



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

Project Number: 3039297-SD

Applicant Name: Brian Fabella for Seattle Public Schools

Address of Proposal: 3010 59th Avenue SW

NOTE: This revised decision analyzes additional information and grants SPS’s revised request for departure, consistent with the Examiner’s Findings and Decision (Seattle Hearing Examiner Files: SDD-23-003/SD-23-004/SDD-23-006/SDD-23-008).¹ SDCI used the School Departure Decision for project number 3039297-SD dated May 8, 2023 as the “base” document and subsequently added or deleted additional information and analysis. New information is shown in bold, italic, and underlined font and deleted information is shown in strikethrough.

SUMMARY OF PROPOSED ACTION

School Departure for Alki Elementary School.

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 D)
2. To allow less than required vehicular parking. (SMC 23.54.015)
3. To allow bus load and unload off site (SMC 23.51B.002 I4)
4. To allow a curb cut to a service area without parking (SMC 23.54.030F2b3)
5. ~~To allow larger curb cut width (SMC 23.54.030F2b3)²~~
6. To allow larger curb cut flare (SMC 23.54.030F2b3)
7. To allow less than required long-term bicycle parking. (SMC 23.54.015 Table D)
8. To allow less than required weather protected bicycle parking. (SMC 23.54.015 K2)
9. To allow a changing image electronic sign. (SMC 23.55.020B)

¹ **The scope of this revised decision is based on the City’s Hearing Examiner request for additional information pertaining to public school departure #2 on August 10, 2023. See In the Matter of the Appeal of Jacqueline Szikszoy; Shauna Causey; Maryanne Wood; and, Kathleen Oss, Hearing Examiner Files: SDD-23-003; SDD-23-004; SDD-23-006; SDD-23-008, Findings And Decision Of The Hearing Examiner For The City Of Seattle, dated August 10, 2023 (Examiner’s Decision), which can be found here: [Case Details for SDD-23-003 \(seattle.gov\)](https://seattle.gov).**

² **Seattle Public Schools withdrew this departure request at the hearing of the Decision. See Finding of Fact No. 1 at pg. 1 of the Decision.**

BACKGROUND

APPEAL AND HEARING EXAMINER DECISION

The SDCI Analysis and Decision of the Director for this School Departure decision was initially published on May 8, 2023, and was subsequently appealed to the Seattle Hearing Examiner by multiple appellants. The Examiner consolidated the appeals and a hearing was held on July 25, 2023. The appellants supported school reconstruction but raised concerns on specific impacts focused on the removal of existing on-site parking, the site's size, existing street grid, and proximity to Alki Beach.

The Hearing Examiner's Decision (SDD-23-003, 004, 006, and 008, August 10, 2023) affirmed the Director's decision on all departures except for Departure No. 2 related to the reduction of on-site parking, and instead granted the appeal and returned the decision to SDCI for additional work consistent with the Examiner's decision.³

In response to the Examiner's Decision, SDCI issued a correction notice to Seattle Public Schools on August 31, 2023. Requesting: "The Hearing Examiner Finding's and Decision report dated August 10, 2023, granted the appellants' appeal regarding Departure 2 (parking) and upheld the remaining requested departures in the Department's decision. Please revise the project proposal to include the required parking or provide additional information to supplement a revised decision. SDCI will send an additional correction letter if more information is required from your applicant team." SPS subsequently submitted both a written response (Dec. 8, 2023, letter from Malum to SDCI) and a technical memorandum with an updated parking analysis (December 7, 2023, report from Heffron Transportation Inc.). SPS also submitted a revised site plan showing 15 parking stalls with one ADA-compliant parking stall (total 15 parking stalls). SPS now seeks a reduced parking departure of 33 parking stalls, 15 less stalls than its original departure request of 48 stalls. SDCI reviewed these submittals from SPS as well as additional public comment submitted by citizens.



SITE AND VICINITY

Site Zone: Lowrise 1 (M) (LR1(M))

Zoning Pattern: North: Neighborhood Residential 3 (NR3)

South: (LR1(M))

East: NR3

West: (LR1(M))

³ The Hearing Examiner Decision and associated records can be found here: [Case Details for SDD-23-003 \(seattle.gov\)](https://seattle.gov)

Schmitz Boulevard and Alki Playground and Whale Tail Park are to the north. Alki Beach is two blocks to the north. There is one right of way which borders the school, 59th Avenue SW.

ECAs: Steep slope Environmentally Critical Areas (ECA) are mapped along the south and east property edges and liquefaction prone area covers most of the site.

PROPOSAL INFORMATION

Seattle Public Schools (SPS) proposes to partially demolish Alki Elementary School and construct a new school. Connections to the community center will be preserved. 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 SEPA agency. A Mitigated Determination of Non-Significance (MDNS) was issued by Seattle Public Schools. An appeal was registered. The MDNS was recommended to be affirmed by the SPS Hearing Examiner and accepted by the SPS SEPA official on March 15, 2023. The SEPA review does not affect the Public School Departure Process SMC 23.79, the subject of this decision. SEPA documents can be found on the Seattle Public Schools website.

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.

