

Initial Project Review

Shoreline Substantial Development Permit/ Shoreline Conditional Use Permit / Shoreline Variance: Franklin Pierce School District Brookdale Elementary School Redevelopment

Application Numbers: 904079, 904078 and 904081
Tax Parcel Numbers: 2695000910 and 2695000121

Parkland – Spanaway - Midland Advisory Commission (PSMAC) Public Meeting:
June 5, 2019, at 6:30 p.m., at Central Pierce Fire Station No. 61, 100 - 114th Street South, Tacoma, WA 98444

Proposal: The applicant requests to replace the existing Brookdale Elementary School and associated improvements with a new approximately 54,000-square foot, 2 story elementary school building and associated staff and visitor parking lots, queuing lane for student pick-up/drop-off, bus loop, covered outdoor play area, outdoor hard and soft surface play areas, and a multi-use field. The 7,799-square foot GATES High School gymnasium will be retained for use by the new elementary school. The remaining high school buildings and associated parking area will be removed.

Students and staff will temporarily relocate to the old James Sales Elementary School, once the new James Sales Elementary School is built. The student capacity of the new school will increase from 450 to 500 students and a similar number of staff, i.e. 52.

The new parking lot will be accessed from Park Avenue South and 132nd Street South. The bus loop will be accessed from 132nd Street South.

A Shoreline Substantial Development Permit and Shoreline Conditional Use Permit are required to locate the new school and accessory development within the 200-foot shoreline jurisdiction of Clover Creek. A Shoreline Variance is required to allow impervious surfaces within 40 feet and buildings within 50 feet of Clover Creek.

Project Location: 611 and 813 - 132nd Street South, Parkland, WA, within the NW 1/4 of Section 16 and the NE 1/4 of Section 17, T19N, R3E, W.M., in Council District #5.

Review Summary: County staff has reviewed this proposal for compliance with all applicable policies, codes, and regulations. The County finds, based on an initial project review, that the proposal appears to be consistent with the applicable codes and regulations and that staff will be recommending approval of the proposal, subject to conditions.

Zone Classification: Residential Resource. The Residential Resource (RR) zone classification is intended to accommodate and allow for low density single-family residential uses in manner that is compatible with areas of unique open space character, and/or environmental sensitivity. Elementary schools are an out-right permitted use.

Shoreline Environment: High Intensity (Parcel No. 2695000910) and Residential (Parcel No. 2695000121). The intent of the Residential Shoreline Environment Designation (SED) is to accommodate residential development in areas that are already developed with or planned for residential development. The Residential SED may also include water-oriented commercial and recreation uses. The intent of the High Intensity Shoreline Environment Designation (SED) is to provide for high intensity water-oriented commercial, transportation, and industry development that foster economic development while protecting existing shoreline ecological functions, and to restore ecological function on previously degraded sites.

State Environmental Policy Act (SEPA): The Franklin Pierce School District has accepted lead agency status and is in the process of conducting environmental review. A copy of the environmental checklist is found in the online document tab of Application No. 904079.

County Contact: Robert Jenkins, Current Planning Supervisor, 253-798-7016, or rob.jenkins@piercecountywa.gov

Pierce County Online Permit Information:

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departementStatus?applPermitId=904079>



Project Data

Application Date: February 8, 2019

IPR Mailed Date: May 29, 2019

Property Owners/
Applicant: Franklin Pierce School District
Attn: Robin Heinrichs, Executive Director of Support Services
11807 24th Avenue East
Tacoma, WA 98445-5132
rheinrichs@fpschools.org

