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BEFORE THE HEARING EXAMINER
FOR THE CITY OF SEATTLE

In Re: Appeal by

FRIENDS FOR A SAFE ALKI
COMMUNITY

of the Revised Decisions and Analysis of the
Director of SDCI for
Project No. 3039297-SD

NOTICE OF APPEAL

I. APPELLANT INFORMATION

Name: Friends for a Safe Alki Community
Address: 2745 59th Ave SW. Seattle, WA 98116
Phone: (206)755-6881
Email: cud1105@aol.com

In what format do you wish to receive documents from the Office of Hearing Examiner?

Check One: U.S. Mail Fax Email Attachment

II. AUTHORIZED REPRESENTATIVES

Name: Audrey Clungeon and Claudia Newman of Bricklin & Newman LLP
Address: 123 NW 36th St, Suite 205, Seattle, WA 98107
Phone: (206)264-8600
Email: clungeon@bnd-law.com; newman@bnd-law.com

In what format do you wish to receive documents from the Office of Hearing Examiner?

Check One: U.S. Mail Fax Email Attachment

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III. DECISION BEING APPEALED

1. Decision being appealed: Friends for a Safe Alki Community is appealing the February 22, 2024, City of Seattle Department of Construction & Inspection Revised Analysis and Decision for Project # 3039297-SD. A copy of the Notice of Decision is attached hereto as Attachment 1. A copy of the Revised Analysis and Decision is attached hereto as Attachment 2.

2. Property address of decision being appealed: 3010 59th Ave SW, Seattle, WA 98116.

3. Type of issue/decision being appealed: Development Standard Departure

IV. APPEAL INFORMATION

1. What is your interest in this decision? (State how you are affected by it.)

Friends for a Safe Alki Community (“Friends”) is a community group of over fifty neighbors and residents who live in West Seattle—primarily in the Alki neighborhood. The members of Friends live, work, drive, park, walk, or recreate near the Alki Elementary site. Some of them are parents of children who have attended or are attending Alki Elementary. Some members of Friends are past Alki Elementary staff. Members of Friends have first-hand experience with the traffic, parking, and safety issues presented by this unique site and how the departure will exacerbate these issues to the detriment of the children, community, and Friends. Friends advocates for the interests of children, pedestrians, bicyclists, park users, and people with disabilities in their community. The mission of Friends is to, among other things, promote the enhancement, preservation, and improvement of safety in the Alki neighborhood and encourage participation of Alki residents in decisions affecting their neighborhood and safety.

The Seattle Public Schools is seeking approval for deviations from code requirements at 3010 59th Ave SW (“Alki Proposal”) to nearly double the number of children and staff at Alki Elementary

1 School—despite declining enrollment—while removing much-needed parking on a site already
2 plagued with parking, traffic, and safety issues due to the logistical realities of this small site served
3 by only one narrow street. The increase in capacity and size and decrease in parking will significantly
4 and adversely impact the traffic, parking, and safety of the Alki community and Friends. All of the
5 impacts that are described below in section 2 will cause direct and concrete injury to members of
6 Friends.
7

8 A decision in favor of Friends on the issues raised in this appeal would serve its interests by
9 redressing the injuries caused to Friends by this proposal.

10 **2. What are your objections to the decision? (List and describe what you believe to**
11 **be the errors, omissions, or other problems with this decision.)**

12 The Revised Decision by SDCI was made in error and should be reversed for the following
13 reasons:

14 **3. The Revised Decision fails to satisfy the criteria for a code departure request set**
15 **forth in SMC 23.79.008.**

16 **a. The Revised Decision violates SMC 23.79.008(C)(1)(a).**

17 The Revised Decision violates SMC 23.79.008(C)(1) for several reasons. The Revised
18 Decision has not ensured that the proposed facility is compatible with the character and use of its
19 surrounding area and the Decision fails to consider and balance the impacts on traffic, noise,
20 circulation, and parking in the area. For example, the Revised Decision erroneously concludes that
21 the proposed departure request will result in no significant loss of vehicular parking on site and will
22 establish an increase in parking for the record. That is simply false. The school of approximately 300
23 students and 30-40 staff had approximately 29 parking spaces and the adjacent Community Center
24 had approximately 27 spaces and still experienced persistent parking, traffic, and safety issues. The
25 Revised Decision grants the departure to almost double the number of students and staff while
26

1 reducing the number of parking spaces down to 15. The Revised Decision also fails to consider
2 impacts to emergency/first responder access in the area. The Revised Decision continues to ignore
3 that they will make a bad situation even worse.

4 **b. The Revised Decision violates SMC 23.79.008(C)(1)(b).**

5 The Revised Decision violates SMC 23.79.008(C)(1)(b) because it fails to consider or
6 demonstrate the educational need for the departure on this site and because the decision fails to
7 balance the need with the level of impacts on the surrounding area. The Revised Decision fails to
8 consider or demonstrate that a school of this size and capacity is needed at this location, and fails to
9 balance the need with the impacts on the surrounding area. The now-demolished Alki Elementary
10 building was operating under student capacity and experiencing declining enrollment. Seattle Public
11 Schools and the Department do not demonstrate that a larger school with almost double the previous
12 capacity on a constrained site with persistent traffic, parking, and safety issues is needed—particularly
13 when multiple larger existing school sites (*e.g.*, Lafayette and Schmitz) with more parking, street
14 access, and traffic connectivity are available within 1 mile of the site. The Department did not analyze
15 or question the School’s erroneous educational need analysis.

16 **4. The Revised Decision is inconsistent with Examiner Drummond’s conclusions
17 and findings. The Revised Decision fails to consider or correct the shortcomings
18 identified in the Examiner Drummond’s decision.**

19 Following an appeal of the May 8, 2023 SDCI Analysis and Decision of the Director and
20 hearing held on July 25, 2023, Hearing Examiner Drummond granted the appeal regarding Departure
21 No. 2 related to parking and remanded it to the Department. Findings and Decision of the Hearing
22 Examiner for the City of Seattle (August 10, 2023) (Attachment 3). For example, the Examiner
23 Drummond found that the appellants “met their burden to demonstrate that the impacts the
24 neighborhood would bear from no on-site parking has not been sufficiently considered in relation to
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1 the site's unique and constrained conditions." Attachment 3 at 9. "The approach exacerbates the
2 difficult parking and circulation issues already present in the immediate area even without the
3 expansion." Attachment 3 at 9. The Revised Decision fails to address all of the issues raised by the
4 Examiner's decision and is inconsistent with the Decision. The City should be collaterally estopped
5 from forcing the community to litigate the same flawed design and analysis by the SPS and SDCI.
6

