



City of Seattle

Edward B. Murray, Mayor

Department of Construction and Inspections

Nathan Torgelson, Director

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

Application Number: 3019776
Applicant Name: Steve Moore for Seattle Public Schools
Address of Proposal: 2511 NW 80th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 2-story 55,528 square foot addition to an existing institution (Loyal Heights Elementary School). Existing portable classrooms to be removed. Determination of Non-Significance has been prepared by Seattle Public Schools.

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 up to 47.7% lot coverage, a portion of which is a 2-story building. (SMC 23.51B.002.C)
2. To exceed maximum height limits. (SMC 23.51B.002 D)
3. To reduce on-site parking (SMC 23.51B.002 G)

SEPA – For conditioning only - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS*

DNS with conditions

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

*SEPA Addendum to BEX IV Revised Final Programmatic EIS Proposed Loyal Heights Elementary School Modernization and Addition. Seattle Public Schools has prepared an <https://www.seattleschools.org/cms/one.aspx?portalId=627&pageId=16889>. It adds information to the EIS relating to the proposed Loyal Heights Elementary School Project. The information set forth in the addendum does not substantially change the analysis of significant impacts and alternatives in the BEX IV Revised Final Programmatic EIS (SPS, 2012).

BACKGROUND

Site and Location

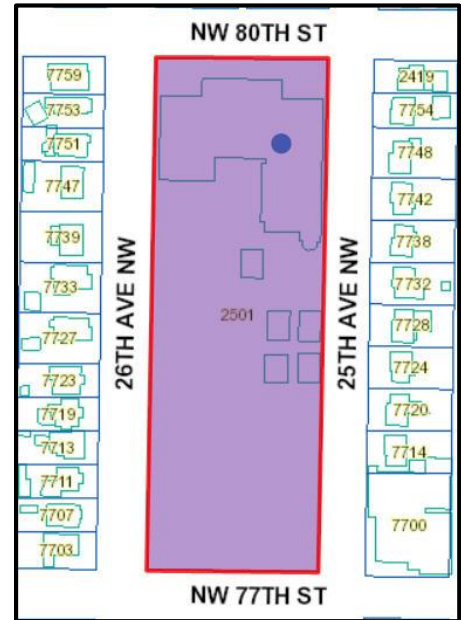
Loyal Heights Elementary School is located at 2511 NW 80th Street. The project site is bounded by NW 80th on the north, 26th Avenue NW on the west, NW 77th Street on the south, and 25th Avenue NW on the east. The site is approximately 2.85 acres. There are no mapped environmentally critical areas (ECA) on the site.

Zoning

The proposal is located in a Single Family zone (SF 5000). Surrounding zoning is Single Family SF 5000 and Neighborhood Commercial 2 Pedestrian with a 40' height limit (NC2P 40) along the 24th Ave NW corridor.

Proposal Information

Seattle Public Schools (SPS) proposes to construct a multi-story 55,528 square foot addition to the existing Loyal Heights Elementary School. Information on the project proposal, project number 3019776, is available in the electronic file at <http://www.seattle.gov/>



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 on July 17, 2015. An appeal was registered. On November 16, 2015 the DNS was recommended to be affirmed by the Hearing Examiner Pro Tem. The Seattle School District submitted their MUP application to Seattle DCI for review. For the purposes of this permit application, exercise of substantive SEPA authority by Seattle DCI 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. Letters can be viewed in the public electronic file at the following link <http://www.seattle.gov/dpd/> under the project number, MUP project 3019776. The public comments were predominantly supportive of school upgrades and a school addition, but contrary to the proposed addition and accompanying development standard departures.

Development Standard Departure

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

ANALYSIS – Development Standard Departure for Public Schools

The Development Standard Departure process is conducted pursuant to the provisions of Seattle Municipal Code sections 23.79.002-012. An Advisory Committee was convened, public comment received, and a written recommendation to the Director of Seattle DCI 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.

In reviewing the departure request, Section 23.79.008 directs the Advisory Committee to “gather and evaluate public comment”, and to “recommend maximum departures which may be allowed for each development standard from which a departure has been requested”. It states, “Departures shall be evaluated for consistency with the objectives and intent of the City’s Land Use Code....., to ensure that the proposed facility is compatible with the character and use of its surroundings”. The Advisory Committee is directed to consider and balance the interrelationships among the following factors in SMC 23.79.008 C 1:

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

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

- b. *Need for Departure: The physical requirements of the specific proposal and the project’s relationship to educational needs shall be balanced with the level of impacts on the surrounding area. Greater departures may be allowed for special facilities, such as a gymnasium, which are unique and/or integral and necessary part of the educational process; 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

On March 16, 2015 the Seattle School District submitted a request for departures from certain Seattle Municipal Code Development Standards to accommodate the construction of a new addition to Loyal Heights Elementary School at 2511 NW 80th Street in Seattle, Washington. The addition is proposed to be approximately 55,528 square feet and will serve approximately 660 elementary school students.

