setback of 5 feet be GRANTED WITH NO CONDITIONS as requested by Seattle Public Schools with a preference for the design as presented and field lighting poles inside the perimeter fence.

### 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 1 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.*

The Director notes that the 80 and 90-foot poles will be noticeable on the school campus due to their height and number. However, the school campus with two large school buildings and large play areas are the exact context in which one would expect to find tall light poles. The fact that the departure request is for a setback adjustment from 15 feet to 5 feet (for two poles) from the property line is not a great change that the character and scale of the area is impacted. Therefore, the two north poles are allowed under this criterion.

The presence of transitioning edges is due mostly to the North 92<sup>nd</sup> Street right of way, perimeter fencing and landscaping. The departure request at hand is to approve the difference from 15 feet to 5 feet which is not a great difference. The scale giving elements, right of way and landscaping, will not be lost or compromised in the change from 15 feet to 5 feet. The change in appearance of bulk from 15 feet to 5 feet will be minimal. Impact on traffic, noise, circulation and parking and impacts on housing and open space will not be affected by the change in setback from 15 to 5 feet. Thus, the setback departure is approved.

*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 Director notes that the Committee discussed the overall need for departures (SMC 23.79.008C1b) as part of its departure deliberations. The Seattle Municipal Code provides for granting departures from the requirements of the Municipal Code to accommodate educational needs. In this case, the Seattle School District stated that placing the north field lights presented

challenges with the existing perimeter track and that without granting the departure for a lesser setback the poles would interfere with the track.

In addition to the majority report, a minority report was submitted by a Committee Member. Issues in the minority report focused on the following points:

- 80 and 9 ft. light poles and lighting cannot present a transition in scale at that height in a single family and Lowrise zone and no other transitioning elements are apparent.
- Evening lighting favors adult and community game and matches, not school users.
- The Committee should have deliberated over open access for community users.
- There are other impacts as outlined in .008C1a.
- The Committee selection appears to be incomplete.
- Many of the public support letters are from public addresses two or more miles away.
- Access to the fields is restricted and appears to be reservable for evening under-the-lights play for those who can pay to join community teams leading to a sense of privileged access, not access for all.

The Director balances departure requests through criteria based on the relationship to surrounding areas with need for development standards departures to meet program requirements. The Director considers information from majority and minority reports and public comment and finds that the departure request should be allowed due to its limited and minor adjustment in code requirements.

## **DECISION-DEVELOPMENT STANDARD DEPARTURES**

The school development standard departure number one, to allow less than required setback, is GRANTED without modifications and without conditions.

### **II. ANALYSIS - SPECIAL EXCEPTION**

The Land Use Code provides a Special Exception review process for over height light standards for illumination of athletic fields at public school sites. SMC 23.51B. 002 D 6.

A Special Exception Type II review as provided for in Section 23.51B.002D6b when the proposed light standards are not included in a proposal being reviewed pursuant to [Chapter 25.05](#), the Director may permit the additional height as a special exception subject to [Chapter 23.76](#), Procedures for Master Use Permits and Council Land Use Decisions. The special exception application shall be subject to the following provisions:

#### *6. Light Standards*

*b. When proposed light standards are not included in a proposal being reviewed pursuant to [Chapter 25.05](#), the Director may permit the additional height as a special exception subject to [Chapter 23.76](#), Procedures for Master Use Permits and Council Land Use Decisions.*

*1) When seeking a special exception for taller light standards, the applicant must submit an engineer's report demonstrating that the additional height contributes to a reduction in impacts from light and glare. When the proposal will result in extending*

*the lighted area's duration of use, the applicant must address and mitigate potential impacts, including but not limited to, increased duration of noise, traffic, and parking demand. The applicant also shall conduct a public workshop for residents within 1/8 of a mile of the affected school in order to solicit comments and suggestions on design as well as potential impacts.*

Reports submitted by the applicant measure potential impacts and suggest mitigation for increased duration of noise, light, traffic, and parking demand due to the ten proposed light poles. The reports are the following and can be found at the city website for this project, <http://www.seattle.gov/dpd/> under the project number, MUP project 3029091-SD.