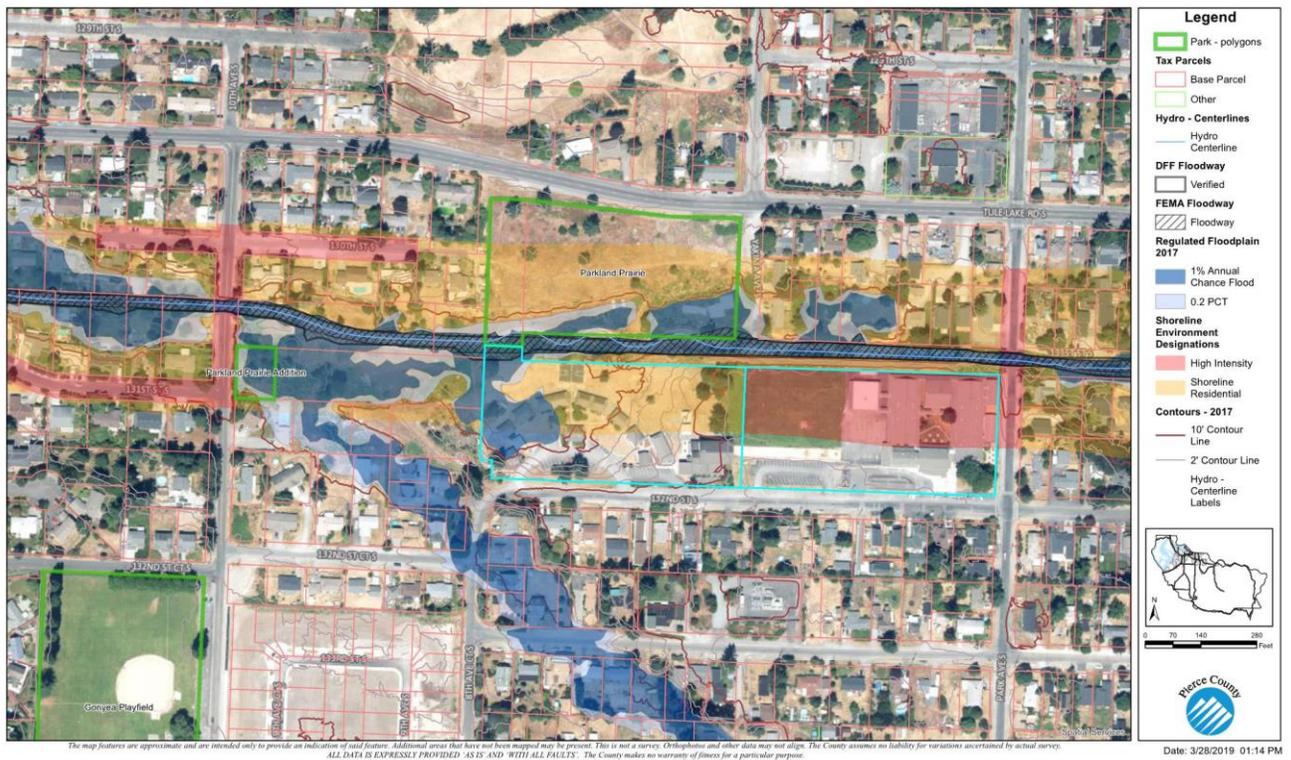
Agent: AHBL, Inc.
Attn: Lisa Klein
2215 North 30th Street, Suite 300
Tacoma, WA 98403
lklein@ahbl.com

Public and Legal Notice

- *February 26, 2019*: Notice of Application and Public Meeting Notice, was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- According to the agent, the site was posted with a Public Notice sign. This will be confirmed once a Declaration of Posting is received
- *May 22, 2019*, Legal Notice was published in the official County newspaper (*The News Tribune*), advertising the public meeting to be held by the Parkland-Spanaway-Midland Advisory Commission.

2017 County Aerial Photo / Shoreline Environment Map

SD/SDCP/SDV: Brookdale Elementary School



Applicant's Site Photos

Photograph 1. Neighboring property to the east.



Photograph 3. Neighboring property to the east.



Photograph 5. Observed stream conditions.



Photograph 2. Neighboring property to the east.



Photograph 4. Observed stream conditions.



Photograph 6. Observed stream conditions.