PUBLIC SCHOOL DEVELOPMENT STANDARD DEPARTURE

The Seattle School District submitted a request for departures from certain Seattle Municipal Code Development Standards for the proposed 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 Recommendation 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

LAND USE CODE PROCESS

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 by DON, 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 DON, 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. Departures shall be evaluated for consistency with the general objectives and intent of the City's Land Use Code, including the rezone evaluation criteria in [Chapter 23.34](#) of the Seattle Municipal Code, to ensure that the proposed facility is compatible with the character and use of its surroundings. The code then distills the objectives and intent of the code into specific criteria to consider when assessing departures as follows:

- 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 REQUESTS AND DON DIRECTOR RECOMMENDATION

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

The city initiated the Development Standard Departure Process, pursuant to SMC 23.45.504 and 23.79. The Code requires that the Department of Neighborhoods (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)

As noted above, 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 will accept written public comment and the Director of DON will make 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.

In order to accommodate the educational program for this project, the district requested the following departures from development standards found in the land use code. The departure requests are further outlined in the applicant presentation found in the electronic public file under the project number.

	Development Standard	Required / Allowed	Proposed	Departure
1	SMC 23.51B.002.D Building Height	35 feet	57 feet	22 feet

2	SMC 23.54.015 Table C Vehicle Parking	48 parking spaces	0 parking spaces	48 parking spaces
3	SMC 23.51B.002.I Bus and Truck Loading and Unloading	Bus load and unload on site	Off site	Bus load and unload off site
4	SMC 23.54.030.F Curb Cut to Service Area without Vehicular Parking Spaces	Curb cuts are allowed to access off-street vehicular parking.	To allow access without vehicular parking	To allow access without vehicular parking
5	SMC 23.54.030.F.2.b Curb Cut Width	25 feet	35 feet	10 feet
6	SMC 23.54.030.F5 Curb Cut Flare Width	2.5 on each side	5 feet each side	2.5 each side
7	SMC 23.54.015 Table D Bicycle Parking (Long Term) Quantity	78 bicycle parking spaces	40 bicycle parking spaces	38 bicycle parking spaces
8	SMC 23.54.015.K.2 Bicycle Parking Performance Standards	Full weather protection is required for longterm bicycle parking spaces	To allow 22 of the 40 long-term bicycle parking spaces with weather protection	18 long-term bicycle parking spaces without weather protection
9	SMC 23.55.020B Signage	No flashing, changing-image message board signs in multifamily zones.	To allow (1) singlefaced, electric, changing-image message board sign	To allow (1) singlefaced, electric, changing-image message board sign

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

The code allows a maximum building height of 35' above existing average grade. SPS proposes a maximum building height of 57' above existing average grade for classrooms, mechanical penthouses and building parapet for a departure of 22'.

Departure #2 for Parking Quantity (Automobile) SMC 23.54.015 Table C

Vehicle parking numbers are calculated by public assembly areas in schools. The code requires 48 automobile parking spaces. SPS proposes no automobile parking spaces for a departure of 48 spaces.

Departure #3 School Bus Load and Unload B SMC 23.51B.002 I4

The code requires bus load and unload be on school property. SPS proposes to maintain the existing operation of bus load and unload on 59th Avenue SW.

Departure #4 for a curb cut to a service area without vehicular parking SMC 23.54.030F2b3

The code requires a curb cut lead to vehicular parking. SPS proposes a curb cut that leads to a service area with no vehicular parking.

Departure #5 for curb cut width SMC 23.54.030 F2b

The code allows a 25 foot wide curb cut. The departure request is to allow a 35 foot curb cut for a departure of 10 feet.

Departure #6 for curb cut flare SMC 23.54.030 F2b3

The code allows a 2.5 foot curb flare on each side of the curb cut. SPS proposes a 5 foot curb flare on each side for a departure of 2.5 on each side.

Departure #7 for bicycle parking (long term) quantity SMC 23.54.015 Table D

The code requires 78 long term bicycle parking spaces. SPS proposed 40 long term spaces for a departure of 38 spaces.

Departure #8 for bicycle parking performance standards SMC 23.54.015K2

The code requires weather protection for bicycle parking spaces. SPS proposes to provide weather protection for 22 spaces for a departure of 18 spaces.

Departure # 9 for an Electric Changing Image Message Board Sign SMC 23.55.020 B

The code does not allow changing image signs in residential zones. The departure request is to allow a changing image reader board.

DON Review and Recommendations

Public Comment

The public comment period began via a press release issued by DON on August 8, 2022. The press release was sent to media outlets, and postcards soliciting for public comments were mailed to nearby neighbors and addresses within approximately 600 feet of the school property. DON also created a webpage where the public could submit their comments and instructed SPS to post signs about the public comment period at the perimeter of the school property. The departure information and public comment notice was also published in the City's Land Use Information Bulletin Board (LUIB) at DON request. The public comment period (managed by DON) ran through September 9, 2022. The comments are included at the end of the DON recommendation posted on the DON website and this project record.

DON heard from several nearby neighbors that they did not receive the postcards and other neighbors noted the link to the presentation provided on the postcard was not accurate. DON extended the public comment period for two more weeks and updated postcards were mailed to nearby neighbors and addresses on file within approximately 600 feet of the school property.