The City initiated the Development Standard Departure Process, pursuant to SMC 23.44.17 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 of Seattle Department of Construction and Inspections from the Department of Neighborhoods.

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

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

In order to accommodate the educational program for this project, the District requested the following departures from the Seattle Municipal Code:

1. To allow up to 47.7% lot coverage, a portion of which is a 2-story building. (SMC 23.51B.002.C)
2. To exceed the maximum building height limit. (SMC 23.51B.002 D)
3. To allow a reduction of on-site parking (SMC 23.51B.002 G)
4. To allow less than required setbacks (SMC 23.51B.002 E). *(The project was later revised to meet code requirements and the departure request dropped.)*

Departure #1 –To allow up to 47.7% lot coverage. (SMC 23.51B.002 C) – The zoning code restricts the amount of lot coverage to 45 % for structures of more than one story. Lot coverage restriction may be waived by the Director as a Type I decision when the waiver would contribute to reduced demolition of residential structures. The District requested a departure for 47.7 % lot coverage.

Departure #2 –To exceed the maximum building height limit. (SMC 23.51B.002 D) – The zoning code restricts the height of development on the site to no greater than the existing building’s height or 35 feet plus an additional 15 feet for a pitched roof, if the pitch is at a rate of not less than 4:12. The District requested a departure to allow the Elementary School to exceed this standard to a total height of 48.75 feet for mechanical and elevator penthouses. The over height area is a triangular portion of the top edge of the mechanical penthouse which projects into the roof slope allowance.

Departure #3 – To allow a reduction of on-site parking. (SMC 23.51B.002 G) –The code requires the District to provide 70 parking spaces. The District requested a departure to allow zero parking spaces on site. Currently, no parking is provided on site.

Departure #4 – To allow less than required setbacks (SMC 23.51B.002 E) – After the School Departure process ended the School District revised the project to meet land use code requirements. The departure request has been withdrawn.

The Development Standard Departure Advisory Committee was convened in a public meeting held October 5, 2015 at Loyal Heights Elementary School. Public testimony and comment dominated the meeting. Commenters mostly expressed concerns that the District proposal to build an addition to accommodate 660 students on the site was too large and that loss of important outdoor play space was detrimental to students' ability to enjoy outdoor play space and to the community for open play space.

An additional meeting was held on October 15, 2015. Comments at these meetings were similar to those received at the previous meeting. At the meeting the Committee made recommendations to the Director. The Committee thought that the School District had not demonstrated need for development standard departures and, after a vote, the Committee recommended to reject all departure requests. A Departure Advisory Committee Report was prepared with two minority reports attached.

Director's Analysis

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

Section 23.79.008 C states:

a. Relationship to Surrounding Areas: The advisory committee shall evaluate the acceptable or necessary level of departure according to:

- 1. Appropriateness in relation to the character and scale of the surrounding area*
- 2. Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale.*
- 3. Location and design of structures to reduce the appearance of bulk;*
- 4. Impacts on traffic, noise, circulation and parking in the area; and*
- 5. Impacts on housing and open space.*

Departure #1 –To allow up to 47.7% lot coverage. (SMC 23.51B.002 C). Departure #1 is a School District request to allow greater than allowed lot coverage. The current 1932 school building, 1946 addition, and portable classrooms cover 25% of the lot. The lot coverage limit at this site is 35% (SMC 23.51B.002 C2a). Through the development standard departure process for schools, the zoning code allows lot coverage up to 45 % for structures of more than one story. Lot coverage restrictions may be waived by the Director as a Type I decision when a waiver would contribute to reduced demolition of residential structures. The Departure Advisory Committee could contemplate lot coverage of up to 45% through the departure process and anything in excess of 45% would require a Director's waiver. In order to meet program requirements, the District requested a departure for 47.7 % lot coverage.

