



City of Seattle

Edward B. Murray, Mayor

Seattle Department of Neighborhoods

Kathy Nyland, Director

Loyal Heights Elementary School Design Departure Committee

Members

Maryanne Firpo

James Bristow

Dennis Swinford

Christina Congdon

Constance McBarron

Julie Giebel

Timothy Smith

Eric Becker

Jim Wurzer (Alternate)

Mark Smithsund (Alternate)

Ex-Officio Members

Maureen Sheehan,

Department of Neighborhoods

Holly Godard,

Department of Planning and Development

**Loyal Heights Elementary School
Development Standards Design Departure Committee**

Meeting Minutes

Meeting #2

October 15, 2015

Loyal Heights Elementary School

2511 NW 80th Street

Seattle, WA 98117

Lunch Room

Members and Alternates Present

Maryanne Firpo

James Bristow

Julie Giebel

Christina Congdon

Constance McBarron

Jim Wurzer (A)

Timothy Smith

Eric Becker

Mark Smithsund (A)

Staff and Others Present

Maureen Sheehan

Holly Godard

Karen Gordon

I. Opening and Introductions

The meeting was opened by Maureen Sheehan from the City of Seattle, Major Institutions and Schools Program. Ms. Sheehan welcomed all in attendance. Brief introductions were followed.

Ms. Sheehan noted that Mr. Dennis Swinford is unavailable and has determined that Mr. Jim Wurzer will serve as a Committee member and will be voting on the motions.

II. Brief Description of the Process

Ms. Sheehan mentioned that at the first meeting, the Committee was not able to determine if the requested departures are major or minor. If the Committee determines that it is a minor departure, then the Code requires to have one public meeting. If the departures are considered major, the Committee must complete its review within 90 days and hold 3 public meetings.

The difference between major versus minor departures is on the degree of its impact to the neighborhood and the size of the proposed construction as determined by the advisory committee.

During Committee deliberation after the Committee has determined whether the departures are major or minor, to the committee will provide their recommendations that tie back to the five conditions being presented.

At the previous meeting, the majority of the public comments were based on the programming of the School District. She noted that there is a separate process to accommodate these comments.

The only comments that should be considered are the requested departures being presented by the School District, and these are: 1) lot coverage; 2) height; 3) parking; and 4) setbacks.

A question was raised regarding what weight the Committee's recommendations are for the Director of DPD (Department of Planning & Development). Ms. Holly Godard mentioned that the DPD director will review the Committee's recommendations, as well as the School District's program and project scope, any minority reports and public comments will be taken into consideration. If the director has questions about the School District's program, she will ask more information from the School District.

The Committee is meeting tonight for the purpose of developing a recommendation concerning the School District's requested departures for exemptions to several provisions of the Seattle Municipal Code related to land use.

The Committee received information on the departures being requested from the Seattle School District and its consultants, public testimonies are taken; and then the Committee will discuss and deliberate the requested departures. The Committee may do one of the following:

- 1) Recommend granting the departures as requested;
- 2) Recommend approving the departures but with either modifications or specific conditions, or
- 3) Recommend denial of the departures.

III. Presentation

Mr. Lee Fenton of the BLRB Architects introduced himself, he then have each of the project team members introduced themselves.

Mr. Fenton briefly shared how the project team began the process that included forming the School Design Advisory Team working with them to set goals, provide analysis and discovery of the project. The project team also looked at other schools as a model to learn about their modernization. The project team involved the school staff, teachers, students, stakeholders and community members and established a dialogue with each of them and came up with a solution for the design of the school.

There were six departures presented at the last meeting. The following departures will be discussed in tonight's meeting:

- 1) Parking
- 2) Lot coverage
- 3) Setbacks
- 4) Building height

At the previous discussion, bus loading was not considered as part of the departure. The project team also determined that the modulation will not be included as part of the departure request from the analysis that was performed and also from input from DPD.

1. Parking

The Code requirement per parking is 1 space for 80 sq. ft. of the largest gathering space or auditorium, which is located in a principal structure or any portion of the lot except the front setback. The total parking quantity analysis looked at the assembly area, dining area, and the large event seating areas. The School District is requesting a departure of 72 stalls and keeping all parking off site.

