



February 3, 2017

Greetings:

**Subject: Roosevelt Elementary School Mini Building
Case #16-9094**

The enclosed decision of the Olympia Hearing Examiner hereby issued on the above date may be of interest to you. This is a final decision of the City of Olympia.

In general, any appeal of a final land use decision must be filed in court within twenty-one (21) days. See Revised Code of Washington, Chapter 36.70C, for more information relating to timeliness of any appeal and filing, service and other legal requirements applicable to such appeal. In particular, see RCW 36.70C.040.

Please contact the City of Olympia, Community Planning and Development Department, at 601 4th Avenue East or at PO Box 1967, Olympia, WA 98507-1967, by phone at 360-753-8314, or by email cpdinfo@ci.olympia.wa.us if you have questions.

Sincerely,

Suki Bell-Sullivan
Office Specialist III
Community Planning and Development

Enclosure

BEFORE THE CITY OF OLYMPIA HEARINGS EXAMINER

IN RE:

HEARING NO. 16-9094

ROOSEVELT ELEMENTARY MINI-BUILDING,

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND DECISION

APPLICANT:

Olympia School District No. 111
1113 Legion Way S.E.
Olympia, Washington 98503

REPRESENTATIVES:

Garner Miller
MSGs Architecture
910 Lakeridge Way S.W.
Olympia, Washington 98502

Alan Tyler
Olympia School District
1113 Legion Way S.E.
Olympia, Washington 98503

SUMMARY OF REQUEST:

A Conditional Use Permit to construct a two-story, 17,000 square foot building adjacent to the existing Roosevelt Elementary School to help facilitate class size reduction. Site improvements include redesign of the adjacent playfields, revisions to the existing fire access lane and landscaping. No changes to existing vehicular access or parking are included.

LOCATION OF PROPOSAL:

1417 San Francisco Street N.E.

SUMMARY OF DECISION:

The permit application is **approved** subject to conditions.

BACKGROUND

This is the third of three applications by Olympia School District No. 111 (the others being In Re Hansen Elementary Mini-Building, Hearing No. 16-9041 and In Re Pioneer Elementary Mini-Building, Hearing No. 16-9046) to construct additions to Olympia's existing elementary schools. In addition to these three applications, the Olympia School District is also

*Findings of Fact, Conclusions of Law
and Decision - I*

CITY OF OLYMPIA HEARING EXAMINER
299 N.W. CENTER ST. / P.O. BOX 939
CHEHALIS, WASHINGTON 98532
Phone: 360-748-3386/Fax: 748-9533

1 seeking approval for additions to two other schools located outside of city limits. Those
2 applications will be separately addressed by those jurisdictions.

3 In this application the Olympia School District seeks a Conditional Use Permit to
4 construct a new two-story, 17,000 square foot building adjacent to the existing Roosevelt
5 Elementary School. The purpose of the requested building is again to allow a reduction in class
6 sizes and is not intended to increase the student population. The project will therefore have
7 almost no impact on traffic or parking, and the application does not propose any changes to
8 existing roadways or parking.

9 Roosevelt Elementary School is located at 1417 San Francisco Street N.E. The entire
10 block is dedicated to the elementary school. It is bordered on all sides by city streets and
11 residential neighborhoods.

12 The application proposes to construct a 17,000 square foot building on the east side of the
13 existing school and adjacent to Garrison Street N.E. Its purpose is to eliminate reliance on
14 portable classrooms and reduce class sizes. The project will require a rerouting of the existing
15 fire access, redesign of the existing ballfields in the southeast corner of the school property, and
16 revisions to existing landscaping.