The School District proposes a school addition that includes new classrooms, a lunch room, a gym, kindergarten, kitchen, stage, service yard and childcare. The School District presented information at the Advisory Committee meetings explaining the school educational program which includes school rooms that were described to be best suited, and required, to be located at ground level. The District also pointed out that the school has been designated a landmark by the

City Architectural Review Committee. According to the District the landmark designation limits the District's choices to provide the most efficient school configuration which would be to stack classrooms on the existing building for a third story.

The Advisory Committee was uncomfortable with the proposed lot coverage departure request. The Committee thought the educational program and student body size (approximately 660 students) was too ambitious for this site which in turn was causing the building programmatic needs to be outsized. The Committee voiced concern over the loss of outdoor play space for students in exchange for new building functions. The Committee noted that the neighboring community would also feel the loss of open play space which is used by families. The Committee was concerned as well, in response to a public comment, that there might not be enough open space to assemble students for a fire drill. The Committee considered the 45% lot coverage, available through the departure process, to be too great a departure request created by, a perceived, too large proposed school building. The Committee voted to recommend that the departure request for additional lot coverage be rejected.

Two minority reports were included as part of the Advisory Committee Report. One minority report recommended approval of the lot coverage departure request. The report noted also that adequate fire assembly space must be provided and that there should be careful programming of outdoor play space to avoid playground crowding and lastly that the school should allow students to play in the gym during inclement weather. The other minority report recommended approval of the 47.7 % lot coverage request and noted limitations that the Architectural Review Committee designated Loyal Heights Elementary School as a landmark and rejected a third story addition to the two story school. The second minority report also noted that closing 77th Street and removing single family homes in the next block is a possible solution, but not one the School District wants to pursue.

In evaluating this departure request, the Director has reviewed the District required school program for approximately 660 children, public comment, the proposed site plan, and location of large programmatic elements such as the gymnasium, lunch room, childcare, and classroom spaces. The School addition must serve the future larger population of students and staff. Absent the ability to add a third story to the existing building, the optimal building area is to the south of the existing building which is currently occupied by playground space. Building restrictions, due to Landmark Status, are significant because they negatively affect building massing options to meet the school program. As a result, the proposed plan will have reduced play area, but the play area is proposed to be more efficiently designed and play surfaces are designed to have more all-weather surfaces. The proposed internal courtyard can be used for various play and learning activities such as outdoor active learning curriculum or recess for different school groups. Loyal Heights school staff can organize scheduling for activities which will best serve the students. The Director has reviewed the District's site plan showing a possible expanded school site to the south across 77th Street and understands it is not a site planning solution the District wishes to follow. The project will undergo review by building and fire code officials to ensure compliance.

The Director recognizes that a public school cannot approximate the scale and bulk of a single family home in the area, but will continue to be recognizable as a significant institution in the neighborhood. Single family zoning with lot coverage restrictions and 30 foot height limitations dominate the neighboring area to the north, south and west. One half block to the east there is a Neighborhood Commercial 2 zone (NC2-P 40) along 24th Avenue NW where land use zoning will allow buildings to be approximately 40 feet in height with additional parapet heights, elevator and stair penthouses, rooftop uses, and zero building setback requirements. This

Neighborhood Commercial zone, though small, may eventually have buildings that reach code height and mass allowances which will be greater than the school proposal.

NW 80th Street is classified as a major arterial creating an edge condition as described in the land use code. The proposal will observe code required building setbacks to help create a sense of separation, edge, and buffer. The District will preserve and plant street trees along edges of the school property to aid in transitioning the scale of the building to the surrounding area.

As much as possible the proposal aims at reducing the appearance of bulk by providing building modulation, adding landscaping, and meeting code required building setbacks. Architectural elements and materials are appropriate choices to help the building blend with the character and scale of the area. The applicants have proposed to use red brick and ground face concrete masonry units which are sympathetic to the original brick building. The datum lines of the addition relate closely to the original structures. The proposed materials are similar to the other large nearby institution, the church, across 25th Avenue as well as some of the brick houses facing the school. The proposed addition will replace the aging portable classroom buildings with a modern, integrated, and better designed structure to best serve students.

Impacts of additional lot coverage will not affect housing in the area. Open Space at the site will be impacted by reduced playground area and will be partially mitigated by all-weather play surfaces and an internal courtyard. There is a neighborhood community park, the Loyal Heights Community Center 6.5 acre park and center, located four blocks to the east. Considering the criteria, the majority and minority recommendations from the Advisory Committee, and public comments the Director grants the departure request of 47.7 % lot coverage with a condition listed at the end of this document.