2. Lot Coverage

The Code requires new public school construction on new public school site a maximum lot coverage permitted of 45% of the lot area for 1 story or 35% lot area for any structure or portion of the structure that is more than 1 story. The School District is requesting a departure of 47.7% lot coverage.

3. Setbacks

The required setback for existing building and additions located across the street is 15 ft. The School District is requesting a departure for setbacks on the west and east side of existing building to zero feet.

4. Height

The Code requires for additions to existing public schools a maximum height of 35 ft. plus 15 ft. for pitched, sloping roof. The additions on the west side is lower than the 39.4 ft. at 37.9 ft. above what the code allows that houses the mechanical penthouse that is close to the setback that allows the sloped roof. The School District is requesting a departure to allow a building height of 50 ft.

Mr. Fenton commented that his project team strived to look for opportunities to improve design and maximize the space especially the playground area, and encouraged the Committee to review and consider each of the departures.

IV. Committee Clarifying Questions

Ms. Sheehan opened the floor for Committee questions.

Ms. Maryanne Firpo asked about the lot coverage and noted that at the last meeting it was at 46% and now it is at 47%. Mr. Fenton explained that they made a mistake in calculation, because they did not include the covered play area. The courtyard is open space and not considered a lot coverage because there is no roof over it.

Ms. Firpo made a follow up question that the code stated a lot coverage of 45% and the maximum departure request is 45%, the maximum setback is 5 ft. minimum. She asked how it is possible to ask more than the allowed departure. Mr. Fenton responded that the team felt that the design being presented is the best method to maximize and balance the playground and building play space. The process is to come before this Committee and present in excess that is allowed and get the Committee's feedback. Ms. Holly Godard commented that the next step if the Committee approved the proposal, the code allows the team to ask the Director of DPD for the extra 2.7% and setback relief or departure. It is a two stage request process.

A question was raised regarding the difference between the three story models versus a two story model. Mr. Fenton mentioned that the three story design that was presented is the same lot coverage from the previous presentation.

A question was raised regarding the courtyard and its rationale for the size and the use of ground floor for the gymnasium.

Mr. Fenton responded that he rarely sees a gymnasium on the second level of a building. The biggest challenge is not having it on the ground, but the outdoor play space disconnect. Regarding the courtyard, the biggest benefit of the courtyard is the natural lighting for the occupied space that has windows at the center of the building. One of the challenges is a covered courtyard is considered lot coverage and the sq. footage will be counted against the design, and the other challenge is from a cost standpoint to cover it.

A question was raised regarding the trees on the west side of the school, and how are those affected. A response was made that the team are in conversation with SDOT because they are responsible for what happens to the trees. The team requested that all of the trees to stay as much as possible because of their value especially for the building shade on the west side of the school.

A question was raised regarding the challenges of having a gymnasium on top of a cafeteria space. Mr. Fenton responded that if the gymnasium is stacked above a cafeteria, the design will be up against the height restriction and impact. He also noted that having a gymnasium and cafeteria side-by-side on the ground provides easy access and connection.

A question was asked regarding the size of the courtyard and could they make it more compact. Mr. Fenton noted that they want to preserve the historic structure of the frontage of the main building that establishes the dimensions of the courtyard. The Landmarks board provided input on the importance of the building structure in order to maintain and set the parameters.

Ms. Christina Congdon asked about the size of the gymnasium. Mr. Fenton noted that it is a program requirement of 6500 sq. ft. and that there is no other option to negotiate a smaller gymnasium.

Mr. Eric Becker commented regarding the school program and the gymnasium size. A group of stakeholders came together to establish an educational specification as a model for the School District for elementary schools. Currently, the School District is in the process of building five new elementary schools that have all a 6500 sq. ft. gymnasium and all school buildings currently in construction have similar space requirements.

Mr. Jim Bristow made a comment about school student projections around the surrounding area and read a report regarding capacity projections on different area schools and have asked whether a school board member is available to clarify these data.