17 Prior to the public hearing I undertook an independent site examination.

18 The public hearing commenced at 6:30 p.m. on Monday, January 30, 2017, in the
19 Planning Department Hearing Room in the City Hall. The City appeared through Nicole Floyd
20 of Planning Staff. The School District appeared through Garner Miller of MSGS Architecture
21 and Alan Tyler from the school district. Testimony was received from Ms. Floyd, Mr. Miller
22 and Mr. Tyler. A verbatim recording was made of the public hearing and all testimony was
23 taken under oath. Documents considered at the time of the hearing were the City Staff Report
24 (Exhibit 1) together with a compilation of emails and other correspondence submitted to the City
25 in advance of the hearing (Exhibit 2). There were no other exhibits presented during the hearing.

*Findings of Fact, Conclusions of Law
and Decision - 2*

CITY OF OLYMPIA HEARING EXAMINER
299 N.W. CENTER ST. / P.O. BOX 939
CHEHALIS, WASHINGTON 98532
Phone: 360-748-3386/Fax: 748-9533

1 Ms. Floyd testified briefly regarding the information contained in her Staff Report. She
2 confirmed that the parents of children attending the school have expressed some concerns about
3 the proposed design of the addition including the number and location of exits as well as the size
4 and design of hallways, windows, etc. When questioned as to whether the City's design review
5 was complete Ms. Floyd confirmed that the City had not intended to undertake additional design
6 review at the time of building permit application, but that Planning Staff would not object to this
7 requirement if it was imposed as an additional condition.

8 Ms. Floyd added that, unlike the Hansen and Pioneer Elementary projects, the location of
9 necessary bicycle parking has already been determined and incorporated into the design.
10 Nonetheless, Ms. Floyd recommends the same conditions relating to bicycle parking as found in
11 the two previous decisions.

12 Following Ms. Floyd's testimony Mr. Miller and Mr. Tyler spoke on behalf of the School
13 District. They explained that the project has already begun some redesign to improve the
14 addition's orientation to the neighborhood and to improve its screening. They also confirmed
15 that the District has not fully completed the exterior design of the building as it continues to
16 consider the concerns of parents. The District indicated that it would not object to an additional
17 condition of approval that its final design be reviewed by City Planning Staff at the time of
18 building permit application.

19 Following the presentation by the School District the hearing was opened to public
20 testimony. Four individuals provided public comment: Angie Warner-Rein, Jim Burlingame,
21 Greg Waters, and Wendy Steffenson. All four of these individuals have children attending the
22 school and have been active with the school's PTA and other school activities, and have been
23 involved in the neighborhood design review process. Although each witness had a slightly
24 different perspective they collectively expressed the neighborhood's concerns that the needs for
25 child safety, social interaction, etc. had not fully be integrated into the District's proposed final

1 design. Although these witnesses did not offer specific alternative designs they hoped that there
2 would be some mechanism by which they could have some continued involvement in its final
3 design.

4 As with the other two school additions, the proposed addition to Roosevelt Elementary
5 will allow for expanded classroom space to reduce existing class sizes but will not result in an
6 increase in student population and, as designed, will have limited visual impacts. As it will not
7 increase student population it should have no noise or traffic impacts. It will also lead to the
8 elimination of existing portables located on site. But there remain important questions posed by
9 parents regarding the addition's final design. In response to these concerns both the Planning
10 Staff and the Applicant have agreed to undertake additional design review at the City Planning
11 Staff level when the Applicant submits its building permit application. This additional condition
12 will therefore be added to those recommended by City Staff. With the addition of this condition
13 I conclude that the application satisfies all requirements for a Conditional Use Permit including
14 those specific requirements imposed upon schools pursuant to OMC 18.04.060(cc) and Table
15 4.01.

16 I therefore make the following:

17 **FINDINGS OF FACT**

18 1. The Applicant, Olympia School District No. 111, requests a Conditional Use
19 Permit in order to construct a two-story, 17,000 square foot building adjacent to the existing
20 Roosevelt Elementary School at 1417 San Francisco Street N.E.

21 2. Any Findings of Fact contained in the foregoing Background section are
22 incorporated herein by reference and adopted by the Hearing Examiner as his Findings of Fact.