The public comments submitted to DON expressed a range of support and concern regarding the departure requests. This includes comments received by DON that expressed opposition to all departures without further explanation. DON also received several comments that were outside the scope of the departure process and unrelated to the requested deviations from the Land Use Code.

Support included positive feedback on the need for new construction and renovation, new entry location and a favorable comment that the departures seem reasonable.

Concerns include busy student drop off and pick up on 59th Avenue SW, lack of onsite parking, size of the school, building height, view blockage, noise, bus load and unload, bicycle parking reduced numbers, light pollution from the electronic reader board, construction impacts, reduced bicycle weather protection.

In response to the concerns raised in the received comments, SPS and the Project Team provided a response letter to DON to clarify the potential impacts of the proposed departures on the surrounding neighborhood for DON to review.

DON Recommendation Summary:

Departure #1	Building Height	Granted
Departure #2	Vehicular Parking Quantity	Granted with conditions
Departure #3	Bus loading and unloading	Granted with conditions
Departure #4	Curb cut to service area without vehicular parking	Granted
Departure #5	Increased curb cut width	Granted
Departure #6	Increased curb cut flare	Granted
Departure #7	Bicycle parking long-term quantity	Granted
Departure #8	Bicycle Parking Performance Standards	Granted
Departure #9	Signage/Changing Image Sign	Granted with conditions

Per SMC 23.79.008.C.1.b, the DON Director has considered the need for the above departure requests. DON has determined that for the Seattle Public Schools to meet its educational specifications, the above departures are required at this site. The physical requirements of the specific proposal and the project's relationship to educational needs are balanced with the level of impacts on the surrounding area.

SDCI DIRECTOR'S ANALYSIS

The Director's decision shall be based on an evaluation of the factors set forth in Section 23.79.008 C1a and b, the majority recommendations and minority reports of the Advisory Committee, comments at the public meeting, (DON, emergency legislation) and comments from the public. Departures shall be evaluated for consistency with the general objectives and intent of the City's Land Use Code, including the rezone evaluation criteria in [Chapter 23.34](#) of the Seattle Municipal Code, to ensure that the proposed facility is compatible with the character and use of its surroundings. The code then distills the objectives and intent of the code into specific criteria to consider when assessing departures as follows:

Section 23.79.008 C1

- 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.*

SDCI's responses to the aforementioned criteria are detailed below.

Departure #1 – To allow greater than allowed building height SMC 23.51B.002.D The code allows a maximum building height of 35' above existing average grade. SPS proposes a maximum building height of 57' above existing average grade for classrooms, mechanical penthouses and building parapet for a departure of 22'. The applicant request for a height departure of 22 additional feet encompasses the third floor of the building, parapet and screened and covered mechanical equipment. Some noted possible view blockage due to the extra height. Some public comments noted that the building should be no taller than two-stories and questioned the necessity for extra height.

SPS and the project team noted in their presentation and in their response letter to the public comments that the proposed design calls for this departure to meet SPS' educational program specifications. Per SPS, the new school facility for the Alki Elementary School community accommodates potential growth, provides flexibility for changing program needs and demographics, and provides students with a safe and positive learning environment.

To address the views, shadowing, and noise, the project team noted that they had progressed in the design since the departure's presentation including updating the roof plan and rotating the mechanical penthouse away from the adjacent neighbors to the south. The project team noted that the building's interior lighting will be tied to occupancy sensors as required by the Seattle Energy Code; thus, lights will not be inadvertently left on to disturb neighboring residences after hours. Also, the completed shadowing study indicated shadowing from the building will fall primarily on the playfield and will not impact the residences to the south. In addition, the mechanical penthouse will be enclosed to increase longevity and reduce mechanical noise.

After consideration, the DON recommended approval of the departure.

The increased height accommodates important classroom uses, building parapet and necessary mechanical equipment to service the building. The departure is appropriate in relation to the programmatic requirements of an elementary school and the character and scale of the surrounding area and appropriately located on the site. The over height areas will increase the appearance of bulk at the site but is commensurate with the overall scale of the school.

The Director finds that the height departure will not exacerbate existing traffic, noise, circulation, or significant impacts on housing or open space in the area. Considering the criteria, the recommendations from the Department of Neighborhoods, and public comments, the Director grants the departure request.

Departure #2 for Parking Quantity (Automobile) SMC 23.54.015 Table C

Vehicle parking numbers are calculated by public assembly areas in schools. The code requires 48 automobile parking spaces. SPS proposes no automobile parking spaces for a departure of 48 spaces.

DON received comments opposing the requested departure. Several individuals commented that because the project's intention is to significantly increase the school's student capacity, this will result in negatively impacting traffic, pedestrian safety, circulation, and parking in the area. Neighbors suggested that SPS should take action to encourage the number of students and staff to walk, bike, and take public transportation to reduce the use of private vehicles.

Due to the limited area of this site, providing on-site vehicular parking would result in sacrificing educational program and outdoor learning opportunities.

The Heffron Transportation Technical Report (Heffron, 2022) indicates that on-street parking space utilization is below levels considered full capacity and that there is sufficient available onstreet parking to accommodate daily parking for the school schedule. However, the study found that when an event draws about 400 attendees the on-street parking demand would exceed 85%, a figure used by the City of Seattle to indicate full parking use.