Noise Technical Memorandum ESA, 2017

Transportation Technical Report (Heffron, 2017)

Light and Glare report (Stantec, 2017)

Potential Light impacts on Waterfowl Technical Memorandum (ESA 2017)

### Light and Glare

The applicant has submitted an engineer's report which demonstrates that the additional pole height (from code allowed 30 feet to the higher poles) contributes to a reduction in impacts from light and glare (Light and Glare report, Stantec, 2017). The report is available on the City website and discusses the light poles and the type of lights and shielding mechanisms which are proposed. Seemingly counterintuitive, the report demonstrates that the increase in height along with the newer generation of field lights and glare shielding mechanisms will contribute to reduced impacts from light and glare.

### Traffic and Parking

The applicant has also submitted reports which address ramifications of extended field use later in the evenings, on traffic and parking demand (Transportation Technical Report Heffron, 2017).

The study notes that traffic volumes on nearby streets and intersections will continue to grow as new area-wide development continues. Increased traffic related to the field lights will be later in the evening, even past the peak commute hours and should not significantly affect the area, although increased traffic may be noticed by neighbors.

The traffic and parking analysis (Heffron, 2017) indicates that the peak parking demand for the field lighting project is expected to generate about 100 to 140 peak demand additional trips per day for part of the year, from October to March, when the lights are in use. Peak demand associated with the field lights could occur in the PM peak hour as a high school athletic practice or game ends and a recreational game begins.

The traffic and parking analysis noted that the existing on-street parking utilization is becoming increasingly high, that is, there are fewer on street parking spaces available, but that there is available parking on site in the school parking lots to accommodate additional evening users due to the additional draw of the field lights for evening parking demand.

## Noise

The Noise report measured existing noise levels at the site. Results are found in the report and notes that evening background noise ranges from approximately 46 Leq to a peak of 68.8. The site is bordered by single family and multifamily residential uses as well as distant commercial uses.

The noise ordinance allows for a higher level of intermittent and short duration noise related to cheers, whistles, loud yells, and similar noise peaks of athletic games and matches.

The Noise Code suggests Leq be 55 Leq during the day and 45 Leq from 10 pm to 7 am. The noise report suggests that there will be additional noise producing recreational activity during the evening when the field lights are on. The School is located in a residential area and per table 25.08.410A receiving residential properties to the east have a limit of 55 Leq.

According to the reports and based on research at other schools it is anticipated that the project will have background and intermittent levels within the level limits with an additional 5 dB(A) and should remain below the 55 (Leq) for all residential properties.

The applicant held a public workshop in order to solicit public comments on Wednesday, January 24, 2018. The applicant received comments from the public and considered the comments in their project design.

*2) The Director may condition a special exception to address negative impacts from light and glare on surrounding areas, and conditions may also be imposed to address other impacts associated with increased field use due to the addition of lights, including, but not limited to, increased noise, traffic, and parking demand.*

The Department concludes that some impacts associated with the field lights will be felt by the neighborhood, but that the intensity of impacts will be short lived, intermittent or a small increase in impact. Additional parking demand will be felt by neighbors due to the field lights especially if the community visitors and teams park on the street.

**The Special Exception is APPROVED.**

### **III. ANALYSIS – SEPA**

#### **Procedural SEPA (Robert Eagle Staff Field Lights)**

Significant impacts of this proposal were analyzed in the Seattle Public Schools Environmental documents. Seattle Public Schools has identified that the SEPA Environmental Checklist dated January 2018 and subsequent DNS meets the environmental review needs for the current proposal to install athletic field lighting at Robert Eagle Staff School using funding from the Buildings, Technology and Academics/Athletics IV Program (BTA IV), approved by voters in February 2016.