Google Earth Streetview Photos

Photography 7. View of Conditions between Clover Creek and Existing School, facing west (Google Earth)



Photography 9. View of main elementary school to be replaced, looking northwest (Google Earth)



Photography 11. View GATES High School gym to remain, looking northeast (Google Earth)



Photography 8. View of Portables within 150-foot stream buffer, looking northwest (Google Earth)



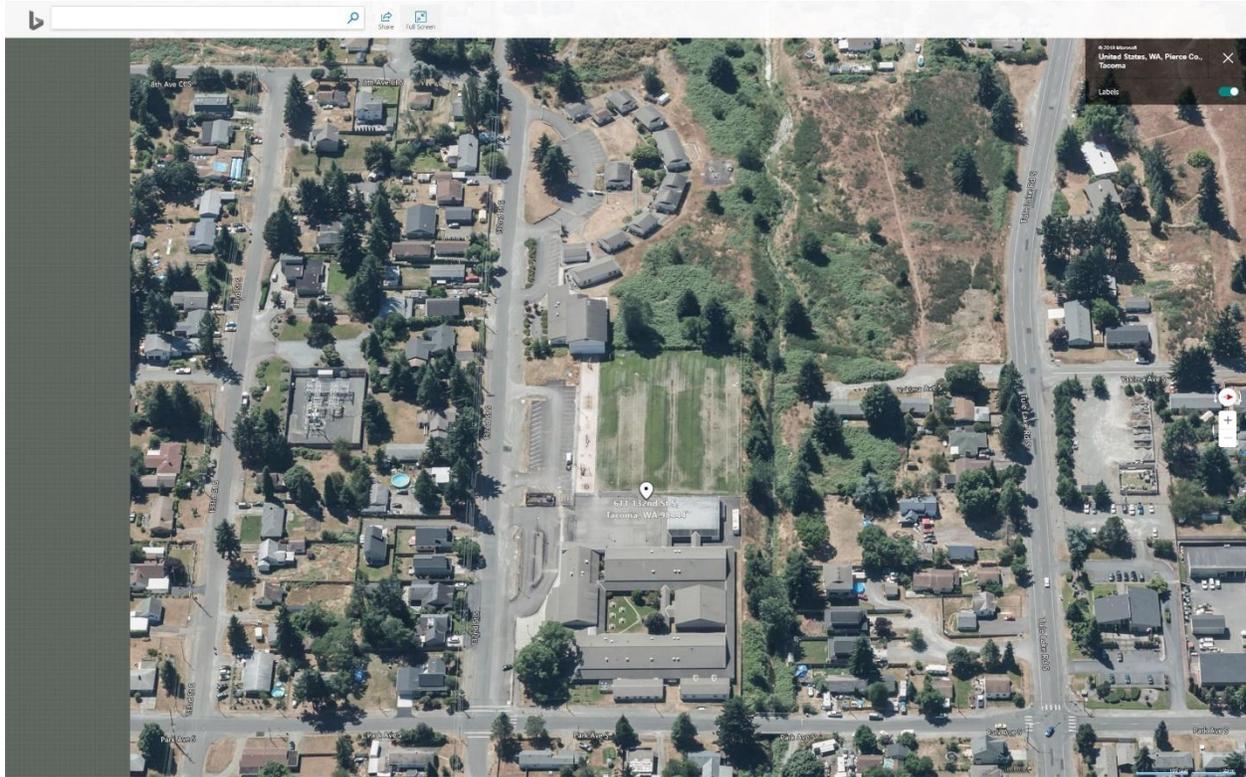
Photography 10. View of the project area, looking northwest (Google Earth)