SPS incorporated the following measures to reduce traffic and parking impacts and noted them in their SEPA checklist with full descriptions:

- a Construction Transportation Management plan [Construction Management Plan],
- a Large Event Plan,
- a Neighborhood Communication Plan, and
- updates to street signage in the area.

The Department of Neighborhoods recommended the following additional conditions not included in the SPS SEPA checklist:

- a Transportation Management Plan [School Transportation Management Plan], and
- to work with the Seattle School Safety Committee (a Seattle Department of Transportation (SDOT) committee).

In evaluating this departure request, the Director has reviewed the district required school program, the DON recommendation, public comment, the proposed site plan, and location of the

programmatic elements such as circulation, shared learning areas, outdoor play area and classroom spaces.

The parking departure will not significantly exacerbate existing traffic, noise, circulation, or impact housing in the area. There may be additional drop off and pick up, but not to a significant level of new impacts. Open space at the site will not be impacted by the lack of parking.

Measures were proposed by SPS to help reduce impacts of the parking reduction including, a School Transportation Management Plan to aid communication between the school and parents regarding good practices for student drop off and pick up, Communication Plan, Large Event Plan, Signage, working with the SDOT School Safety Committee, and a Construction Management Plan (CMP). The CMP will be prepared using the SDOT template and reviewed by SDOT experts for adequacy during the building permit, SEPA phase and thus is not a condition of this project. The proposed measures are effective measures to help manage traffic and safety and communication around the school building.

The Director finds that the departure is appropriate in relation to the character and scale of the area. There is a presence of edges, a right of way, a park and a topographic break which provides a transition in bulk and scale and the departure does not exacerbate or diminish the area character. The departure will not significantly exacerbate traffic, noise, circulation, parking or impact housing or open space in the area. Therefore, the Director grants the departure request with the following conditions:

- 1) School Transportation Management Plan (STMP): Prior to the school reopening each year, the District and school Principal should establish a STMP to educate families about the access load/unload procedures for the site layout. The STMP should also encourage school bus ridership, carpooling, and supervised walking (such as walking school buses). The plan should require the school to distribute information to families about drop-off and pick-up procedures, as well as travel routes for approaching and leaving the school. It should also instruct staff and parents not to block or partially block any residential driveways with parked or stopped vehicles.
- 2) Engage the Seattle School Safety Committee: The District should continue the ongoing engagement with the Seattle School Safety Committee (led by SDOT) to review the new access for pedestrian and bicycles and determine if any changes should be made to crosswalks, traffic control, crossing guard locations, or to help encourage pedestrian and non-motorized flows at designated crosswalk locations.
- 3) Develop a Neighborhood Communication Plan for School Events: The District and school administration should develop a neighborhood communication plan to inform nearby neighbors of large 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 large-attendance events. 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) Update right-of-way and curb-side signage: The District should work with SDOT to confirm the locations, restrictions, and durations for curb-side parking and load/unload zones adjacent to the school.
- 5) Create a Large Event Plan for events expected to attract 400 or more attendees and modifies the event to reduce total peak demand by separating it into two sessions or into two nights as occurs at other Seattle elementary schools.

The Hearing Examiner Decision (August 10, 2023) returned the parking departure decision to SDCI for additional consideration of Departure No. 2 and associated parking impacts. In response to the Hearing Examiner's Decision and SDCI direction, SPS submitted additional information to SDCI for consideration including a transportation analysis ("Technical Memorandum," Heffron Transportation, Inc., December 7, 2023) and supplemental analysis with a revised site plan ("Parking Departure Correction Response," Mahlum, December 8, 2023). Additionally, the proposed design was modified to include 15 on-site vehicular parking spaces, thereby modifying the departure request from the previous request of 48 spaces to 33 spaces (48 spaces are required).

As detailed in the SPS document submitted to SDCI ("Parking Departure Correction Response," Mahlum, December 8, 2023), SPS explains that denial of the departure request would likely require an increase in building height, or a reduction to the building footprint and outdoor open space, both of which are identified as critical elements of the school and necessary to accomplish the educational goals of SPS.

Per SPS, granting the departure to provide 15 vehicular parking spaces on site allows for a project with building footprint that is similar in size to the existing school, and can accommodate the needed space for educational uses such as the administrative suite, health clinic, preschool classrooms, kindergarten classrooms, dining commons and kitchen, and custodial and receiving area. Locating these uses on the first floor is a critical component of the educational program, safety of the students, security of the site, and operation of the building program. Details of these uses, functions, and program are described in more detail in the memorandum from the applicant ("Parking Departure Correction Response," Mahlum, December 8, 2023). SPS notes that no matter the student capacity, the educational program informs the first floor footprint and cannot be reduced to provide the code-required parking while also meeting the educational needs of the school.