7 **5. The Revised Decision is not supported by representative data.**

8 Once again, the Revised Decision is not supported by representative traffic/parking data. In
9 August of 2023 Examiner Drummond found that "[t]he parking analysis was completed during an
10 extraordinary time-period that does not reflect current or expected conditions." Attachment 3 at 9.
11 The Department's conclusions were based on unrepresentative traffic/parking data collected during
12 the covid pandemic, when the West Seattle bridge was closed, and when recreational activity at the
13 adjacent Alki beach area was low. Despite Examiner Drummond's decision, the department once again
14 relied on unrepresentative data. For example, Hefron's updated parking analysis, dated December 7,
15 2023, was completed when Alki elementary was not occupied by students or staff and the building
16 was being demolished. The traffic and parking counts for a non-existent school is not representative
17 of school traffic and parking conditions.
18

19 **6. The Revised Decision fails to consider additional parking reductions in the area.**

20 The Revised Decision does not consider additional parking reductions in the area. For
21 example, the Department's decision relied on the nearby Seattle Parks Department parking areas.
22 However, the Parks Department recently announced a plan to eliminate the parking lot and convert it
23 to a landscaped vegetated site. This would remove an additional 27 parking spots from the vicinity of
24 the school. This was not considered or addressed by the Department. The Revised Decision relies on
25 parking areas from other agencies that will not be available.
26

1 **7. One ADA parking space for 600+ people is inadequate.**

2 The Revised Decision approves the plan to provide only one ADA parking spot for nearly
3 550 students and 65 to 75 staff. One ADA parking spot is insufficient, unsafe, and inconsistent with
4 City policies and best practices for school traffic design.

5 **8. The lack of parking for the new pre-school will result in safety concerns that have
6 not been considered or mitigated.**

7 The Alki Proposal would include a new 42-child pre-school while also removing on-site
8 parking for the parents of these small children who cannot bus or cross streets on their own. The 15
9 spaces are not only inadequate for the expected number of children, but will also likely be taken by
10 school staff. This will force parents to find parking elsewhere and cross busy or congested streets with
11 a small child. The Revised Decision ignores this issue.

12 **9. The Revised Decision fails to demonstrate that the project is feasible on this site.**

13 At 1.4 acres, the Alki School is the smallest public school site in Seattle. It is located in an
14 exceptionally busy environment, in the midst of regional parks and Alki Beach attractions, within a
15 Parking Overlay, adjacent to critical areas/steep slopes, and with limited street access. Due to the
16 limited and cramped street access, busy conditions, and poor traffic circulation, 59th Ave SW becomes
17 a one lane street creating unsafe and unmanageable traffic and parking issues. Parents are forced to
18 park in an unsafe and illegal manner in the parent drop off zone. To allow vehicles to pass, vehicles
19 parked along 59th have to pop up over the curb and park in the planted space between the road and
20 sidewalk. The existing site requires illegal maneuvers from parents and the deviation only promises
21 to make the existing problems worse.

22 This small and constrained site cannot accommodate a playground and lacks on-site pick-
23 up/drop-off. Children are forced to cross the busy congested street. Parents with small children and
24 staff will struggle to find parking in the vicinity. These are persistent problems that will be exacerbated
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1 by the departure and construction of a new, larger school on this fundamentally incompatible site. A
2 large school at this location simply is not feasible without significant impacts which cannot be
3 mitigated due to unchangeable site constraints.

4 **10. The condition to create a transportation management plan after construction**
5 **will not mitigate the impacts.**

6 The condition to create a transportation management plan after construction will not mitigate
7 the adverse impacts of the school departure on the surrounding community and children’s safety.
8 There is no dispute that the Alki site is an exceptionally small site with only one access street, 59th
9 Ave SW to the west, and with environmental constraints such as steep slopes on the south and east
10 sides. It is a limited site and a transportation management plan will not change that or mitigate the
11 inevitable adverse impacts caused by the underlying design to increase capacity and reduce parking
12 on this limited site. The transportation management plan should be developed prior to approval.

13 **11. The City failed to consider public comment and input.**

14 The public comments on this Project included considerable substantive critiques that were not
15 considered or addressed by the City. Friends hereby incorporates the issues and comments raised in
16 Friends’ member Steve Cuddy’s comments submitted to SDCI on March 8, 2023 (Attachment 4) and
17 January 5, 2024 (Attachment 5) and Linda Cuddy’s comments submitted on January 12, 2024
18 (Attachment 6).

19 **12. The Revised Decision was inconsistent with SMC 23.79.010(A).**

20 The Revised Decision is inconsistent with SMC 23.79.010(A) because the Director’s decision
21 was not based on an evaluation of the factors set forth in subsection 23.29.008.C and comments from
22 the public.
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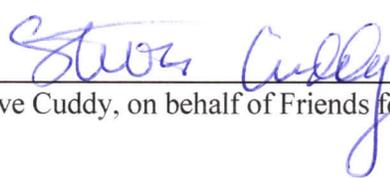
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13. Relief Requested.

Appellant requests that the Hearing Examiner vacate SDCI’s decision and provide any and all additional relief that is necessary to address and alleviate the errors raised by the objections to the decision that are presented in this appeal.

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Filed on behalf of Friends for a Safe Alki Community this 7th day of March, 2024.

By: 
Steve Cuddy, on behalf of Friends for a Safe Alki Community

BRICKLIN & NEWMAN, LLP

By: 
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clungeon@bnd-law.com
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Attorneys for Friends for a Safe Alki Community

ATTACHMENT 1

Notice of Revised Decision

The Director of the Seattle Department of Construction and Inspections has reviewed the Master Use Permit application(s) below and issued the following decisions. Interested parties may appeal these decisions.

Hearing Examiner Appeals

To appeal to the City's Hearing Examiner, the appeal **MUST** be in writing. Appeals may be filed online at <https://www.seattle.gov/hearing-examiner/citations/>, or mailed to the City of Seattle Hearing Examiner, P.O. Box 94729, Seattle, WA 98124-4729. (Delivery of appeals filed by any form of USPS mail service may be delayed by several days. Allow extra time if mailing an appeal.) An appeal form is available at <https://www.seattle.gov/hearing-examiner/citations/>.

Appeals must be received prior to 5:00 P.M. of the appeal deadline indicated below and be accompanied by an \$85.00 filing fee. The fee may be paid by check payable to the City of Seattle or a credit/debit card (Visa and MasterCard only) payment by telephone at 206-684-0521. (The Hearing Examiner may waive the appeal fee if the person filing the appeal demonstrates that payment would cause financial hardship).

The appeal must identify all the specific Master Use Permit component(s) being appealed, specify exceptions or objections to the decision, and the relief sought. Appeals to the Hearing Examiner must conform in content and form to the Hearing Examiner's rules governing appeals. The Hearing Examiner Rules and "Public Guide to Appeals and Hearings Before the Hearing Examiner" are available at <https://www.seattle.gov/hearing-examiner/citations/>. To be assured of a right to have your views heard, you must be party to an appeal. Do not assume that you will have an opportunity to be heard if someone else has filed an appeal from the decision. For information regarding appeals, visit the Hearing Examiner's website at www.seattle.gov/examiner or call them at (206) 684-0521.