An environmental checklist is used by agency decision makers to analyze environmental impacts, along with other relevant considerations or documents, in making final decisions on a proposal. The SEPA Ordinance contemplates that the general welfare, social, and other requirements, and essential considerations of state policy will be taken into account in weighing and balancing project alternatives and in making final decisions. The following specific environmental policies listed in SMC 25.05.675 were studied in the environmental checklist:

- Earth
- Air Quality/Greenhouse Gas
- Water
- Plants
- Animals
- Energy and Natural Resources
- Environmental Health
- Construction Impacts
- Land and Shoreline Use
- Housing
- Aesthetics
- Recreation
- Height, Bulk, and Scale
- Parking
- Historic and Cultural Preservation
- Light and Glare
- Public Services
- Transportation

**A. Substantive SEPA (Seattle Department of Construction and Inspections)**

The checklist provides a basis upon which agency officials can make the balancing judgment mandated by SEPA, because it provides information on the environmental costs and impacts.

The Seattle SEPA Code provides substantive authority to require mitigation of adverse environmental impacts resulting from a proposal (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may only be imposed to the extent that a given impact is attributable to a proposal, and to the extent that the mitigation is reasonable and capable of being accomplished.

Additionally, mitigation may be imposed only when based on policies, plans, and regulations referenced in SMC 25.05.665 to SMC 25.05.675 (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA may not be necessary.

The School SEPA checklist identified short- and long-term impacts, as well as mitigation measures for adding field lighting. The City of Seattle is conducting substantive SEPA review of the proposal to determine whether additional mitigation is warranted by the City's SEPA policies found in SMC 25.05.665-675.

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, 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, no further mitigation is warranted pursuant to SMC 25.05.675.A.

### Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to 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.

However, the impacts identified in the SEPA checklist state that the amount of excavation and size of construction for the field lights will result in a small and temporary increase in truck trips and demand for on-street parking. Any closures of the public right of way will require review and permitting by Seattle Department of Transportation. Additional mitigation is not warranted per SMC 25.05.675.B.

Construction Impacts - Noise

The project is expected to generate a small amount of 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 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends and legal holidays

If extended construction hours are need to an emergency, 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.

The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts and no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

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; potential blockage of designated sites from the Scenic Routes nearby; 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, subjects such as greenhouse gas, historic resources, height bulk and scale, parking, and transportation warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with 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, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Light and Glare

The applicant has submitted an engineer's report which demonstrates that the additional pole height (from 30 feet to 80 and 90 feet) contributes to a reduction in impacts from light and glare (Light and Glare report, Stantec, 2017). The report is available on the City website and discusses the light poles and the type of modern lights and shielding mechanisms which are proposed. Seemingly counterintuitive, the report demonstrates that the increase in height along with the newer generation of field lights and glare shielding mechanisms will contribute to reduced impact from light and glare. While some impact is expected and be adverse, mitigation is presumed to be sufficient and no further mitigation is warranted pursuant to SMC 25.05.675.A.

Height, Bulk, and Scale

Section 25.05.675.G describes SEPA policies for height, bulk, and scale. The proposal was not subject to design review. The mixed zoned site is adjacent to other zones including Lowrise 3, and single-family zoning. The new light poles and lights are allowed outright at 30 feet and are proposed to be at 70 and 90 feet higher than the lot and surrounding zoning allowances. By nature of their shape and height and number the poles will cause limited additional bulk and scale of the school site. Mostly, the structures will be a noticeable series of ten new over height structures spaces somewhat evenly around the playfields. The two northern light poles may be the most noticeable due to their proximity to North 92<sup>nd</sup> Street. The other eight light poles are more interior to the site and cause less concern. Landscaping will help mitigate the increase in height, bulk, and scale at the northern edge. Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to height bulk and scale are presumed to be sufficient, and additional mitigation is not warranted under SMC 25.05.675.G.

Noise

The Noise report measured existing noise levels at the site. Results are found in the report and notes that background noise ranges from approximately 46 Leq to a peak of 68.8. The site is bordered by residential uses with normal urban background noises of traffic, the Aurora Avenue commercial areas one half block away and air traffic.

The noise ordinance allows for a certain higher level of intermittent and short duration noise related to cheers, whistles, loud yells, and similar noise peaks of athletic games and matches.