In lieu of surface parking and in response to the Hearing Examiner's decision, SPS analyzed the inclusion of a parking structure on site to accommodate 48 parking stalls. It was found the operational and security aspects of such a proposal would be inconsistent with educational needs and the proper functioning of the program thereby making a parking structure infeasible. SPS explained that a parking structure would introduce unwanted safety and security considerations, require an increase in the height of the building, require significant dewatering due to the existing water table, require a reduction of the first floor program to accommodate the vehicular entry, and is cost prohibitive. Given the physical requirements of a parking structure and the project's relationship to educational needs balanced with level of impact on the surrounding area by increasing building height, a parking garage is not feasible.

A reduction of open space would also likely be required without the granting of the departure, in particular a garden and open space located in the southeast portion of the lot which will provide preschoolers and elementary students with outdoor learning area that is adjacent to their first floor classrooms. SPS explains that this interior-exterior relationship is necessary for the proper functioning of the school and educational program. Additionally, the mapped environmentally critical area, steep slope erosion hazard area, restricts further development of the southeast portion of the site.

In addition to educational needs and open space being impacted, there is the potential that denial of the departure request could have adverse housing impacts, as creation of additional parking could result in the acquisition and demolition of housing near the site. SPS analyzed land acquisition and demolition of housing on property abutting to the south to accommodate vehicular parking. This abutting parcel is developed with a 16-unit apartment building. It is estimated this parcel may be able to accommodate up to 30 parking stalls; however, this would require a land use permit (variance or exception) to develop within the environmentally critical area. This approach would displace 16 residential units, require reduction of and/or intrusion into an environmentally critical area, and would not provide the 48 required vehicular parking stalls.

Parking impacts were also analyzed. SPS provided an updated parking analysis (“Technical Memorandum,” Heffron Transportation, Inc., December 7, 2023) comprised of new data and analysis of existing on-street parking supply, existing on-street parking occupancy, future parking supply and demand, school day parking conditions, evening event parking and supplements the original transportation analysis (Heffron, 2022).

Existing on-street parking occupancy (utilization) on school weekdays was found to be 53-70% (Heffron, 2023). These findings are similar to the findings from the initial study (Heffron, November 2022) with a slight increase in occupancy due to a slight decrease in supply due to the temporary on-street construction parking areas on 59th Avenue SW. On-street parking occupancy is considered full capacity when above 85%.

Parking demand for elementary schools is primarily influenced by staffing levels and family-volunteer activity. SPS estimates the proposed project could see an increase of 27 to 37 staff, for a total of 65 to 75 employees. The updated transportation analysis (Heffron, 2023) concluded the project is expected to generate a total peak school-day parking demand of 57 to 66 vehicles (for a net increase of 24 to 34 vehicles over existing demand), which would occur mid-morning and mid-afternoon. This demand estimate was developed on the rate derived specifically for Alki Elementary School from counts performed at the interim Schmitz Park School location and is consistent with professional practice and consistent with real world experience. SPS now proposes 15 vehicular parking spaces on-site; therefore, the overflow parking demand (42-51 vehicles) could be expected to be accommodated on-street and would increase the on-street parking utilization rate to 63-65% during school-day mid-morning and mid-afternoon. This is a net increase of 28 to 38 overflow vehicles compared to the previous conditions at Alki Elementary School.

The parking impacts will not be significantly exacerbated with the parking departure.

Most parents who drop kids off at school will not stay and the conditions for a school transportation management plan, communication plan, coordination with the Seattle School Safety Committee will help address the operation of the school program including traffic and circulation.

Large events typically occur during winter and spring and are expected to increase on-street parking utilization to 65-86%. Curriculum Night is described as the largest school event, drawing approximately 300 people and typically occurring in September or October, a time when seasonal use of Alki Beach is generally higher. To mitigate potential impacts, the SPS MDNS (noted on page 3 of this report) and the transportation memorandum (Heffron, December 2023) conditioned the project to separating large events, such as Curriculum Night, into two nights (as occurs at some other Seattle elementary schools). Additional on-street parking capacity is available in evenings in the bus load and unload areas and vehicle pick-up and drop-off areas on the east side of 59th Ave SW along the site's frontage and north to Alki Avenue SW.

Public comments in response to the SPS information were received by the Director who carefully reviewed and considered all comments. Comments ranged from support of the project to recommendations of denial, and expressed concerns with elements such as, but not limited to traffic, circulation, parking, and daily operations of the school. Several comments highlighted the proposed increase in school capacity, finding it would negatively impact traffic, circulation, parking, and pedestrian safety in the area. Many recommended a smaller school with fewer students and staff, and more on-site vehicular parking. Concerns with the daily operations of student drop-off and pick-up were also expressed. A number of the comments expressed were similar concerns as those initially received, reviewed, considered, and attached to the DON Report (February 2023)

The proposed departure request will result in no significant loss of vehicular parking on site and will establish an increase in parking for the record. First, the prior Alki Elementary had a surface service area that was informally used by staff for vehicular parking and was estimated to accommodate approximately 19-20 vehicles. The hard surface play area north of the building (and off-site) is City of Seattle property and is signed for "Community Center Parking Only" but was used for school-event parking and was estimated to accommodate approximately 27 vehicles. In addition, there was a right-of-way that was used for informal parking at the northeast corner of the site, where Parks has a community center. This city property will continue to exist. Further, Parks has two parking spots for the community center that continue to exist (one 15-minute load space and one accessible permit space). To the east of these spaces are six spaces signed for "Alki Community Center Permitted Staff Parking Only." SPS's revised site plan for Alki Elementary now includes 15 medium sized vehicular parking stalls with an ADA accessible space located in the southwest portion of the Alki Elementary site. The addition of these 15 parking spaces required redesign or elimination of project elements previously included in the design such as the staging area for delivery trucks and garbage pickup, location of the transformer, building storage space, bicycle storage area, and pedestrian path.