Interpretations

The subject matter of an appeal of a discretionary decision is limited to the code criteria for that decision, and generally may not include other arguments about how the development regulations of the Land Use Code or related codes were applied. However, in conjunction with an appeal, a Land Use Code interpretation may be requested to address the proper application of certain development regulations in the Land Use Code (Title 23) or regulations for Environmentally Critical Areas (Chapter 25.09) that could not otherwise be considered in the appeal. For standards regarding requests for interpretations in conjunction with an appeal, see Section 23.88.020.C.3.c of the Land Use Code.

Interpretations may be requested by any interested person. Requests for interpretations must be filed in writing prior to 5:00 P.M. on the appeal deadline indicated below and be accompanied by a \$4,390.00 minimum fee payable to the City of Seattle. (This fee covers the first ten hours of review. Additional hours will be billed at \$439.00.) **Requests must be submitted to the Department of Construction & Inspections, Code Interpretation and Implementation Group, 700 Fifth Ave., Suite 2000, PO Box 34019, Seattle, WA 98124-4019.** A copy of the interpretation request must be submitted to the Seattle Hearing Examiner together with the related project appeal. Questions regarding how to apply for a formal interpretation may be sent to www.seattle.gov/sdci/questions. Please include "Interpretation Information" in the subject line.

Shoreline Decisions

An appeal from a shoreline decision is made to the State Shorelines Hearing Board. It is NOT made to the City Hearing Examiner. The appeal must be in writing and filed within 21 days of the date the SDCI decision is received by the State Department of Ecology (DOE). The SDCI decision will be sent to DOE by the close of business on the Friday of this week. If the Shoreline decision involves a shoreline variance or shoreline conditional use, the appeal must be filed within 21 days after DOE has made their decision. The information necessary for DOE to make their decision will be sent to them by the close of business on the Friday of this week. The beginning of the appeal period may also be provided to you by contacting www.seattle.gov/sdci/questions. The minimum requirements for the content of a shoreline appeal and all the parties who must be served within the appeal period cannot be summarized here but written instructions are available in SDCI's TIP 232 (<https://bit.ly/SDCI-Tip-232>). You may also contact the Shorelines Hearing Board at (360)

459-6327. Failure to properly file an appeal within the required time period will result in dismissal of the appeal. In cases where a shoreline and environmental decision are the only components, the appeal for both shall be filed with the State Shorelines Hearing Board. When a decision has been made on a shoreline application with environmental review and other appealable land use components, the appeal of the environmental review must be filed with both the State Shorelines Hearing Board and the City of Seattle Hearing Examiner.

Comments

When specified below written comments will be accepted. Comments should be sent to: www.seattle.gov/project/comment or mailed to Department of Construction & Inspections, LUIB, 700 Fifth Ave., Suite 2000, PO Box 34019, Seattle, WA 98124-4019. All correspondence is posted to our electronic library at [Seattle Services Portal](#).

Information

The project file, including the decision, application plans, environmental documentation and other additional information related to the project, is available in our electronic library at [Seattle Services Portal](#).

To learn if a decision has been appealed check the website at [Seattle Services Portal](#) and click on the Land Use tab in the lower half of the screen for any Hearing date and time. You may also contact us at www.seattle.gov/project/comment.

Decision

Area: West Seattle
Address: 3010 59TH AVE SW
Project: 3039297-SD
Zone: Lowrise 1(M) (LR1(M))

Applicant Contact: Brian Fabella, Seattle Public Schools (206) 252-0211
SDCI Planner: Carly Guillory - (206) 684-0720



ATTACHMENT 2



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

ATTACHMENT 3

**FINDINGS AND DECISION
OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE**

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**

Department Reference:
3039297-SD

from a decision by the Director,
Seattle Department of Construction
and Inspections.

FINDINGS OF FACT

1. Background. Seattle Public School District (“School District”) is rebuilding Alki Elementary, 3010 59th Avenue SW. Following environmental review, Seattle’s Department of Neighborhoods reviewed the proposal, accepted comment, and issued a recommendation. Seattle’s Department of Construction and Inspections (“Department”) then approved nine code departures, one of which (Departure #5 for curb cut width) was withdrawn at hearing. The contested departures allow:

- **Departure 2:** Less than required vehicle parking, SMC 23.54.015;
- **Departure 3:** Off-site bus load and unload, SMC 23.51B.002(I)(4);
- **Departure 4:** Curb cut to a service area without parking, SMC 23.54.030(F)(2)(b)(3);
- **Departure 6:** Larger curb cut flare, SMC 23.54.030(F)(5);
- **Departure 7:** Less than required long-term bicycle parking, SMC 23.54.015, Table D;
- **Departure 8:** Less than required weather protected bicycle parking, SMC 23.54.015(K)(2); and,
- **Departure 9:** Changing image electronic sign, SMC 23.55.020(B).¹

Jacqueline Szikszoy, Shauna Casey, Maryanne Wood, and Kathleen Oss (jointly, “Appellants”) appealed.² The Appellants support school reconstruction but raised concerns on specific impacts. The four appeals focused on the removal of existing on-site parking and the site’s unique nature due to its small size, the tight surrounding street grid, and its proximity to Alki Beach.

2. Hearing. The hearing was held July 25, 2023. The four Appellants each appeared. Ms. Goddard represented the Department. Ms. Kendall and Mr. Patterson, of McCullough Hill PLLC, represented the School District.

¹ Exhibit 1 (Decision).

² Two other appeals were dismissed.

3. Witnesses. The Appellants testified, along with Gary Norris (a transportation engineer), Terri Saxlund, and Ben Lormis. The School District called Rebecca Hutchinson, the project manager and architect with Mahlum, and Tod McBryan, a transportation engineer with Heffron Transportation.

4. Exhibits. All exhibits were admitted without objection: Department Exhibits 1-6; School Exhibits 1-8; Ms. Szikszoy's two exhibits; Ms. Wood's Exhibit 1; and, Ms. Oss's Exhibits 1 and 2.

5. Site Visit. The Examiner visited the site late in the morning on August 2, 2023, which closed the record. The visit provides context, not evidence.

6. Review Process. Due to COVID-19 public gathering restrictions, the Department of Neighborhoods, in lieu of public meetings, accepted written public comment before issuing a recommendation to the Department. Appellants identified concerns over the adequacy of neighborhood representation in the review process, but this was not an appeal issue.