According to the Transportation Technical Report (Heffron, 2015) impacts of the school addition on traffic, noise, circulation and parking are focused on the drop off 8:45 to 9:45 a.m. and pick up, 3:15 to 4:15 p.m. times of the school day. An increase of 117 morning trips (62 in, 55 out) and 106 afternoon trips (51 in, 55 out) are forecast with the project proposal. The transportation analysis also looked at seven nearby intersections, bus and parent-vehicle load and unload, pedestrian crossings, parking and construction traffic, and mitigation. The largest morning and afternoon volumes are forecast to occur during a fifteen minute period. The analysis notes that abutting intersections will continue to be busy during the peak 15-25 minutes before and after school. The parking analysis notes that an increase in midday parking of about 18 vehicles is expected which will be accommodated on the streets near the site. The analysis shows that 910 on street spaces are 43% utilized midday. The full report is available in the electronic file for this project.

Departure #2 –To exceed the maximum building height limit. (SMC 23.51B.002 D).

Departure #2 is a School District request to allow greater height. With this departure the Elementary School would exceed the development standard (SMC 23.51B.002 D) resulting in total height of 48.75 feet for a portion of the mechanical penthouse. The area requested for departure is a triangular slice of the mechanical penthouse that projects beyond the pitched roof area allowance. This departure helps the project provide a screened mechanical penthouse, but a portion of the screening projects beyond the sloping area of the pitched roof allowance. The building itself is proposed to meet the code requirements. The Departure Advisory Committee considered the height departure request and determined that it contributed to the overall height and bulk of the proposed addition and thus recommended that the departure be rejected. Both

minority reports support the departure request because it is a minimal request as it helps to reduce bulk, noise and impacts to open space.

The area of requested height departure is on the roof top of the west wing of the proposed addition where the mechanical equipment is located. The mechanical penthouse encloses the building's mechanical systems that regulate heat and air flow. The rooftop triangular slice of the mechanical penthouse that projects out of the sloped roof allowance is setback approximately 36 feet from the west property line. Although the slice of the mechanical penthouse is long, the amount which projects beyond the sloped roof allowance is small. The projection is lower than the ridgeline allowance of 50 feet. The request is therefore relatively minor and related mostly to enclosing important mechanical equipment. This equipment would be allowed and no height departure required if the mechanical equipment was not enclosed. Enclosing the mechanical equipment is important to the School District to protect the equipment from the weather. The enclosure also helps mitigate noise for residents to the west.

In evaluating this departure, the Director notes that the setback from the property line and the relative small triangular projection help mitigate any impacts. The departure is appropriate in relation to the character and scale of the surrounding area. The building setback helps to mitigate additional bulk of the screen height by providing more space between the residential neighborhood and the additional height. The departure request does not impact traffic, noise or circulation. Nor does it impact housing and open space. Considering the criteria, the majority and minority recommendations from the Advisory Committee and public comments, the Director approves the departure to allow greater than allowed height for the mechanical penthouse as requested by the Seattle School District without modifications and without conditions.

Departure #3 – To allow a reduction in on-site parking. (SMC 23.51B.002 G). –The code requires that the District provide 70 parking spaces for this project. The District requested a departure to allow no parking spaces on site. Currently there is no parking provided on site. The departure request was considered by the Departure Committee. Committee members noted that with the addition there would be increased parking pressure which would negatively affect adjacent streets and in general would enable the project. The Departure Advisory Committee recommended to the Director that the departure for reduced on-site parking be disallowed. The two minority reports note that a parking lot on site is not desirable at this location because it would displace play space and therefore recommend the departure be granted.

The Director notes that the departure for reduced on-site parking meets the appropriateness of character and scale of the surrounding area criteria by prioritizing play space over parking stalls. By avoiding on-site parking there is greater opportunity to preserve remaining play space. The Director notes that there will be impacts of traffic, noise, circulation and parking in the area due to increased parking on surface streets during pick up and drop off hours, but as pointed out in the Transportation Technical Report (Heffron, 2015) the impact will be small and could be mitigated by elements of a transportation management plan. The Departure will not have impacts on housing unless the site is expanded to require closing NW 77th Street and require demolishing residential structures. The departure will help preserve open space at the school. Considering the criteria, the majority and minority recommendations from the Departure Advisory Committee and public comments the Director grants the departure request.

Departure #4 – To allow less than required setbacks. (SMC 23.51B.002 E). – After the School Departure process ended the School District revised the project to meet land use code requirements. The departure request has been withdrawn.