Student pick-up and drop-off on street frontages is proposed to be retained and would not be addressed by on-site parking spaces. The adjacent right-of-way will be improved, including

additional paved area for school bus loading and unloading. Existing measures to mitigate traffic and circulation impacts in the area, such as school-zone speed limits and crossing guards, are expected to continue. The management and operation of pick-up and drop-off, loading, and circulation shall be addressed via the conditions listed below, including, but not limited to creation of a school transportation management plan, communication plan, and continued coordination with the Seattle School Traffic Safety Committee (SSTSC). A number of public comments recommended the school transportation management plan be developed early in the review process with opportunity for community input. The purpose of the SSTSC is work with SPS, King County, the Seattle Department of Transportation (SDOT), the Seattle Police Department, and school communities to improve safe routes to schools. The SSTSC reviewed the project at their April 14, 2022 public meeting. Meetings are open to the public and generally held the third Friday of every month: <https://www.seattle.gov/school-traffic-safety-committee/meetings>. The conditions listed at the end of this report, including the continued coordination with the SSTSC are anticipated to address potential impacts from the operation of the school.

As noted above, the analysis that SDCI must conduct is set forth at the top of page 9 and contained in SMC 23.79.008.C.1. Departures shall be evaluated for consistency with the general objectives and intent of the City's Land Use Code, including the rezone evaluation criteria in Chapter 23.34 of the Seattle Municipal Code, to ensure that the proposed facility is compatible with the character and use of its surroundings. The code then distills the objectives and intent of the code into specific criteria to consider when assessing departures set forth at SMC 23.79.008.C.1a and b. SDCI has conducted that balancing and concluded that a parking departure of 33 parking spaces is appropriate here.

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 surrounds area. Greater departures may be allowed for special facilities which are unique and/or integral and a necessary part of the educational process; where, a lesser or no departure may be granted for a facility which can be accommodated within the established development standards. In response to the Hearing Examiner decision, SPS explored a number of site redesign considerations including on-site parking, a parking structure, and housing condemnation, and again studied parking impacts based on additional information provided by applicant. As a result of this exploration and study, SPS now proposes an on-site surface parking lot to accommodate 15 vehicles including an accessible (ADA) space and finds that the anticipated parking demand can be accommodated on site with spillover parking on the street within 800-feet of the site.

In evaluating the initial parking departure request, the Director reviewed the district required school program, the DON recommendations, public comment, the proposed site plan, and location of the programmatic elements such as circulation, shared learning areas, outdoor play area, and classroom spaces, and all technical information and analysis. The Director approved the initial parking departure request (for zero on-site vehicular parking stalls) with the conditions listed at the end of this report (May 2023). The Hearing Examiner Decision (August 2023) returned the parking departure request back to the Director for additional study of parking impacts. Upon further review of the proposal, including the additional parking analyses, revised site plan (to include 15 on-site vehicular parking spaces), and all public

comment, the Director finds that the departure is appropriate in relation to the character and scale of the area; there is a presence of edges, a right of way, a park and a topographic break which provides a transition in bulk and scale and the departure does not exacerbate or diminish the area character; and the departure will not significantly exacerbate traffic, noise, circulation, parking or impact housing or open space in the area.

The Director finds that the educational need for this departure is met and that the impacts of the proposal could be adequately mitigated by the conditions recommended by DON and the Director. Therefore, the Director grants the departure request subject to the same conditions identified in the prior School Departure decision report (May 2023) and as listed at the end of this report.

Departure # 3 School Bus Load and Unload B SMC 23.51B.002 I4

The code requires bus load and unload be on school property. SPS proposes to maintain the existing operation of bus load and unload on 59th Avenue SW.

DON received comments opposing and expressing concerns about the requested departure. These included comments that the district's request is illogical since the existing number of buses have the capacity for the anticipated growth given that the attendance area is proposed to remain unchanged. Other comments suggest that buses should be provided with an off-street loading and unloading location that would improve vehicular traffic and be safer for students.

SPS and the Project Team noted in their presentation and in their response to public comments that the current school bus loading and unloading occurs on-street in front of the mid-block entrance along 59th Ave SW. The area is currently designated as a bus loading zone.

The proposed design maintains the existing bus loading zone along 59th Ave SW, with replacement of the curb, sidewalk, and street trees and the relocation of the speed hump to accommodate the accessible loading zone and a more efficient, safer bus staging arrangement. No change to the number of school buses that have historically served the site is anticipated with the proposed project. The existing on-street school bus load/unload is adequately sized for the demand. Due to the limited area of the site, providing on-site bus loading would either require the removal of educational programming and outdoor learning space or would require the site to expand into the surrounding residential neighborhood.