7. Zoning. The site is within Lowrise 1 (M) or LR1(M) zone. To the north is Neighborhood Residential 3 (NR2), to the south is LR1(M), to the east is NR3, and to the west is LR1(M). Alki Beach is two blocks north.

8. Project. At 1.4 acres, Alki Elementary has the smallest site of the District's elementary schools.³ Originally built in 1913 as a ten-room brick building, the school was expanded in 1954. A 1965 earthquake damaged the structure's older portions and the school was repaired in 1967, with the older areas replaced.⁴ Reconstruction would provide increased capacity.

When traffic data was collected in 2021, enrollment was 308 students, below the reported 369 student capacity, and below a peak of 413 students in 2015.⁵ Much of the new enrollment will be for pre-school students. Current staff is 38; the new staff figure is 75.⁶

The school would be designed to accommodate 502 students plus up to 40 children in early learning (pre-school) programs, which would represent a net increase of about 173 students compared to current school capacity and an increase of 234 students compared to the enrollment at the time of data collection for this analysis. SPS estimates that total staffing at the school would be 65 to 75 employees – an increase of 27 to 37 compared to current conditions.⁷

³ School Exhibit 8 (Power Point), p. 15.

⁴ School Exhibit 8 (Power Point), p. 16.

⁵ School Exhibit 3 (SEPA Checklist), Att. G (Traffic Analysis), p. 2.

⁶ School Exhibit 3 (SEPA Checklist), Att. G (Traffic Analysis), p. 26; Testimony, Ms. Causey.

⁷ School Exhibit 3 (SEPA Checklist), Att. G (Traffic Analysis), p. 4.

9. Street Layout. The school is set within a single-family neighborhood. Alki Playground and Whale Tail Park are adjacent to the north. With Alki Beach two blocks north, the school is also within an area which is a regional recreational draw.

The site has limited street access, with just one right-of-way, 59th Avenue SW, fronting the school to the west. 59th Ave SW is signed for on-street bus loading and unloading in front of the school and for parent drop-off north of SW Stevens Street. Both loading zones are signed for 15 min parking from 7-10 AM and 1-4 PM, with parking not otherwise allowed. Due to its narrow width, during drop off and pick up times, 59th effectively becomes a one-way street.⁸ Secondary access points at the northeast and southwest corners will continue to be used with the new building for pre-school and child-care access.⁹

10. Parking Reduction. The code requires 48 parking spaces. With the removal of all on-site parking, the School is proposing no parking. Current on-site parking allows for over 20 parking spaces and the lot is “always completely full”¹⁰ with the parking space “well used.”¹¹ As the striping is old, there is not an exact parking space number. This parking is coupled with a space to the north (but owned by the City) which can accommodate about 27 vehicles and is used for school events.

A paved surface with room to park about 20 vehicles is located on the south side of the school buildings and is accessed from a driveway at the south edge of the site on 59th Avenue SW. Much of the parking lot striping has faded, but historical aerial images indicate the area has been used for parking 20 or more vehicles. This area is also used for trash and recycling container storage and pick up.¹²

The hard-surface area north of the building is City of Seattle Property ... but is also used for school-event parking. Historical aerials indicate the surface can accommodate about 27 parked vehicles.¹³

Public school parking requirements are based on new assembly space (commons and gymnasium) rather than daily school day demand, so do not necessarily account for day-to-day needs. For Alki, the calculation is based on the 3,800 square feet of dining commons and excludes the 6,000 gym square foot gym as total gym space is not being increased.¹⁴ If included, 123 spaces would be required. For private schools without assembly space, one space per each staff member would be required (75 spaces).¹⁵

⁸ Testimony, Appellants’ witnesses and Mr. McBryan.

⁹ School Exhibit 8 (Power Point), p. 29.

¹⁰ Testimony, Ms. Causey.

¹¹ Testimony, Ms. Causey.

¹² School District Ex. 3 (SEPA Checklist), App. G (Transportation Analysis), p. 1; School Exhibit 8 (Power Point), p. 56.

¹³ School District Ex. 3 (SEPA Checklist), App. G (Transportation Analysis), p. 2.

¹⁴ School District Ex. 8 (Power Point), p. 57.

¹⁵ SMC 23.54.015, Table C.

The School District's position is that if all code required parking were provided, a parking lot sized at half the buildable area would be required. Accommodating this parking area would reduce the available area for the educational program and outdoor play area.¹⁶ An alternative approach would be buying residential properties to the south to accommodate the 48 parking stalls.¹⁷ The School District did not identify underground parking as an option and while it prefers not to acquire local residences for the school, it did not detail why land acquisition is otherwise infeasible.

The School District completed a parking study in 2021. It was done in December, which was described at the hearing as a low volume period. The traffic engineer testified that his analysis, at Table 2, showed parking capacity at about 50-58% utilization, with 54-74% utilization at build-out.¹⁸ He stated that the December counts would not reflect beach related demand at other times of the year, though school demand largely does not overlap.

[T]he expanded school could generate an additional parking demand of 26 to 45 vehicles; With the elimination of the on-site parking lot, the project could increase demand for on-street parking on school days by 45 to 64 vehicles. ... on-street parking within the site vicinity averages between 50% and 56% occupied on school days with between 157 and 180 unused spaces Therefore, the increase in school-generated demand could be accommodated by unused supply and typical utilization is estimated to remain between 64% and 73%.¹⁹

With the expanded school at its planned capacity, the largest event – Curriculum Night – is likely to cause on-street parking within the study area to be full or to have demand that extends beyond the 800-foot study area. In addition, Curriculum Night typically occurs in late September or early October when seasonal use of Alki Beach front is higher and background on-street parking occupancy can be much higher.²⁰

In addition to the study occurring during a low volume time of year, it occurred during a period with lingering COVID²¹ impacts and Alki bridge closure. The consultant testified that these issues were addressed and confirmed with Google images of parking availability. However, the analysis does not detail the degree to which the unique time-

¹⁶ School Exhibit 8 (Power Point), p. 59.

¹⁷ School Exhibit 8 (Power Point), p. 60.

¹⁸ Department policy is to look to mitigation at 85% capacity. This trigger is not within school departures code requirements.

¹⁹ School District Ex. 3 (SEPA Checklist), App. G (Transportation Analysis), p. 26.

²⁰ School District Ex. 3 (SEPA Checklist), App. G (Transportation Analysis), p. 27.

²¹ Testimony noted individuals were still working at home, so presumably using more parking spaces, but not the degree to which students and staff were doing the same.

period affected it. The School District did not supplement its parking analysis with actual counts based on current conditions.²²

Recommended mitigation for large events included splitting Curriculum Night to occur over two nights and developing a neighborhood communication plan to inform neighbors of large events, meaning those expected to draw 400 or more, “the level estimated to cause on-street parking to exceed 85%.”²³

Ample hearing testimony from project neighbors detailed a cramped situation with difficult vehicle circulation patterns, particularly during peak periods, features which will be made worse with the near doubling of students, many of whom will be of pre-school age and will neither walk nor bus. Under these challenging circumstances, virtually all 75 staff members would have to secure off-site parking, in contrast to the current situation, where there is at least some on-site parking for staff.