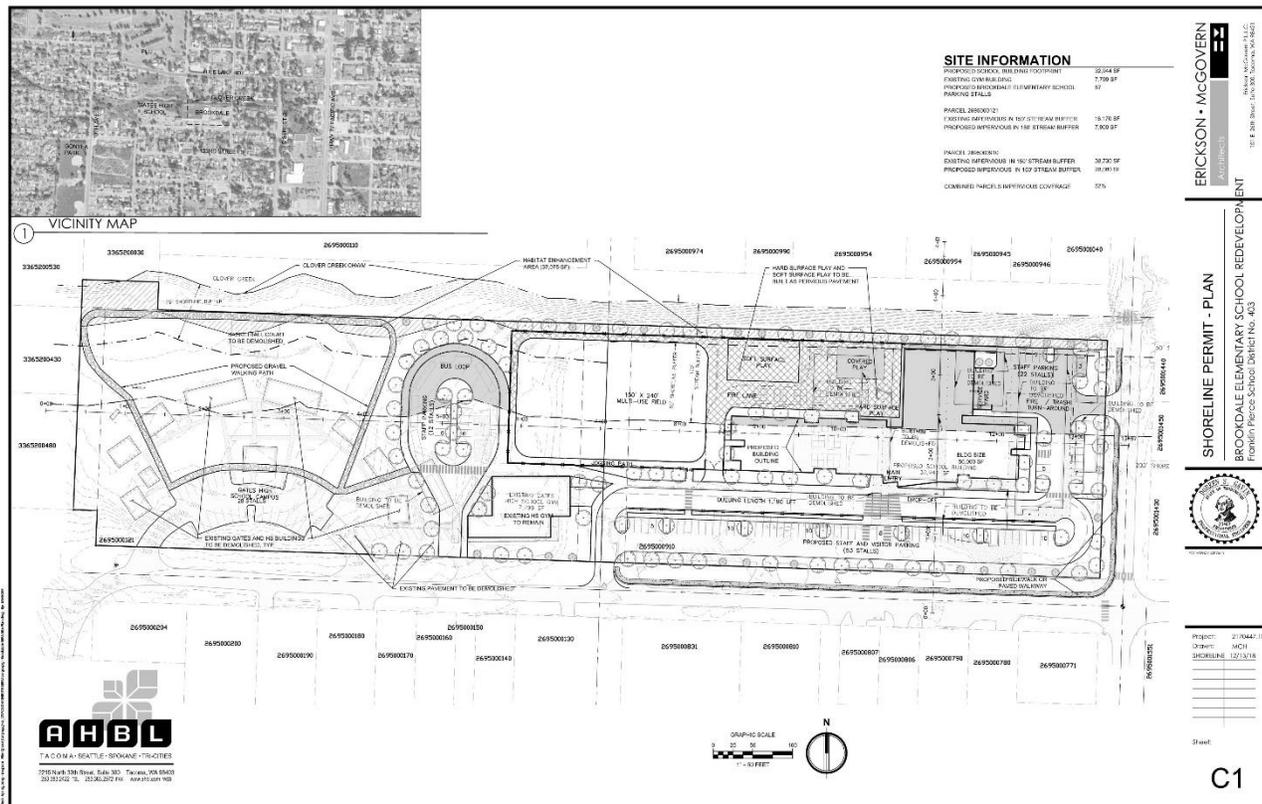
Photography 12. View GATES High School buildings to be demolished, looking northwest (Google Earth)