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 Committee discussed 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 construction of the addition and the educational standards present challenges and that without granting the departures for greater lot coverage, greater height, and less parking those standards could not be met. Without some departures, the alternatives would be either further reductions in important open play space or efforts to expand the school site into the adjacent residential area.

After considering the overall design and program requirements, the Committee majority report generally determined that the proposed departure requests should not be allowed. The minority reports noted that the departures would be needed to meet school goals and to improve service to students. The Director balances departure requests through criteria based on the relationship to surrounding areas with need for development standards departures to meet program requirements and finds that the departure requests should be allowed with a condition. See the decision and condition at the end of this document.

DECISION-DEVELOPMENT STANDARD DEPARTURES

The school development standard departures are **CONDITIONALLY GRANTED**.

ANALYSIS – SEPA

The proposal's environmental impacts have been analyzed in environmental documents prepared by the Seattle School District; a SEPA Checklist addendum dated July 16, 2015.

Seattle Municipal Code (SMC) Section 25.05.660 provides that proposals can be conditioned or denied in order to mitigate environmental impacts. All conditions must be related to impacts identified in the environmental documents, based on adopted policies, and must be reasonable and capable of being accomplished. This proposal is reviewed under that substantive SEPA authority.

The Department is reviewing the environmental impacts of the proposal in order to impose further conditions, if necessary. Disclosure of the potential impacts from this proposal was made in the environmental document listed above. This information, supplemental information provided by the applicant (plans, written descriptions of the project, construction requirements, arborist reports and renderings) and the experience of this agency with review of similar proposals form the basis of this analysis and conditioning.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The overview policy states in part: *“Where City regulations have been adopted to address an environmental impact; it shall be presumed that such regulations are adequate to achieve sufficient mitigation (subject to some limitations).”* Under certain limitations/circumstances, (SMC 25.05.665.D.1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include 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), and Puget Sound Clean Air Agency regulations.

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during site work and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Air Quality

Emissions to the air could result from some construction activities, including tree removal, grading, and vehicle operation. Construction activities and resulting emissions is expected to be minor. Demolition, grading and construction activities each may create adverse air quality impacts in the surrounding area. The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. During grading and excavation, City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded, uncovered trucks which minimize the amount of spilled material and dust from the truck bed in route to or from a site. The Stormwater Code (SMC 22.800-808) and the Grading Code (SMC 22.170) regulate on-site grading activities and require that soil erosion control techniques be initiated for the duration of the work. The contractor chosen for the proposed project would be required to comply with Puget Sound Clean Air Agency (PSCAA) regulations. Regulations that apply to the proposed project include Regulation I, Section 9.11 prohibiting the emission of air contaminants that would or could be injurious to human health, plant or animal life, or property; and Regulation I, Section 9.15 prohibiting the emission of fugitive dust, unless reasonable precautions are employed to minimize the emissions. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), no mitigation is warranted.

Construction Noise

There will be excavation required to prepare the site and foundations. Additionally, as development proceeds, noise associated with building could adversely affect the surrounding residential uses. The limitations of the Noise Ordinance are found to be adequate to mitigate potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), no mitigation is warranted.

Construction Vehicles

According to information provided by Seattle Public Schools, construction vehicles will be active on site. Impacts include truck traffic to remove excavated material from the site and to import fill and construction materials to the site. The expected volume of truck traffic may be noticeable to nearby residents, but the environmental documents state that significant impacts are not anticipated. The vehicles are expected to minimally impact the surrounding area as materials are delivered and construction workers arrive and depart. Site preparation will include site disturbance and construction. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with site preparation will be of short duration and mitigated in part by enforcement of SMC 11.62. No additional conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Construction Parking

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities. Construction workers can be expected to arrive in early morning hours and to leave in the mid-afternoon. Surrounding residents generate their peak need for on-street parking in the evening and overnight hours when construction workers can be expected to have departed. Construction parking impacts will be minimal and therefore additional SEPA mitigation of parking impacts during construction is unwarranted. No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Greenhouse gas emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Earth

The project will require construction permits. The existing Codes (The City of Seattle Stormwater Code, SMC 22.800 and the City of Seattle Grading Code SMC 22.170) provide authority to require appropriate mitigation for this project. No impacts have been identified and no conditioning is warranted. Surface water controls (i.e. temporary interceptor swales, check dams, silt fences, etc.) will be constructed simultaneously with clearing and grading for project development. Surface water and erosion control measures will be relocated or new measures will be installed so as site conditions change, erosion control measures remain in accordance with City of Seattle Best Management Practices (BMP) requirements during the construction period.