The School District’s traffic engineer detailed the mitigation measures which would be in place to provide for more orderly traffic flow. However, the engineer did not refute the neighbors’ depiction of on-site traffic circulation during peak periods and their personal experience with the difficulties in locating parking. He stated he had observed congestion and undesirable vehicle movements. He expected that with a traffic management plan, parents would likely be directed to essentially treat 59th as a one-way street, though its legal designation was unlikely to reflect that de facto operating condition during the drop-off and pick-up periods.

Testimony from neighbors emphasized that the approach taken here may be safe in another, less constrained neighborhood which is not two blocks from a regional park destination but is impossible here.²⁴

The code recognizes the unique and constrained circumstances through the Alki Area Parking Overlay, which imposes a higher minimum parking requirement of 1.5 spots per multi-family unit.²⁵ Though not addressed in the School District’s parking analysis, according to one citizen’s testimony this figure is higher than elsewhere except the U-District.²⁶ Certainly, the overlay’s presence is unique. One of the Appellants testified about her experience in spending a considerable sum of money to add a parking spot.²⁷ It was unclear to the Appellants why an elementary school with 542 students and 75 staff members is providing no parking.

²² See e.g., School District Ex. 3 (SEPA Checklist), App. G (Transportation Analysis), p. 17 (“It is acknowledged that parking demand in the vicinity is also influenced by the seasonable activities at the Alki Beach front, which are not reflected in the counts from December 2021.”).

²³ School District Ex. 3 (SEPA Checklist), App. G (Transportation Analysis), p. 27.

²⁴ Testimony, Ms. Causey. See also testimony from the Appellants’ witnesses. Appellants noted that even in less constrained situations, greater parking is provided at other schools. Appellant Oss Ex. 2.

²⁵ SMC 23.54.015, Map B.

²⁶ Testimony, Ms. Causey.

²⁷ Testimony, Ms. Causey.

Ms. Causey testified about her experience in walking the neighborhood on March 20 and 23, 2023. She stated she walked within 30 minutes of both drop off and pick up at the school. Within about eight blocks, she found two spots open and 15 illegally parked cars, resulting in negative parking. The School District's traffic engineer stated he was not surprised at the observed road zone extension or the illegal parking.

The traffic engineer stated that for emergency situations, physical conditions are not all that different from other streets of similar widths, and if problematic the city could designate non-arterial emergency access. It was not disputed that conditions are cramped and emergency access during these peak periods face challenges.

There was also concern about the one off-site ADA parking spot in what is a chaotic area during peak periods and the difficulty a disabled person would have. This testimony came from individuals who have experienced this issue either through family or sports.²⁸

The experiences of neighbors who live and observe street conditions daily was that the street network density and shorter block faces, coupled with the site's unique conditions, and the removal of on-site parking, will make the situation considerably more difficult for parents dropping off their children and for circulation generally.

The Appellants emphasized that when the December 2021 parking analysis was completed, conditions were different. December is always different, but that 2021 period was an anomaly, particularly with the bridge closure.²⁹ Given the unique site constraints and cramped conditions, coupled with the change between normal conditions and when the study occurred, the Appellants urged that a parking plan be developed which accounts for the busier months of April, May, June, September, and October to reflect current neighborhood conditions and that existing parking remain. Greater attention to parking was not demonstrated to be infeasible. The Appellants reiterated the significant use conflicts present at this highly constrained site particularly when no parking is provided for a use with 542 students and 75 employees.

11. Bus Loading and Unloading. The School proposes to maintain the existing on-street bus loading area. The code allows a rebuilt school to maintain existing on-street bus loading if the school site is not being expanded, student capacity is not expanded over 25%, and the bus loading location is unchanged.³⁰ With the student capacity increase, departure approval is required.

Vehicle site access is limited given the single frontage along 59th Ave SW. There is not available area for an on-site bus loading zone without further land acquisition, such as the residential property to the south, which is why retaining the existing loading zone

²⁸ See also Appellant Wood Exhibit 1.

²⁹ The traffic analysis recognized this for overall volume. "[E]astbound volumes have declined by about 32% in the morning peak hour and by about 17% in the afternoon peak hour compared to the pre-pandemic/pre-bridge-closure 2018 and 2019 data; westbound declines were about 9% in the morning and 28% in the afternoon." School District Ex. 3 (SEPA Checklist), App. G (Transportation Analysis), p. 10.

³⁰ SMC 23.51B.002(I)(4).

was proposed. Due to the limited right-of-way, there are impacts. When in operation, the loading zone, coupled with the student loading zone, effectively creates a one-way thoroughfare.³¹ The bus loading zone though would not exacerbate the current situation. Although the student population is increasing, the School District does not foresee an increase in the number of buses utilizing the area. By code, as the loading zone is not moving or being expanded, the departure is needed only due to the student population increase, though that increase is not expected to increase impacts.

12. Curb Cut to Service Area without Vehicle Parking.³² The School District proposes to provide a curb cut on 59th Ave SW to access the onsite service area without vehicular parking spaces. The proposal will replace an existing curb cut. The proposed curb cut is in approximately the same location as the existing one. The code requires one off-street loading berth and on-site solid waste storage. The curb cut is necessary for access. The Appellants were concerned with conflicts with other users (children and bicycles).³³ The School District's traffic engineer testified that these impacts could be managed. Use would be during non-active hours and vehicles will be professionally driven at slow speeds.

13. Curb Cut Flare. The School District proposes five-foot flares on each curb cut side for a 2.5-foot flare width departure.³⁴ The School District stated safe access to the required off-street loading berth and on-site solid waste storage area requires a curb cut with 5-foot wide flares on each side. The limited site area requires that the loading berth and solid waste storage be arranged side-by-side, which further restricts on-site truck movements. The extra flare width helps trucks safely navigate on and off the site by giving them more room to maneuver, improving sight lines, and providing more clearance from cars parked across the street. School testimony and exhibits detailed improved safety with the adjustment. Appellants did not substantiate with technical information how the request would decrease or impair safety.

14. Bicycle Parking (Long-Term) Quantity. The code requires 78 long-term bicycle parking spaces.³⁵ The School proposes 40. The Department noted that the site does not now provide long-term bike parking that meets current standards and the School District is coordinating with Seattle Parks & Recreation to provide additional bicycle parking for joint use on the park's property to the north.³⁶ The Appellants did not substantiate insufficiency to address demand or material neighborhood impacts.