23 3. Other site improvements associated with the project include the rerouting of
24 existing fire access, a redesign of the school's playfields and landscaping.

25 4. The project will not result in any changes to vehicular access or to onsite parking.

*Findings of Fact, Conclusions of Law
and Decision - 4*

CITY OF OLYMPIA HEARING EXAMINER
299 N.W. CENTER ST. / P.O. BOX 939
CHEHALIS, WASHINGTON 98532
Phone: 360-748-3386/Fax: 748-9533

1 5. The project is intended to reduce classroom size and is not intended to increase
2 the student population. The project is therefore not expected to have any impacts upon vehicle
3 traffic.

4 6. The project site is zoned Residential 6-12.

5 7. The project site is designated as Low Density Neighborhood in the City
6 Comprehensive Plan.

7 8. Pursuant to the State Environmental Policy Act a Determination of
8 Nonsignificance (DNS) on issued January 9, 2017. No appeal of the DNS has been filed.

9 9. Notification of the public hearing was mailed to the parties of record, property
10 owners within 300 feet and recognized neighborhood associations, posted on the site and
11 published in The Olympian in conformance with the OMC 18.78.020.

12 10. The project is located in a residential zone and exceeds 5,000 square feet in floor
13 space. It must therefore be reviewed by the Design Review Board. On December 8, 2016, the
14 Design Review Board completed the conceptual design and review. The Design Review Board
15 recommended approval of the project provided specific conditions related to landscaping and
16 building access from the playfields are addressed with the building permit application submittal.

17 11. The Report at page 2, contains Findings relating to the project's consistency with
18 the City's Comprehensive Plan. The Hearing Examiner has reviewed those Findings and adopts
19 them as his own Findings of Fact.

20 12. The Report at pages 2 and 3, contain Findings relating to the project's compliance
21 with the specific requirements for Conditional Use Permits relating to school projects. OMC
22 18.04.060(cc) and Table 4.01. In particular, the Staff Report contains Findings relating to each
23 of the six criteria for the approval of schools within a residential zoning district. The Hearing
24 Examiner has reviewed these Findings and adopts them as his own Findings of Fact.

1 13. The Report at page 3, contains Findings relating to the project's compliance with
2 the applicable Development Standards per OMC 18.04.080. The Hearing Examiner has
3 reviewed those Findings relating to setbacks, height and impervious surface coverage and adopts
4 these Findings as his own Findings of Fact.

5 14. The Report at page 3, contains Findings relating to the project's compliance with
6 landscaping requirements. Chapter 18.36.040 OMC. Staff finds that the landscaping plan
7 submitted by the Applicant meets the applicable provisions of the code provided that further
8 review will be conducted with the engineering and building construction permit application
9 reviews. The Hearing Examiner has reviewed those Findings and adopts these Findings as his
10 own Findings of Fact.

11 15. The Report at page 4, contains Findings relating to the project's compliance with
12 vehicle and bike parking. The Hearing Examiner has reviewed those Findings and adopts these
13 Findings as his own Findings of Fact.

14 16. Public comment has focused on parental concerns and the aspects of the addition's
15 design relating to child safety and social interaction. Neighborhood parents have therefore asked
16 for additional opportunity to provide input into the addition's final design.

17 17. City Staff and the Applicant have agreed to provide additional design review at
18 the City Staff level at the time of building permit application submittal.

19 18. The Site Plan Review Committee recommends approval of the project subject to
20 the conditions set forth in the Staff Report.

21 19. Both the Building and Fire Departments have reviewed the conceptual building
22 layout and recommend approval of the project. Specific building and fire code review will be
23 conducted at the time of construction permit submittal.