After consideration of the public comments received and SPS' response, DON recommended three conditions similar to departure #2; A School Transportation Management Plan, Engage the Seattle Safety School Committee, and update right of way signage.

In evaluating this departure request, the Director has reviewed the district required school program, the DON recommendation, public comment, the proposed site plan, and location of the programmatic elements. The departure is appropriate in relation to the character and scale of the area. There is a presence of edges, a right of way, a park and a topographic break which provides a transition in scale and the departure does not exacerbate or diminish the area character.

The school bus load and unload departure will not significantly exacerbate traffic, noise, circulation, parking or impact housing or open space in the area. Therefore, the Director grants the departure request with no conditions since the conditions are imposed with departure request #2.

Departure #4 for a curb cut to a service area without vehicular parking SMC 23.54.030F2b3

The code requires a curb cut lead to vehicular parking. SPS proposes a curb cut that leads to a service area with no vehicular parking.

DON received a few comments expressing concern about the requested departure. Some of the comments expressed support for either granting or denying the departure without further explanation while other comments noted that wider vehicular driveways conflict with pedestrian safety.

SPS and the project team noted in their presentation and their response to public comments that the proposal does not pose a risk to pedestrians because it would only be accessed by professional drivers for either waste collection or deliveries during non-active hours.

In evaluating this departure request, the Director has reviewed the district required school program, the DON recommendation, public comment, the proposed site plan, and location of the programmatic elements. The departure is appropriate in relation to the character and scale of the area. There is a presence of edges, a right of way, a park and a topographic break which provides a transition in scale and the departure does not exacerbate or diminish the area character.

The departure will not significantly exacerbate traffic, noise, circulation, parking or impact housing or open space in the area. Therefore, the Director grants the departure request with no conditions.

~~**Departure # 5 for curb cut width SMC 23.54.030 F2b⁴**~~

~~The code allows a 25 foot wide curb cut. The departure request is to allow a 35 foot curb cut for a departure of 10 feet.~~

~~DON received very few comments on the curb cut departure. Some of the comments received expressed neutrality about the departure while others supported denying the departure due to pedestrian safety concerns. Others commented that a possible mitigation should include a secure gate set back from the sidewalk to allow for gate swing and transparency into the walkway from the sidewalk and the building. Pedestrian scale lighting during hours of darkness when the preschool area is in use was also suggested.~~

~~In evaluating this departure request, the Director has reviewed the district required school program, the DON recommendation, public comment, the proposed site plan, and location of the programmatic elements. The departure is appropriate in relation to the character and scale of the area. There is a presence of edges, a right of way, a park and a topographic break which provides a transition in scale and the departure does not exacerbate or diminish the area character.~~

~~The departure will not significantly exacerbate traffic, noise, circulation, parking or impact housing or open space in the area. Therefore, the Director grants the departure request with no conditions.~~

⁴ *Withdrawn at hearing. Hearing Examiner Findings and Decision, SDD-23-003/SDD-23-004/SDD-23-006/SDD-23-008, Finding of Fact No. 1.*

Departure #5 for curb cut width was withdrawn at the appeal hearing and is noted in the Hearing Examiner decision. The project has been revised to include a code compliant curb cut width and no departure is needed.

Departure #6 for curb cut flare SMC 23.54.030 F2b3

The code allows a 2.5 foot curb flare on each side of the curb cut. SPS proposes a 5 foot curb flare on each side for a departure of 2.5 on each side.

DON received very few comments on this departure. Some of the comments received expressed support for denying this departure request due to pedestrian safety concerns like those noted under Departure #5. The large flare is proposed to help the trucks entering the service area enter and exit without impacting the curb and planting strip.

In evaluating this departure request, the Director has reviewed the district required school program, the DON recommendation, public comment, the proposed site plan, and location of the programmatic elements. The departure is appropriate in relation to the character and scale of the area. There is a presence of edges, a right of way, a park and a topographic break which provides a transition in scale and the departure does not exacerbate or diminish the area character.

The departure will not significantly exacerbate traffic, noise, circulation, parking or impact housing or open space in the area. Therefore, the Director grants the departure request with no conditions.

Departure # 7 for bicycle parking (long term) quantity (SMC 23.54.015 Table D)

The code requires 78 long-term bicycle parking spaces. SPS proposed 40 long-term spaces for a departure of 38 spaces.

DON received several comments that expressed concern regarding the requested departure for long-term bicycle parking quantity. One comment noted that a departure from bicycle parking requirements works against the need to minimize vehicle trips to the school and on-site car parking by making the alternative of biking less convenient and secure. Others commented that SPS and the project team should propose effective measures to increase the number of students and staff walking, biking, and taking buses to reduce the use of private vehicles.

SPS and the Project Team noted in their presentation and their response to public comments that the proposed design provides 40 long-term bicycle spaces whereas the current site does not provide any bike parking that meets the standards for long-term bike parking. SPS is in conversation with Seattle Parks & Recreation to provide additional bicycle parking stalls for joint use on the parks property north of the new main entry. The partnership intent is to increase the number of bicycle parking stalls at and around the school.