15. Bicycle Parking Performance Standards. Weather protection will be provided for 22 of the 40 long-term bicycle parking spaces.³⁷ The Appellants did not present evidence substantiating impairment to the user experience or inadequacy of the proposed level of weather protection.

³¹ Testimony, Ms. Wood.

³² SMC 23.54.030(F)(2)(b)(3).

³³ Testimony, Ms. Wood.

³⁴ SMC 23.54.030(F)(5).

³⁵ SMC 23.54.015 Table D.

³⁶ Department Exhibit 1 (Decision), p. 13.

³⁷ SMC 23.54.015(K)(2).

16. Changing-Image Message Board Sign. The single-faced, changing-image message board sign required a departure.³⁸ The sign will face “Parks Boulevard” and Alki Playground, adjacent to the main entry. This location is visible to vehicles, bicyclists, and pedestrians but avoids impacts to neighbors living on 59th Ave. NW. The sign has a canopy, which addresses dark sky concerns and is strictly conditioned.³⁹

CONCLUSIONS OF LAW

1. Jurisdiction and Review Standard. The Hearing Examiner has jurisdiction.⁴⁰ The appeal is reviewed de novo with the criteria the Department used. “The decision of the Director shall be given substantial weight, and the burden of establishing the contrary shall be upon the appellant.”⁴¹

2. Departures. In Seattle most schools are in residential zones as the zoning code lacks a school zone. Typically, school renovations do not meet all underlying zoning requirements, so the SMC allows public schools to request land use code departures. This process provides an opportunity for the surrounding community to provide feedback on the requested departures. The code sets forth criteria specific to public school code departure requests.⁴² The intent is to grant departures from code requirements to accommodate program educational needs. The criteria balance neighborhood context with necessity. Code intent governs facility compatibility with its surroundings, and the Department is to “consider and balance the interrelationships among” these factors:

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.

³⁸ SMC 23.55.020(B).

³⁹ Department Exhibit 1 (Decision), pp. 14 and 16 (use limited to 7 AM – 9 PM, one color with a dark background, and no video, flashing, scrolling, rolling, tumbling or moving images).

⁴⁰ SMC 23.79.012.

⁴¹ SMC 23.79.012(D).

⁴² SMC 23.79.002.

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.⁴³

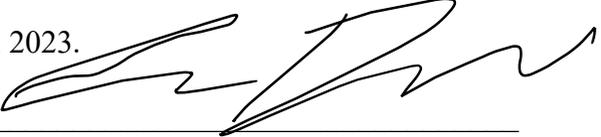
3. Balance of Overall Impacts. The Appellants met their burden to demonstrate that the impacts the neighborhood would bear from no on-site parking has not been sufficiently considered in relation to the site's unique and constrained conditions. Appellants also met their burden to demonstrate that it is not necessary to eliminate all parking to meet educational needs. The approach exacerbates the difficult parking and circulation issues already present in the immediate area even without the expansion. The parking analysis was completed during an extraordinary time-period that does not reflect current or expected conditions. This issue should be revisited, with further thought given to how to improve the balance between school needs against the parking and circulation challenges the area faces.

The Appellants did not meet their burden of proof to demonstrate error for the departures granted for the bus loading zone, curb cuts, bicycle parking, and the sign. These departures would largely not exacerbate impacts over existing conditions. Bus use will not increase, there is room for students and staff to park their bikes, and the curb cut adjustments are not significant departures from current operating conditions. While the Appellants did not meet their proof burden on these issues, more attention to parking impacts within this highly constrained and unique setting is needed.

DECISION

The appeal is **GRANTED** regarding Departure 2 (parking). The Department's decision is otherwise upheld. The decision is returned to the Department for proceedings consistent with the Examiner's decision. Jurisdiction is not retained.

Entered August 10, 2023.



Susan Drummond
Deputy Hearing Examiner

⁴³ SMC 23.79.008(C)(1)(a) and (b).

Concerning Further Review

NOTE: It is the responsibility of the person seeking to appeal a Hearing Examiner decision to consult code sections and other appropriate sources, to determine applicable rights and responsibilities.

The Hearing Examiner's decision is the final decision for the City of Seattle. Under RCW 36.70C.040, a request for the decision's judicial review must be commenced within twenty-one (21) days of the date the decision is issued unless a motion for reconsideration is filed, in which case the judicial review request must be commenced within twenty-one (21) days of the date the motion for reconsideration order is issued.

The person seeking review must arrange for and initially pay for preparing a verbatim transcript of the hearing. Instructions for preparation of the transcript are available from the Office of Hearing Examiner. Please direct all mail to: PO Box 94729, Seattle, Washington 98124-4729. Office address: 700 Fifth Avenue, Suite 4000. Telephone: (206) 684-0521.

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies of the attached **Findings and Decision** to each person below, in **Szikszoj, Casey, Wood, and Oss** Hearing Examiner File: **SDD 23-003, 004, 006, and 008** in the manner indicated.

Party	Method of Service
Appellant of SDD-23-003 Jacqueline Szikszoj jszikszoj@gmail.com	<input type="checkbox"/> U.S. First Class Mail <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Appellant of SDD-23-004 Shauna Causey shaunacausey@gmail.com	<input type="checkbox"/> U.S. First Class Mail <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Appellant of SDD-23-006 Maryanne Wood lucilhasa1@yahoo.com	<input type="checkbox"/> U.S. First Class Mail <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Appellant of SDD-23-008 Kathleen Oss 2707kathyoss@gmail.com	<input type="checkbox"/> U.S. First Class Mail <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Applicant Legal Counsel McCullough Hill PLLC Katie J. Kendall kkendall@mhseattle.com Isaac A. Patterson ipatterson@mhseattle.com	<input type="checkbox"/> U.S. First Class Mail <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Department Holly J. Godard Holly.godard@seattle.gov	<input type="checkbox"/> U.S. First Class Mail <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger

Dated: August 10, 2023

/s/ Angela Oberhansly
 Angela Oberhansly, Legal Assistant

ATTACHMENT 4

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March 8, 2023

MR. NATHAN TORGELSON, DIRECTOR
Seattle Department of Construction and Inspection
Seattle Municipal Tower
Address: 700 5th Ave #200
Seattle, WA 98104

ATTN: Ms. Holly Godard, Design Review Planner
Delivered via email to: holly.godard@seattle.gov

**RE: LETTER OPPOSING SDCI ZONING WAIVERS OF TRAFFIC AND PARKING REQUIREMENTS FOR
SPS ALKI ELEMENTARY SCHOOL REBUILD.**

Dear Mr. Torgelson,

Please accept this letter of opposition to the Seattle Public Schools' ("SPS") request to be granted waivers/departures for traffic and parking related zoning requirements for its Alki Elementary School rebuild project. I was out of town during much of the past year, and did not realize the harmful consequences of this project until recently.