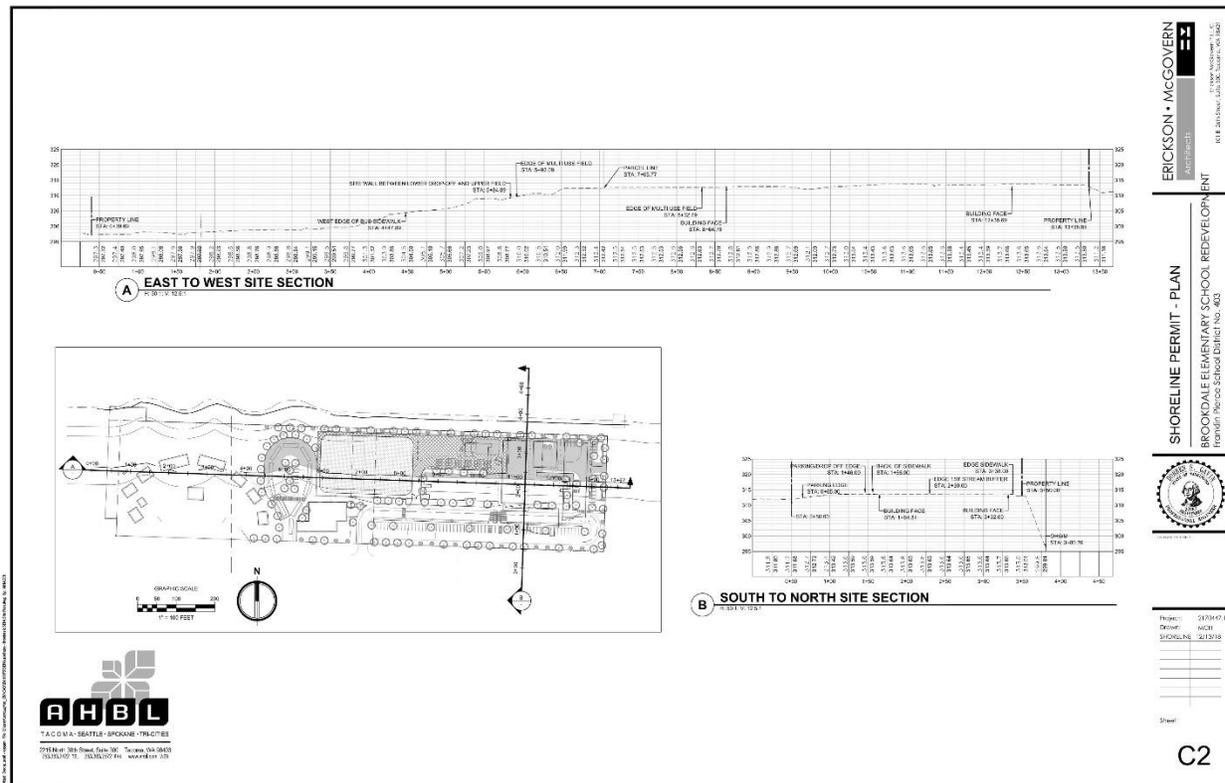
BING Bird's Eye Aerial Photo, looking west



Site Plan, revised April 25, 2019



Cross Section Drawing, dated December 13, 2018



Public and Agency Review Comments

No comments have been received from surrounding property owners or the general public to date.

Comments have been received to date on the plat from the following departments and agencies:

- Nisqually Indian Tribe:
 - Requested they be informed of any archaeological discoveries during construction.
- Development Engineering Section of Planning and Public Works (PPW):
 - Any development activity in the flood hazard area must adhere to Title 18E, Critical Areas Ordinance, Chapter 18E.70, Flood Hazard Areas.
- Resource Management Section of PPW:
 - The Pierce County Environmental Biologist completed his initial review of the habitat assessment report titled; “Franklin Pierce School District Brookdale Elementary School Replacement Habitat Assessment Report,” dated February 2019, prepared by Grette Associates, LLC and site plans and had the following comments:
 - A site visit was made on February 25, 2019 and again as a joint site visit on May 13, 2019.
 - PPW is in general agreement with the findings in this report.
 - These parcels are located within shoreline jurisdiction.