Ms. Sharon Peaslee noted that she is a member of the School Board and encouraged the PTSA to send an email to her so she can get the information regarding the capacity requirements. Ms. Peaslee commented that they are required to reduce class size and that puts additional pressure on space. She mentioned that she does not know what the current capacity projections are, but she will contact the appropriate individuals who can answer these questions.

A motion was made for the Committee to adopt and recognize all public comments that was submitted and to satisfy the duties of this Committee in evaluating these comments. The motion was not seconded, the motion failed.

V. Public Comments and Questions

Ms. Sheehan opened the floor for public comments and questions.

Comment from Chris Jackins: Mr. Jackins is the coordinator for Seattle Community to Save Schools and he commented that the school does not need a 10,000 sq. ft. smaller playground, the impact of the departures are out of balance with the needs of the neighborhood and the current school design cannot be mitigated and encouraged the Committee members to reject all of the departures.

Comment from Jacque Coe: Ms. Coe is a longtime volunteer and she commented her support of the plan and was encouraged by the thoughtful design and process that was involved in order to meet the capacity and accommodate the growing student population in the area.

Comment from Marvin Wetzel: Mr. Wetzel has two children and commented that there is an established process that is working, but noted that his concern once these departures are allowed is that it would jeopardize the quality and safety of the children. He noted that this is not a sensible approach and would rather have a school built for 450 students rather than 660.

Comment from Ellen Kildal: Ms. Kildal has a 4th grader in school and she commented that if the process ignores established policies and regulations, it creates unequal opportunities and that is what these departures will do.

Comment from Bob Wintrip: Mr. Wintrip has lived in the neighborhood for 40 years and he commented that the last the School District made a presentation last October 5th, they presented a plan that was the best choice. He commented that the plan should fit within existing zoning requirements, instead multiple variances and parameters were established. He noted that what he is seeing are excuses rather than work on the existing zoning. Back on the 5th, he commented that the presenters mentioned that there were 750 students at this school in 1959. If that is the case, the school does not need 660 students to build a new building and have the existing building accommodate these students.

Comment from Kendal Cruver: Ms. Cruver commented that the problem with this program is that it is not a one size fits all area. She noted that the City has vast resources and options to find a suitable location. The area is just too small and it impacts kids and others who will be using the space.

Comment from Sara Adelman: Ms. Adelman commented about the courtyard and mentioned that the architects keep referring the courtyard as open space. She reference the Seattle Municipal Code guidelines about open space requirements. She want the Committee to consider that this school does not have the same lot size as other schools in the area.

Comment from K Kaku: Ms. Kaku commented that the school does not meet the Seattle Public School requirements such as an active learning area, structured and grassy area.

Comment from Pietro Potesia: Mr. Potesia commented that as an architect and whole design plan and public participation process has been a farce. It is difficult for the community to participate if the decisions has already been made. He identified issues that these departures will issues such as traffic congestion, parking and open space. He noted that the weak link of this project is the plan itself.

Comment from Bill Fortunato: Mr. Fortunato commented that the school should be held to the same zoning requirements as required by the residential zoning area.

Comment Mark Early: Mr. Early made a comment for the Committee to reject the extreme departures that are being presented to them. He noted that other area schools that were brand new buildings were able to accommodate the size and coverage without having such extreme departures like Loyal Heights is requesting.

Comment Wayne Floyd: As the principal of Loyal Heights, Mr. Floyd commented his full support for the project and mentioned about the overwhelming support that his staff has put forth in the project. He was disappointed, however, about the lack of support and understanding from the community about what the school needs and how these departures will benefit and meet the needs of the staff and students.

Comment from Chris Degracia: Mr. Degracia has a kindergartener at school and he encouraged the Committee to look at the departures one at a time and not a whole package. He encouraged them to accept the parking departure. He also asked the School District to have a departure of removing the child care off site in order to create more space for the school.

Comment Steve Nesich: Mr. Nesich has a son who graduated from Loyal Heights and he mentioned that there should be middle ground that can be achieve regarding these departures and he encouraged the need to concentrate on these middle ground.