I understand that school projects located in residential zones are typically granted zoning waivers through the Department of Neighborhoods ("DON") evaluation process, because school buildings and activities often cannot exist in compliance with normal residential zoning requirements.

I am writing to object in this particular case to granting departures for traffic and parking issues, because the SPS consultant's traffic study conclusions - upon which all the Alki School departure recommendations have explicitly relied - is faulty and misleading about matters central to the outcome of their departure reviews, and for other reasons as set forth below.

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I. EXECUTIVE SUMMARY.

Seattle Public Schools (“SPS”) plans to rebuild its Alki Elementary School, nearly double the number of students and staff (from about the current 350 to over 600), and eliminate all current off-street parking. Among other things, this will result in no off-street ADA parking. SPS’ ability to successfully do this largely depends upon the *actual capacity* of the already crowded streets in the Alki neighborhood to accommodate day-long parking for 65-75 staff, and school start-and-stop time parking for hundreds of families who drive their kids to Alki School now, and whose numbers will dramatically increase, as proposed.

To address this challenge, SPS hired a consultant who conducted a traffic and parking availability survey and authored a “Transportation Technical Report” (hereinafter: “Traffic Study” or “TS”). Copy Attached. [The Traffic Study was also submitted as Appendix G to the SPS Alki Elementary SEPA checklist, which is also available on the SPS Website.]

The traffic and parking surveys took place during November and early December of 2021, i.e., during the first full Covid “Omicron Spike” Winter, when *both* West Seattle Bridges were closed, and at the coldest, shortest, and wettest, and dreariest time of year when Alki Parks and Recreation uses are at their lowest. [Note: The “High” Bridge was closed to all traffic from March 2020 to September 2022. The “Low” Bridge was closed during weekdays from 5am to 9pm to all but freight, transit, emergency response vehicles, and a few specially permitted vehicles, for approximately the same period – about 2 ½ years. This schedule closed the “Low” bridge to all private vehicles headed to the Alki Area at all times during which they would normally compete with Alki school parents and staff for on-street parking, including the very busy school start and end times. Link:

<https://www.seattle.gov/transportation/projects-and-programs/programs/bridges-stairs-and-other-structures/bridges/west-seattle-bridge-program/low-bridge-access#:~:text=The%20Low%20Bridge%20Access%20Program,%2DRoad%40seattle.gov>]

The traffic consultant admitted in its report that the study was conducted at a non-representative time. It therefore “adjusted” its *vehicle traffic volume* numbers to “normalize” its data to reflect the pre-covid, pre-bridge closure era, and also adjusted for year-round neighborhood seasonal traffic flows, which it judged best reflected the circumstances that would be present when the proposed new larger Alki School opens in 2025.

However, the consultant made *no such adjustments to its parking scarcity data*, and instead presented its raw, unadjusted, “un-normalized” *parking availability figures gathered on December 7 and 9 of 2021*, as (somehow) representative of parking scarcity at all times of a normal school year, post-pandemic,

with both West Seattle bridges re-opened, and during spring and fall seasons of far heavier Alki area Park use. The Traffic study then relied upon its unrealistically low December 2021 parking availability census to conclude that the Alki School Project would have *no significant adverse parking impacts in any season, post-Pandemic, with both West Seattle Bridges reopened.*

The Study's parking conclusion and recommendation are neither rational nor reliable. The "no parking-impact" conclusion is "faulty" because it:

- a) Contradicted the study's own explicit admission that it was conducted during a non-representative time, which specifically noted significant upward seasonal, non-pandemic, and reopened bridge traffic and parking variations;
- b) Contradicted the Study's own internal protocols, which "normalized" its other data by using numbers taken from more representative times, but *not* parking data;
- c) The Study admitted that its own survey data did not support its Conclusion of "No significant impact" during normative times and all seasons.

Worst of all, the Study failed to even address SPS' proposal to designate *a single ADA parking space for a school housing over 600 persons*, plus the several hundred more people who daily access the school to drop-off and pick-up their young students, some of whom may need ASA parking. Because SPS *plans to eliminate all its current 29 off-street parking spaces*, it proposes to locate its *single* ADA space across the street from Alki School, requiring ADA persons to park next to, and pass over crosswalks at a "T" intersection that is already very congested now (with only 300 students) at school start-and-stop times, with hundreds of pedestrians, multiple school buses, and a stream of parent vehicles passing through.

SPS offered its Traffic Study's December 2021-based "no-impact" parking conclusion to other agencies charged with evaluating parking and traffic departure requests for Alki School. They all relied on the Study's faulty parking conclusion to recommend that SDCI grant the traffic and parking zoning departures requested by SPS' Plan in order to double the School size, eliminate all off-street staff and ADA parking, and add enormous additional traffic and parking burdens to already overcrowded streets.

This is not an exaggeration. SPS, its Architect, and the Department of Neighborhoods ("DON") all specifically confirmed in written documents that they relied on the Traffic Study's parking conclusions and recommendations to decide to endorse the requested SPS Departures. As a consequence, *all the departure traffic and parking decisions and recommendations made to SDCI so far are based on a faulty Traffic Study.* They should be denied by SDCI for that reason.

I expect that SPS may have also submitted its faulty Traffic Study to other City agencies, to convince them that their interests would not be adversely affected by its plans for Alki School. If so, they should be given the opportunity to reconsider their views of the project, and share them with SDCI, *before* the Departure decisions are made.

School related traffic congestion now causes narrowed streets from excess legal and illegal parking along 59th AVE SW. This route is important to the Seattle Fire and Police Departments ("SFD" and "SPD"), who rely on 59th as the shortest and quickest path to central Alki Beach area, to address gun violence and medical emergencies that arise there. The Traffic Study failed to address adverse SFD and

SPD impacts that will become magnified by a larger school population. This happened because the Study irrationally relied on its raw, unadjusted, un-normalized, and admittedly skewed December 2021 parking data to conclude there is no parking problem... at any time of year.

It is important to also consider that, in normal times, the *community involvement steps* in the Seattle Department of Neighborhoods (hereinafter: "DON") SPS Departure review process are designed to "catch" mistakes like this one, about facts that are obvious to local citizens' daily lived-experience, but are somehow overlooked by a short-term survey. However, the *DON community involvement steps were suspended during Covid*, so the DON departure review process for Alki school did *not* have normal community meetings with their usual range of input or involvement. The DON therefore relied on SPS' Traffic Study's faulty parking conclusions to reject the many negative community comments and warnings, submitted online, about severe parking issues that it received. SDCI should now correct this mistake by denying the requested SPS departures for traffic and parking.

II. INTRODUCTION - MY BACKGROUND AND REASONS FOR SENDING THIS LETTER.

My name is Steve Cuddy. I am a 41-year Alki Resident, who is a long-time advocate for Alki Parks and Alki Elementary School. I believe I have an ethical obligation to disclose that I am a semi-retired lawyer, but I am not a land use attorney.