- PPW agrees that there are no regulated wetlands located within 315-feet of this proposed project.
 - Clover Creek located to the north is considered a Type F1 Water.
 - This proposal is, therefore, subject to Chapter 18E.40. Regulated Fish and Wildlife Species and Habitat Conservation Areas Development Regulations.
 - In accordance with Section 18E.40.060 B., a 150-foot undisturbed buffer is normally required for this drainage course with a 15-foot building setback.
 - It appears that the buffer will be required to be reduced to approximately a minimum of 50 feet to have reasonable use of these parcels of record.
 - Buffer Averaging per Section 18E.40.060 D. will not work for this parcel as the minimum buffer allowed through averaging is 75 feet and there is no way to have the total buffer after averaging the same as the area prior to averaging.
 - Buffer Reduction per Section 18E.40.060 D. only allows a reduction of 25% down to a minimum 112.5-feet.
 - In no case shall the Department allow development within a fish and wildlife buffer to occur below the minimums mentioned above. An applicant who wishes to modify a buffer beyond these limits may pursue a shoreline variance as defined within PCC 18S.60.070 H. Therefore, application for a Shoreline Variance (Application Number 904081) has been applied for. This is a public hearing process. The Pierce County Hearing Examiner shall have the authority to grant a variance from the requirements of PCC 18S.60.070H when, in the opinion of the Examiner, all the following criteria have been met:
 - The variance will not adversely impact receiving water quality or quantity.
 - The variance will not adversely impact any functional attribute of the habitat area.
 - The variance will not jeopardize the continued existence of species listed by the Federal government or the State as endangered, threatened, sensitive, or documented priority species or priority habitats.
 - The applicant has avoided impacts and provided mitigation, pursuant to PCC18E.40.050 to the maximum practical extent.
 - Requests that the applicant submit findings for the four (4) criteria listed above.
 - Mitigation will be provided through habitat enhancement of the area between the edge of the northern property line and the development portions of the school project replacement.
 - If possible, relocate the existing gravel footpath currently located along the northern property line on parcel #2695000121 to meander just outside of the habitat enhancement areas to provide a little more native planting habitat area.
- Current Planning Section of PPW:
 - A revised site plan showing the modified creek side pathway is requested to be submitted prior to the public hearing.

Initial comments have not yet been received from the Washington State Department of Ecology, but they were present at the joint site visit with Resource Management and Current Planning on May 13, 2019.

Comments received on this proposal may be found by accessing the Online Permit Information referenced on page 1. The substance of these comments is reflected, where appropriate, in the analysis provided below.

Background

Site Inspection: Various staff have inspected the site. The level two-parcel site is a rectangle. The eastern end of the site contains the existing elementary school, parking area, and playfields. The western end of the site contains the existing high school. The site is open and contains only a few trees. The site is bordered on the north by Clover Creek, which is heavily vegetated along its banks. The two school are accessed from 132nd Street South.

Surrounding Land Use / Zoning Designation:

	LAND USE	ZONING (Title 18A)
North	NE – Urban density single-family NW – Parkland Prairie County Park	Residential Resource (RR)
South	Urban density single-family	RR
East	Urban density single-family	RR
West	Vacant, Open – County-owned	RR

Utilities/Public Facilities: Utility service and public facilities are proposed as follows:

- Water - Parkland Light and Water
- Sewer- Pierce County
- Power - Elmhurst Mutual Power and Light
- School- Franklin Pierce School District

Governing Regulations

The proposal has been reviewed for conformance with the following goals, policies and requirements in effect on the September 1, 2017 complete application date of this proposal:

- Title 19A Comprehensive Plan - January 1, 1995, as amended
- Title 17A Construction and Infrastructure Regulations – Site Development and Stormwater Drainage
- Title 18 Development Regulations - General Provisions
- Title 18A Development Regulations – Zoning
- Title 18D Development Regulations - Environmental
- Title 18E Development Regulations - Critical Areas
- Title 18J Design Standards and Guidelines
- Title 18S Development Regulations - Shorelines

Initial PPW Staff Review for Consistency with Land Use Policies and Regulations

State Environmental Policy Act (SEPA)

- The Franklin Pierce School District has accepted lead agency status and is in process of conducting environmental review. A copy of the environmental checklist is found in the online document tab of Application No. 904079.

Title 18E, Development Regulations – Critical Areas

- There are no regulated wetlands per Chapter 18E.30. There is no Oregon white oak habitat. The on-site oak trees are not native oaks.

Title 18A, Development Regulations - Zoning

- The site is zoned RR. The zoning setbacks are 15 feet from both streets and 10-foot interior yards. Building height is a maximum of 35 feet. Parking for the new school is a minimum of 1 space and a maximum of 2 spaces per employee. The applicant has had discussions with PPW staff about allowing more parking than required for an interim period until Gates High School relocates.