SPS has proposed mitigation to address short term impacts as described above. The measures outlined in their environmental documents adequately address impacts. No further conditioning of the short term impact elements of the project is warranted pursuant to SEPA policies.

Long Term Impacts

Long term or use-related impacts are anticipated as a result of this proposal, including increased surface water runoff due to greater site coverage by impervious surfaces; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Greenhouse gas emissions

Operational activities, primarily vehicular trips associated with the project and the school's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Plants

Trees and site plants will be removed during construction. Nine exceptional trees were identified on site and documented in the arborist report (Tree Solutions Inc. 2015). Three of the exceptional trees are located at the edge of the existing school building. Seattle Public Schools proposes to remove them. They were planted very close to the building foundation and are starting to pressure the building and paving nearby. Recommendation for removal can be found in the arborist report. The exceptional willow slated for removal is noted as declining in health and vigor. The five exceptional Oregon oak (*Quercus garryana*) trees, located at the southern portion of the site, are to be protected during construction and retained. Tree protection measures will follow standard Seattle DCI specifications. The proposed development includes landscaping including tree replacement. More information can be found in the online project documents, number 3019776. SPS will follow standard Seattle DCI best practices to preserve plants and trees during construction that are scheduled for retention. The project will be conditioned for additional documentation to show tree protection areas and tree protection details.

Historic Preservation

According to the Washington State Department of Archaeology and Historic Preservation (DAHP), there are no recorded archaeological sites or cemeteries within or adjacent to the project site. A cultural resource survey has been conducted. No conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Earth

The site has no steep slopes nor is it adjacent to any steep slopes. A geotechnical engineering report was performed at the project site by Amec Foster Wheeler (September 2015) to provide design recommendations for construction of the school project. No mitigation is necessary or warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Air

Upon completion of the building construction, air quality in the vicinity of the site is anticipated to somewhat degrade due to the increase in the number of students and traffic in the area but not significantly. No mitigation is necessary or warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Noise

After construction is complete, noise levels would increase over current conditions with more students on site and more car trips for drop-off and pick-up. Minor noise levels would be higher and for a longer duration. Noise levels are not expected to exceed codes allowed in residential areas. No further mitigation is necessary or warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Light and Glare

Exterior lighting will be added and will be designed to minimize light spill and glare. New modern fixtures are designed and installed to reduce spillover and glare. It is anticipated that both exterior and interior lighting would be on timers so that the site would be mostly dark at night. No further mitigation is necessary or warranted.

Traffic and Transportation

Traffic conditions and impacts from the new construction are described in the SEPA documents. The checklist refers to the Traffic Impact Analysis for this project. Specific measures to reduce impacts include a construction management plan created by the contractor, a Transportation and Management Plan to educate parents and students on circulation and drop off measures, work with SDOT and working with the Seattle School Safety Committee and other procedures outlined in the project SEPA documents. Recommendations of the Traffic Analysis are described as mitigating measures in the environmental documents and the School District has committed to enacting the mitigation measures described therein. No additional mitigation is

necessary or warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

DECISION - SEPA

The environmental checklist, Master Use Permit plans submitted on the project, public comment and responses to requests for information, and other submitted documents comprise Seattle DCI's record. Pursuant to SMC 25.05.600.D 1, Seattle DCI relies on the environmental documents and technical reports prepared by the Seattle School District in their role as lead agency. Seattle DCI has determined that the DNS issued and utilized for the environmental analysis of the renovation and addition at Loyal Heights School and mitigation proposed in the SEPA checklist is adequate.

DECISION-SCHOOL DEVELOPMENT STANDARD DEPARTURES

The school development standard departures are **CONDITIONALLY GRANTED**.

CONDITIONS – SEPA

Prior to building permit issuance

1. Include the Standard Construction Stormwater Control (CSC) and the Post Construction Soil Management (SOIL) Plan in the building permit documents. Copy the Tree and Vegetation Protection detail to the Landscape Plans. Remove all notes referring to Extension Service Radius on all plan sets. Transfer Arborist notes for tree protection, except for the Extension Service Radius, to the plan sets. Show tree protection fencing and other notes on the building permits. Maintain existing grade within the tree protection zone for all trees.

CONDITIONS –SCHOOL DEVELOPMENT STANDARD DEPARTURES

For the life of the project

2. The north, internal courtyard, bounded on all sides by the school building, shall be made available for play at the direction and programming of the staff and principal of Loyal Heights Elementary School.

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

Date: March 21, 2016

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 Seattle DCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

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

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