Comment Theresa Yoder: Ms. Yoder currently has a 4th grader at school and she mentioned about the green space around the area. She wanted the Committee to carefully consider these departures as these plans will significantly take away the little green spaces that is already available in the area.

Comment Doug Kisker: Mr. Kisker lives two blocks away and has a kindergartener. He is in favor of an updated Loyal Heights school and that the current design only considers the size of the lot. He mentioned that the only departure be allowed is in the building height. He would like to see more creativity and problem solving that can both accommodate the needs of the school as well as the community.

Comment from an Anonymous person: She commented about the experience of her daughter about a fire drill at school and how the students compacted are in the playground area. She mentioned that the Code requires that for every student there should be 5 sq. ft. on the playground and a minimum of 50 ft. away from the building. She noted that at 660 student, it needs 3300 sq. ft. She mentioned that looking at the programming and extra spaces that was presented, the school could not afford to fit 899 students in a lot fenced playground, thus, she encourages the Committee to vote no on these departures.

Comment Jennifer Hart: Ms. Hart commented that she loves the idea of a growing school, but in a safe and sane manner. She mentioned that the kids not only need educational space but outdoor play space for their physical health. She noted that the daycare program is not a state mandated program, but a Seattle School design to desire for any new remodeled school. She suggested that if the planned daycare is removed, there will be more play space available. She encouraged the Committee to vote no to all of the departures and consider working together on find some compromise.

VI. Committee Deliberation

Ms. Sheehan opened the discussions for committee deliberation. She reminded the public that they are welcome to stay and informed them to lower their voices so that the committee can discuss among themselves. She also mentioned that the Committee will not take any questions from the public.

Mr. Jim Wurzer made a motion that all departures being requested are considered major and it was seconded. The vote was as follows:

MaryAnn Firpo	Yes
James Bristow	Yes
Christina Congdon	Yes
Constance McBarron	No
Julie Giebel	Yes
Timothy Smith	Yes
Eric Becker	No
Jim Wurzer (Alternate)	Yes

A quorum being present and the majority of those present having voted in the affirmative; the motion passed.

Ms. MaryAnne Firpo made a motion to begin deliberation of the departures in the following order instead of what was outlined in the agenda and it was seconded. The following order of departures will be: 1) Lot coverage; 2) Setbacks; 3) Parking; and 4) Height. The vote were as follows:

MaryAnn Firpo	Yes
James Bristow	Yes
Christina Congdon	Yes
Constance McBarron	Abstain
Julie Giebel	Yes
Timothy Smith	Yes
Eric Becker	No
Jim Wurzer (Alternate)	Yes

A quorum being present and the majority of those present having voted in the affirmative; the motion passed.

The Committee began their deliberation by discussing the following requested departures.

1. **Lot Coverage**

A motion was made for the Committee to reject the lot coverage departure as requested by the Seattle School District and it was seconded. Ms. Sheehan asked if there are any conditions or mitigating measures that the Committee would like to add to support the rejection of the departure. A written statement was provided by Ms. Firpo and made available to distribute to the Committee that summarizes the argument for rejecting the departure.

Ms. Constance McBarron commented if one of the mitigation be removing the child care center so the lot size will be open as a play area. Ms. Sheehan noted that the child care is part of the program and cannot be separated from the program.

Ms. Giebel commented everyone wants to rebuild the school, but there are some legitimate concerns that the community has expressed and there seemed to be no compromise or middle ground or any available options being presented, that is why she mentioned about voting no on these departures.

Mr. Mark Smithsund commented about having the School District come up with a plan that will fit the lot coverage of the site and be at 35%.

Mr. Eric Becker responded that a 35% lot coverage is not realistic because of the constraints in the site. The building has been designated as a landmark and it has restrictions. Mr. Becker noted that there are potential more opportunities available if the building is removed, but it would not be able to support the School's program at 35% coverage.

Mr. Jim Wurzer commented about his position to vote against all of the requested departures. He noted that the School District seemed to push this design forcibly and the PTA and the community are against this project. The School District needs to start over and work together with the community. He mentioned that they all understood the constraints, but there should be some compromise to develop a sensible plan for this lot size.