Title 18J, Development Regulations – Design Standards and Guidelines

- The site is within the Designated Open Space Corridor. A minimum of 15% of native vegetation area on the school site must be retained. The school site excludes play fields up to 30% of the site. A minimum of 10 tree units per net developable acre is required. Pedestrian connections are required from the school to both streets. Pedestrian crossings in the parking lots need to be different material or texture than the paving. Parking lot lighting is a minimum of 1 foot-candle. There is a requirement for an 8-foot wide L1 perimeter parking lot landscape buffer along both streets and 1 tree per 5 space of interior parking lot landscaping.
- With regard to requirements of the Parkland-Spanaway-Midland design standards of Chapter 18J.30, the architectural design will need to ensure architectural compatibility and unity of design on the campus. The facades facing 132nd Street East and Park Avenue East need to meet the architectural point system.
- Review for compliance with Title 18J will be done at time of building permit application.

Title 18S, Development Regulations – Shorelines

- A Shoreline Substantial Development Permit and Shoreline Conditional Use Permit are required to locate the new school and accessory development within the 200-foot shoreline jurisdiction of Clover Creek.
- A Shoreline Variance is required to allow impervious surfaces within 40 feet and buildings within 50 feet of Clover Creek.
- The current elementary school parcel has a shoreline designation of High Intensity. The high school parcel has a shoreline designation of Residential.
- Shoreline Substantial Development Permit. Per 18S.60.040, a Shoreline Substantial Development Permit will be required for the improvements within the 200-foot shoreline jurisdiction of Clover Creek. Since this is an entirely new campus layout and design, it exceeds the threshold or replacement under normal maintenance and repair. The new campus also exceeds the like for like replacement provisions.

- Shoreline Conditional Use Permit. The development of the new multi-story school and parking areas on the eastern High Intensity Shoreline parcel will require a Shoreline Conditional Use Permit since it exceeds the normal maintenance and repair threshold discussed above. The new school is allowed within the High Intensity Shoreline jurisdiction since it will not conflict with water-oriented uses. Development of play fields and associated parking within the Residential Shoreline jurisdiction is allowed since they will not conflict with water-oriented uses. The retention of the Gates High School gym and classroom does not require a Shoreline Conditional Use Permit since it is located outside the 200-foot jurisdiction. The replacement school is permitted within the shoreline jurisdiction since it complies with Commercial, Civic and Industrial criteria 18S.40.050.C.3.b. and c. below:
 3. *Non water-oriented commercial, civic or industrial uses, or portions of a use that are non-water oriented, are prohibited in shorelines unless they meet one of the following criteria:*
 - b. *Navigability is severely limited at the proposed site; and the commercial, civic or industrial use provides a significant public benefit with respect to the Shoreline Management Act's objectives such as providing public access and ecological restoration; or*
 - c. *The use is physically separated from the water's edge by another legally established property in separate ownership or existing permanent substantial improvement, such as a paved area, dike, levee, or other permanent structure which serves to eliminate or greatly reduce the impact of the proposed use and development upon the shoreline.*
- Shoreline Variance. Table 18S.30.030-2 requires standard shoreline setbacks of 75 feet for the Residential Shoreline and 50 feet for non-water dependent uses in the High Intensity Shoreline. These buffers may be averaged or reduced up to 25%, i.e., to 56.25 feet for Residential and 37.5 feet for High Intensity if all six criteria for standard buffer averaging and standard buffer reduction can be satisfied.

The standard fish and wildlife buffer for Clover Creek is 150 feet. A reduction of the 150-foot buffer by more than 25%, i.e., a reduced buffer of 112.5 feet, will require a Shoreline Variance. The fish and wildlife variance process has been replaced with the new Shoreline Variance process. The fish and wildlife buffer requirement supersedes the shoreline buffer width. There is a 15-foot building setback from the edge of the final fish and wildlife buffer.