In evaluating this departure request, the Director has reviewed the district required school program, the DON recommendation, public comment, the proposed site plan, and location of the programmatic elements. The departure is appropriate in relation to the character and scale of the area. There is a presence of edges, a right of way, a park and a topographic break which provides a transition in scale and the departure does not exacerbate or diminish the area character.

The departure will not significantly exacerbate traffic, noise, circulation, parking or impact housing or open space in the area. Therefore, the Director grants the departure request with no conditions.

Departure #8 for bicycle parking performance standards SMC 23.54.015K2

The code requires weather protection for bicycle parking spaces. SPS proposes to provide weather protection for 18 spaces for a departure of 22 spaces.

DON received very few comments about this departure. The comments received expressed support for covered bike sheds as an acceptable alternative to locked bike rooms or roofed cages provided the sheds are in a secure location and observable from offices or classrooms that are normally occupied during school hours.

Weather protection is provided for a portion of the bicycle parking spaces which will help encourage bicycle usage.

In evaluating the departure request, the Director has reviewed the district required school program, the DON recommendation, public comment, the proposed site plan, and location of the programmatic elements. The departure is appropriate in relation to the character and scale of the area. There is a presence of edges, a right of way, a park and a topographic break which provides a transition in scale and the departure does not exacerbate or diminish the area character.

The departure will not significantly exacerbate traffic, noise, circulation, parking or impact housing or open space in the area. Therefore, the Director grants the departure request with no conditions.

Departure # 9 for an Electric Changing Image Message Board Sign SMC 23.55.020 B

The code does not allow changing image signs in residential zones. The departure request is to allow a changing image reader board.

DON received several comments that expressed concern about or opposition to the departure to allow an electric changing-image sign. These comments stated the sign would be unnecessary and/or intrusive, and out of character with the residential neighborhood.

SPS and the design team noted the use of the proposed message board sign is to alert families and community to events taking place at the school. Messages could be displayed in multiple languages, which a fixed message cannot accomplish. This is also an equitable way to communicate since access to technology is not universal.

The proposed location of the sign faces north towards the park, therefore there are no direct lines of sight between it and the surrounding residences. Street trees along 59th Avenue SW are between the sign and the LR1, multifamily zone residences.

In evaluating the departure request, the Director has reviewed the district required school program, the DON recommendation, public comment, the proposed site plan, and location of the programmatic elements. The departure is appropriate in relation to the character and scale of the area. There is a presence of edges, a right of way, a park and a topographic break which provides a transition in scale. A lit message board can appear to be intrusive in a residential area therefore the Director will condition the departure request as noted below.

The departure will not significantly exacerbate traffic, noise, circulation, parking or impact housing or open space in the area. The Director grants the departure request with the following conditions:

1. Limited to one single-faced sign.
2. Time of use is restricted to 7:00 a.m. - 9:00 p.m. weekdays and weekends.
3. The sign is limited to being lit using one color with a dark background.
4. No video, flashing, scrolling, rolling, tumbling, or moving images are allowed. The message may change, however.

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 Department of Neighborhoods considered the overall need for the 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 school programs. 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 and sport space.

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-PUBLIC SCHOOL DEVELOPMENT STANDARD DEPARTURES

The school development standard departure requests two and nine are **GRANTED with conditions**. The remaining departure requests are **GRANTED**.

CONDITIONS –PUBLIC SCHOOL DEVELOPMENT STANDARD DEPARTURES

For the life of the project

- 1) **School Transportation Management Plan (STMP):** Prior to the school reopening each year, SPS and the principal of Alki Elementary will establish a School Transportation Management Plan (STMP) to educate families about access load/unload procedures for the site and distribute information to families about travel routes for approaching and

leaving the school. Staff and parents should also be instructed not to block or partially block any residential driveways with parked or stopped vehicles.

- 2) **Engage Seattle School Safety Committee:** SPS will continue ongoing engagement with the Seattle School Traffic Safety Committee (led by SDOT) to review crossing paths with school buses or traffic control to help encourage pedestrian and non-motorized flows at designated crosswalk locations.
- 3) **Neighborhood Communication Plan for School Events:** SPS and Alki Elementary's administration will develop a neighborhood communication plan to inform nearby neighbors of large events each year. The plan will be updated annually (or as events are scheduled) and provide information about the dates, times, and magnitude of large attendance events. The communication would be intended to allow neighbors to plan for occasional increases in on-street parking demand that would occur with large events.
- 4) **Update right-of-way and curb-side signage:** SPS will work with SDOT to confirm locations, extents, and signage (such as times of restrictions) of the school bus and/or school load zones established or eliminated on adjacent streets.
- 5) **Large Event Plan:** For the one or two largest events each year expected to attract 400 or more attendees the school will develop a large event plan that modifies the event to reduce total peak parking demand by separating it into two sessions or into two nights based on grade levels as occurs at some other Seattle elementary schools.
- 6) **The electric changing image message board sign** will be operated as follows:
 - a) Limited to one single-faced sign.
 - b) Time of use is restricted to 7:00 a.m. - 9:00 p.m. weekdays and weekends.
 - c) The sign is limited to being lit using one color with a dark background.
 - d) No video, flashing, scrolling, rolling, tumbling, or moving images are allowed. The message may change, however.

Carly Guillory, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: February 22, 2024