Mr. Jim Bristow A commented about his proposal of having different options available to see what will fit on the lot.

Ms. Congdon made a comment about a Community Design Process that includes members of the community. She mentioned that she never received an invitation to be part of the design process, and would encourage that the community is involved and encouraged to participate in the process at the beginning of the project. She is looking for a compromise.

Ms. McBarron commented whether it was considered designing the school for 450 students, but able to flex to 660 students so that it can both accommodate the school program as well as the potential growth needs in the future.

Mr. Becker commented that the boundaries in this area are changing and it requires an increase in capacity. The School District needs capacity in order to accommodate the influx of present and future school children.

Ms. Firpo and Mr. Bristow voiced their concerns about the lack of data that the School District has provided regarding the need for increased capacity in this area.

Ms. Firpo made a comment about asking for compromise, but she felt that there is no room to reach that point that is why she is considering to vote against all of the departures.

Ms. Congdon said that she was hoping that if the Committee vote against the departures, an alternative plan will be presented.

Mr. Becker mentioned that this project has gone through the Design Process and it involves the community and the school staff and the design that was agreed upon met all of the School District's program and budget.

Ms. Congdon asked that the committee consider including in the report the alternatives of changing the gym/lunchroom configuration and the use of the courtyard. These could be creatively looked at in terms of lot coverage.

A question was raised to Ms. Holly Godard about if there has been a school project that the committee voted against the departures. Ms. Godard mentioned that the Laurelhurst School departure was an example where the Committee voted against the departure request of installing portables. She noted that if the Committee voted yes on certain departures, the Committee can attach a conditioning language to the specific departure. She also noted that all Committee recommendations goes to the DPD director for consideration in the decision.

A motion was made for the Committee to reject the lot coverage departure as requested by the Seattle School District and it was seconded. Ms. Firpo also requested that a written document be included for the public record. The vote were as follows:

MaryAnn Firpo	Yes
James Bristow	Yes
Christina Congdon	Yes
Constance McBarron	Yes
Julie Giebel	Yes
Timothy Smith	Yes
Eric Becker	No
Jim Wurzer (Alternate)	Yes

A quorum being present and the majority of those present having voted in the affirmative; the motion passed.

A motion was made to introduce all of the five public meeting videos as well as the public comments to the public record documentation, and it was seconded. The vote were as follows:

MaryAnn Firpo	Yes
James Bristow	Yes
Christina Congdon	Yes
Constance McBarron	Yes
Julie Giebel	Yes
Timothy Smith	Yes
Eric Becker	Abstain
Jim Wurzer (Alternate)	Yes

A quorum being present and the majority of those present having voted in the affirmative; the motion passed.

2. **Setbacks**

Mr. Smith made a comment about the lack of creativity and compromise that the School District has provided regarding the setbacks. The bulk, sidewalk and public safety issues and the inappropriateness of the program for this particular lot as his reasons to vote against this requested departure.

Mr. Bristow A comment was made about having a better plan that would both satisfy the demand of the School District and the needs of the neighborhood.

Mr. Becker commented that the existing building is a significant barrier to this process and he informed the Committee that the building is already there, but there is the lot size, height, and program needs and noted that the architects have met all of these requirements and what is being presented is the best plan available.

Ms. Congdon talked about having a good plan requires one or two departures. Mr. Becker noted that he recognized the parameters and challenges being laid out to the architects, but reiterated that these requested departures are the best plan in place, but there could be potential modifications that can be brought in the plan. The earlier vote to reject the lot coverage departure no longer provided the modification needed. A comment was made regarding the presence of edges and its relationship to the character and scale of the surrounding area are being impacted by this setback as well as the façade on 26th is not acceptable.

Ms. Firpo A comment was made about her dissatisfaction that there is no way to compromise between the need, requirements, and impacts for these setbacks.

A motion was made for the Committee to reject the setback departure as requested by the Seattle School District and it was seconded. The vote were as follows:

MaryAnn Firpo	Yes
James Bristow	Yes
Christina Congdon	Yes
Constance McBarron	No
Julie Giebel	Yes
Timothy Smith	Yes
Eric Becker	No
Jim Wurzer (Alternate)	Yes

A quorum being present and the majority of those present having voted in the affirmative; the motion passed.