The Noise Code suggests Leq be 55 Leq during the day and 45 Leq after 10 pm to 7 am. The noise report suggests that there will be additional noise producing recreational activity during the evening when the field lights are on. The School is located in a residential area and per table 25.08.410A surrounding receiving residential properties have a limit of 55 Leq. SMC 25.08.410B states that Lmax may exceed the exterior sound limits by no more than an additional 5 to 15 dB(A) for intermittent and short duration events. According to the reports it is anticipated that the project will have background and intermittent levels within the level limits with an additional 5 dB(A) and should remain below the 55 (Leq) for all residential properties. The SDCI Planner reviewed the information and determined that no mitigation is warranted per SMC 25.05.675.R.

Parking

The traffic and parking analysis (Heffron, 2017) indicates that the peak parking demand for the field lighting project is expected to generate about 60 to 85 additional trips per day for part of the year, from October to March, during the evenings, when the lights are in use. Peak volumes (estimated at about 60 trips per hour) associated with the field lights could occur in the PM peak hour as a high school athletic practice or game ends and a recreational game begins.

The project is expected to generate additional parking demand not currently occurring at the site. The peak demand is estimated to range from 100 to 140 vehicles during a short period between activities as one event ends, and the next event begins. Otherwise, the parking demand is expected to be from 30 to 95 vehicles. The report indicated that there is unused, on-site parking

which could accommodate most of the increased parking demand if the on-site parking areas are not gated and open for visiting teams and spectators.

The number of existing on-site parking spaces is expected to accommodate the anticipated parking demand. SDCI will condition the project per SMC 25.05.675.M.

### Transportation

The traffic and parking analysis (Heffron, 2017) indicates that the field lighting project is expected to generate about 60 to 85 additional peak time trips per day for part of the year, from October to March, when the lights are in use. Peak volumes associated with the field lights could occur in PM peak hour as a high school athletic practice or game ends and a recreational game begins.

The additional trips are expected to distribute on roadways near the project site and would have minor impact (four seconds) on levels of service at nearby intersections and on the overall transportation system. The SDCI Planner reviewed the information and determined that no mitigation is warranted per SMC 25.05.675.R.

### **DECISION – SEPA**

The environmental checklist, technical reports, application materials, Master Use Permit plans and responses to requests for information all comprise Seattle Department of Construction and Inspection's (SDCI) record. Pursuant to SMC 25.05.600.D.1, SDCI relies on the environmental determination (DNS), documents and technical reports prepared by the Seattle Public Schools in their role as lead agency. The conditions listed below are warranted as a result of SDCI's substantive SEPA review imposed based on Seattle's SEPA policies.

**The proposed action is APPROVED.**

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

No additional conditions.

### **CONDITIONS – SPECIAL EXCEPTION**

No additional conditions.

### **CONDITIONS - SEPA**

No additional conditions.

Planner note: Seattle Public Schools received and accepted conditioning of their DNS appeal by the Hearing Examiner Pro Tem as follows and is noted here for information purposes only.

*It is recommended that the Superintendent adopt the Findings of Fact and Conclusions of Law of this recommendation and based upon those findings and conclusions sustain the DNS with the addition of the following mitigation measures:*

- 1. SPS shall avoid scheduling events totaling more than 1,500 attendees for the Eagle Staff/Cascadia Elementary/Licton Springs School Campus simultaneously with events on the athletic fields.*
- 2. Field lighting shall end at 10:00 pm and within a half hour of the completion of field use, whichever occurs first. If field lights are left on past these deadlines more than three times in any one year-long period, adjoining residences shall be provided with a 24-hour phone number that will immediately reach someone with the capability to turn off the lights.*
- 3. No amplified voices or musical instruments shall be allowed on the athletic fields [during evening (field lighted) use of the athletic fields]. No marching bands or other musical groups shall be allowed to perform on the field during evening (field lighted) use.*

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

Date: June 28, 2018

HG:drm

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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](mailto:prc@seattle.gov) or to our message line at 206-684-8467.