24 Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:
25

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the parties and the subject matter.
2. Any Conclusions of Law contained in the foregoing Background section or
3 contained in the foregoing Findings of Fact are hereby incorporated by reference and adopted by
4 the Hearing Examiner as his Conclusions of Law.
3. The requirements of SEPA have been met.
4. A Conditional Use Permit is required for the proposed use at this site. The
5 locational standards for such a use in a residential zone have been satisfied. OMC 18.04.040.
5. As conditioned, the landscaping and screening standards for the subject use are
6 satisfied. Chapter 18.36 OMC.
6. The conditions imposed herein are appropriate for the protection of the
7 surrounding properties, the neighborhood and the general welfare of the public. OMC
8 18.48.040.
7. As conditioned, the project will meet the requirements for locations of school as
9 set forth in OMC 18.04.060(cc).
8. As conditioned, the project meets the requirements of OMC 18.04.080.
9. As conditioned, the project meets the requirements of Chapter 18.100 OMC
10 relating to design review and City standards.
10. As conditioned, the project is consistent with the requirements of OMC 18.38.060
11 relating to parking.
11. As conditioned the project is consistent with the City's Comprehensive Plan.
12. The project, as conditioned, should be approved.

1 **DECISION**

2 Now, therefore, the Applicant's request for a Conditional Use Permit is **approved** subject
3 to the following:

4 **CONDITIONS**

5 1. Approval. Development shall be significantly similar to the approved Site Plan,
6 Sheet CE.01 date-stamped January 4, 2017.

7 2. Specific dimensional specification for both Long-Term (1 per classroom, 8 total)
8 and Short-Term (24 spaces) bike parking locations shall be provided on the engineering and
9 building permit application submittals as required in OMC 18.38.220(c). All required biking
10 parking shall be installed prior to occupancy of the building.

11 3. A fire system permit is required with the building permit submittal and must
12 comply with all applicable City adopted construction codes and international Fire Codes in effect
13 at the time of permit submittal.

14 4. A complete building permit application will be required for the construction of
15 this structure. Project shall comply with currently adopted construction codes pursuant to the
16 Olympia Municipal Code 16.04. All construction related activities must be appropriately
17 permitted prior to commencement of work.

18 5. Construction shall be halted if human remains or archaeological materials (such
19 as bones, collections of shells, stone tools, beads, ceramics, collections of old bottles, collections
20 of old building materials, or old building foundations) are found during project work. At a
21 minimum, the property owner shall immediately contact the City of Olympia Historic
22 Preservation Officer, the Washington State Department of Archaeology and Historic
23 Preservation, and the County Coroner (for human remains) to determine which Tribes and/or
24

25 *Findings of Fact, Conclusions of Law
and Decision - 8*

CITY OF OLYMPIA HEARING EXAMINER
299 N.W. CENTER ST. / P.O. BOX 939
CHEHALIS, WASHINGTON 98532
Phone: 360-748-3386/Fax: 748-9533

1 other agency staff should be consulted to help determine an appropriate response, if needed.
2 Officials will be given reasonable access to the site and make a determination on an appropriate
3 response before construction is resumed as per OMC 18.12.120, RCW 27.53, RCW 27.44 and
4 WAC 25-48. Other details of this requirement are found in OMC 18.12.120 Archaeological
5 Sites.

6
7 6. Hours of Operation/Construction Noise. Pursuant to 18.40.080.C.7, construction
8 activity is restricted to the hours between 7:00 a.m. and 6:00 p.m.

9 7. The application shall undergo additional design review at the City Staff level at
10 the time of building permit application submittal.

11 DATED this 1 day of February, 2017.

12
13 
14 Mark C. Scheibmeir
City of Olympia Hearing Examiner

15
16 **RECONSIDERATION/APPEAL**

17 This is a final decision of the City. Any party may file a Motion for Reconsideration
18 within 10 days of service of this decision in accordance with OMC 18.75.060. Appeals shall be
19 made to Superior Court pursuant to provisions of Chapter 36.70C RCW. The filing of a Motion
20 for Reconsideration is not a prerequisite for seeking judicial review. If a Motion for
21 Reconsideration is filed, the time for filing an appeal shall not commence until disposition of the
22 Motion.
23
24
25