Required Findings for Shoreline Approvals:

Title 18S, Development Regulations - Shorelines

18S.60.040 Shoreline Substantial Development Permit

D. Decision Criteria. *The Director shall review applications for Shoreline Substantial Development in accordance with the following decision criteria:*

1. *The proposal is consistent with the policies and procedures of the Act.*
2. *The proposal is consistent with the Title 18S PCC policies and regulations including, at a minimum, the following:*
 - a. *Policies and regulations of the shoreline environment 1 designation (SED) in which the proposal is located;*

- b. *Policies and regulations for Shorelines of Statewide Significance if the proposal is within such area;*
 - c. *Policies and regulations within the applicable General Policies and Regulations found in Chapter 18S.30 PCC; and*
 - d. *Policies and regulations within the applicable Use and Development Policies and Regulations found in Chapter 18S.40 PCC.*
3. *The proposal is consistent with the applicable provisions of Title 18E PCC.*
 4. *The proposal is consistent with the applicable policies of the Comprehensive Plan and any applicable Community Plan.*
 5. *The proposal is consistent with all applicable development regulations including, but not limited to Title 18A PCC, Development Regulations – Zoning.*

18S.60.060 Shoreline Conditional Use Permit.

D. Decision Criteria.

1. The Examiner shall review the location of the proposal for compatibility with development permitted in the surrounding areas; and make further stipulations and conditions to reasonably assure that the basic intent of the Master Program will be served.
2. *A Conditional Use Permit may be authorized provided that the applicant demonstrates all of the following:*
 - a. *That the proposed use is consistent with the policies of the Act and the Master Program;*
 - b. *That the proposed use will not interfere with the normal public use of public shorelines, nor use of waters under the Public Trust Doctrine;*
 - c. *That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the Comprehensive Plan and the Master Program;*
 - d. *That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located;*
 - e. *That the public interest suffers no substantial detrimental effect; and*
 - f. *The proposed use is consistent with all applicable development regulations.*
3. In the granting of all Shoreline Conditional Use Permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if Shoreline Conditional Use Permits were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW 90.58.020 and shall not produce substantial adverse effects to the shoreline environment.

18S.60.070 Shoreline Variance.

D. Decision Criteria – General. *A Shoreline Variance shall not be granted unless the applicant demonstrates that denial of the permit would result in a thwarting of the policy enumerated in the Act due to extraordinary circumstances, and the public interest would suffer no substantial detrimental effect.*

H. Decision Criteria – Fish and Wildlife Habitat Buffer. *Where the Shoreline Variance request includes a reduction to a fish and wildlife habitat area buffer, the applicant shall demonstrate the following:*

1. *Approval of the variance will not adversely impact 1 receiving water quality or 2 quantity.*
2. *Approval of the variance will not adversely impact any functional attribute of the habitat area.*

3. *Approval of the variance will not jeopardize the continued existence of species listed by the Federal government or the State as endangered, threatened, sensitive, or documented priority species or priority habitats.*
4. *The proposal avoids impacts and provides mitigation, pursuant to PCC 18E.40.050, to the maximum practical extent.*

I. Decision Criteria – Cumulative Impact. In the granting of all Shoreline Variances, *consideration shall be given to the cumulative impact of additional requests for like actions in the area.* For example, if Shoreline Variances were granted to other development in the area where similar circumstances exist, the total of the Shoreline Variances shall also remain consistent with the policies of RCW 90.58.020 and shall not cause substantial adverse effects to the shoreline environment.

Questions for PSMAC Discussion and Consideration

- Does the replacement school comply with Substantial Development Permit criteria? If not, what changes are recommended?
- Does the replacement school satisfy the criteria for a Shoreline Conditional Use Permit? Is there adequate public access to Clover Creek? Is there adequate vegetation restoration/mitigation along the edges of Clover Creek? If not, what changes are recommended?
- Has the applicant justified a reduction in the fish and wildlife buffer along Clover Creek from 150 feet to 50 feet? If not, what changes are recommended.

Other Questions or Concerns?

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