3. **Parking**

Ms. Congdon made a motion for the Committee to approve the parking departure as requested with a condition of having a Community Design Process; it was seconded.

Ms. Godard made a comment about what the connection of the condition to the parking departure.

The committee deliberated and was in favor of Ms. Congdon’s condition of having a community design process, but also questioned about the relevant of the condition to the parking departure.

Ms. Congdon noted that she wants to get something in return for her to vote for the requested departure.

It was suggested that instead of tying the condition to this specific departure, have the condition be relevant to all departures.

Ms. McBarron agreed with the suggestion. She also noted that when she bought her house, she was okay with the parking situation in the area knowing that Loyal Heights will grow, and indicated her proponent for less parking rather than no parking.

She raised a question whether an underground parking is viable. A response was made that an underground parking is too expensive.

A comment was made that with the school having such a small footprint and less parking, the neighbors who live around the school suggested parking permits in the residential areas, and not having the teachers park on the school site. He suggested that this would create dissatisfaction from the school.

Ms. Congdon made a motion for the Committee to approve the parking departure as requested by the Seattle School District with a condition of having a Community Design Process be added to every phase of the project going forward, and it was seconded. The vote were as follows:

MaryAnn Firpo	No
James Bristow	No
Christina Congdon	No
Constance McBarron	Yes
Julie Giebel	No
Timothy Smith	No
Eric Becker	Yes
Jim Wurzer (Alternate)	No

A quorum being present and the majority of those present having voted in the affirmative; the motion passed.

For the record, a comment was made that she felt terrible voting against this departure because the request is too big, and it was a terrible situation to begin with. Most of the committee members voiced their opinion on their dissatisfaction as well

4. **Height**

Mr. Bristow asked a question of the architects about the required minimum height and how the height departure came about. Mr. Lee Fenton of BLRB Architects noted that the plan is to keep it low, and mentioned that it will be challenging to lower the penthouse down to 4 ft. and he would like to keep the departure flexibility. He commented that the basic building height is good, but the only question is the penthouse, and by lowering the whole structure would impact the constructability of the floor height. Mr. Fenton mentioned that because of the budget constraints, this proposal will be very expensive.

Ms. Congdon stated that the length of the 26 ft. in relationship to the surrounding area is inappropriate. If the plan was modified to only include a portion at this height, it might be appropriate.

Ms. McBarron plans to vote yes on the height departure, since the Committee already rejected the lot coverage, having additional height would create the much needed space now.

A motion was made for the Committee to reject the height departure as requested by the Seattle School District, and it was seconded. The vote were as follows:

MaryAnn Firpo	Yes
James Bristow	Yes
Christina Congdon	Yes
Constance McBarron	No
Julie Giebel	No
Timothy Smith	Yes
Eric Becker	No
Jim Wurzer (Alternate)	Yes

A quorum being present and the majority of those present having voted in the affirmative; the motion passed.

Mr. Smith made a point to recognize the hard work that the architects had made and he firmly believes that the demand of the School District and the size of the program does not fit the property.

Ms. McBarron made a comment about her appreciation to the Committee for their time and effort that they gave to this process.

A member of the public questioned who was responsible for writing the report. Ms. Sheehan provided language that the DON staff responsibilities include providing "staff assistance to the Committee to prepare the Committee's report and recommendations for the Director."

A motion was made for having Ms. Sheehan compose an outline draft of the report and have the Committee review and determine the final content of the report, it was seconded. The vote were as follows:

MaryAnn Firpo	Yes
James Bristow	Yes
Christina Congdon	Yes
Constance McBarron	Yes
Julie Giebel	Yes
Timothy Smith	Yes
Eric Becker	Yes
Jim Wurzer (Alternate)	Yes

A quorum being present and the majority of those present having voted in the affirmative; the motion passed.

Ms. Sheehan noted that a Committee member can also compose and submit their own report in addition to the Committee report.

VII. Adjournment

No further business being before the Committee, the meeting was adjourned.