My view is that the idea of renovating or rebuilding and modernizing Alki School is wonderful. However, the SPS enlargement and off-street parking proposal for Alki School falls beyond the ability of its lot size, and of Alki neighborhood street parking and traffic, to support. I know that many of my Alki neighbors hold similar opinions, but I do not represent them. I write this letter solely on behalf of myself, in my personal capacity as a private citizen and Alki Neighborhood Resident.

I am not a newcomer to the Alki Elementary School area traffic problems. I have a history of helping Alki Elementary School and its students over many years. I coached both girls and boys sports teams comprised of Alki Elementary Students for 13 years, at both the Alki Playfield and Alki Community Center Gym (shared with Alki Elementary). From that experience, I learned that traffic safety is a dangerous problem for children who use Alki Elementary and the Seattle Parks and Recreation Department's ("Parks") several adjacent properties, especially along 59th Avenue SW, which runs in front of the both Alki School and Alki Playfield Park.

To help address this danger, during 2006-2007 I raised about \$6,000 in neighborhood contributions, gathered resident petition support, and worked with the Alki School Principal and PTA, SDOT, and then City Council Member Tom Rasmussen to place the current multiple traffic-calming street "humps" along 59th Ave SW in front of the School and Park.

The street humps' purpose was to slow cars speeding from Admiral Way to Alki Beach, to keep kids and families safe along 59th AVE SW, and on the cross walks at the intersection of 59th and SW Stevens, that most Alki Elementary kids must use to reach their School and Park. Those two crosswalks are the main access points used by pedestrians to reach both Alki School and the several adjacent Seattle Parks and Recreation Department ("Parks") properties: Alki Community Center, Community Center Play Structures, Alki Playfield, Tennis and Pickleball Courts, Whale Tail Park, Schmitz Park Preserve and trails, and often also Alki Beach Park.

When the traffic humps proved insufficient to prevent cars from still driving fast through the cross walks in front of Alki School, about 2010-2012 I worked with the Alki PTA and Principal to convince SDOT to place stop signs at that same intersection, with the assistance of Council Member Rasmussen. The stop sign effort also took nearly two years to complete.

Those two efforts helped *slow* vehicles heading from Admiral Way to Alki Beach, passing in front of the School and Park on 59th AVE SW. However, they did not resolve the *traffic jams* that occur daily in front of Alki Elementary at start-and-stop times, narrowing and blocking the street, and clogging the crosswalks, which the current SPS proposal will make dramatically worse. (This issue is addressed in greater detail below.)

My wife, Linda Cuddy has also been an active supporter of Alki kids. She chaired the redesign and development of the current popular Whale Tail Park, at the North end of Alki Playfield, which Alki School uses with Parks Dept permission. Linda secured a SDOT grant to add sidewalks to the North end of Alki Playfield, to better protect kids playing there. She sought additional donations and grants to replace the broken Tennis Court lights, fund artwork, and rebuild the Park and its play structures. Altogether, she raised about million dollars in to rebuild the North End of Alki Playfield. That volunteer project took her 7 years to complete. Linda also coached youth girls' basketball teams of Alki Elementary Students.

Linda, me, and most of our neighbors are not "NIMBY's." We support the idea of rebuilding and modernizing Alki School, but the Seattle Public Schools ("SPS") plan to nearly double the number of students and staff and eliminate all off-street parking ignores the bad traffic and parking issues that already exist there. It makes good sense to use the school rebuild as an opportunity to improve existing terrible traffic and parking issues, not make them worse. However, that approach would require that SPS first admit there are actually problems, not pretend there are none. The faulty and misleading conclusions of the SPS consultant's traffic study, are being misused to exactly that end, and this is wrong. The remainder of this letter explains in greater detail how that has happened.

My overriding concern for Alki School and Playfield over the past 20 years has been student and child traffic safety. With that goal still in mind, I write to urge the Director to deny SPS's request for departures from parking and traffic related zoning requirements, which includes SPS's proposed complete elimination of all its current off-street parking.

If protocol permits, I urge the Director to instruct SPS to redraft its plans in a way that seriously, honestly, and accurately considers and addresses:

- 1) current obvious vehicle traffic congestion at the school,
- 2) current area parking scarcity, during normal times and all seasons, that contributes to the school's traffic congestion,
- 2) student, parent, and Park user pedestrian safety concerns created by current congestion and parking scarcity,
- 3) obvious impacts that proposed school expansion and elimination of off-street parking will on these existing problems.

This letter offers both my reasons and evidence for making this request.

III. CURRENT TRAFFIC VOLUMES AND PARKING SCARCITY CAUSES HAZARDS AT ALKI SCHOOL THAT ARE SIGNIFICANT AND UNADDRESSED.

Small School Lot Size. Alki School sits on a very small lot, has now only 29 parking spaces for staff, and no off-street access for parent vehicles, school buses, or ADA parking (which seems out of ADA compliance). The school is surrounded on 3 sides by road-less Parks properties, and a steep treed hillside below some neighboring homes. So, Alki School has only one main street access point, at the “T” intersection of 59th AVE SW and SW Stevens Street.

Alki Parking Overlay. The City recognized and legislatively determined that Alki Neighborhood has ongoing and severe traffic and parking scarcity problems through its Alki Parking Overlay. Alki School sits within the Overlay Zone, and currently generates once or twice-daily significant traffic jams at school start-and-stop times, often blocking 59th AVE SW at the school’s “T” intersection and crosswalks. [See attached photos that Linda and I took during February and early March of 2023.] This situation is dangerous now, and it will get far worse if the school is allowed to double in size while eliminating all its current 29 parking off-street spaces.

Current School Parking Impacts. Street parking in the Alki neighborhood that surrounds the School is notoriously congested. Parents and other child care caregivers (hereinafter collectively referred to as: “Parents”) who cannot find legal parking near the school now (at its current 300 student size), illegally park every day near the school at start-and-stop times. These parking practices regularly block 59th AVE, SW, sometimes backing traffic onto the School’s cross walks at the same times they are being used by used by students, their families, and other kids, *plus* coaches, players, and team parents trying to access the several adjacent Seattle Parks properties, which use the same crosswalks for afternoon youth sports team practices from about March 1 until about November 10.

Current Off-Street Parking. Alki School now has 29 off-street parking spaces which are used mostly by Staff and supply vehicles, but those will disappear under the SPS’s plan for the new Alki School. [TS p.1] The Traffic Study incorrectly suggests that there are only about 20 current parking spaces at the school. My attached off street parking lot photos, taken March 1, 2023, clearly show there are 29 spaces, one reserved-by-sign for the Principal. Alki School’s current parking spaces are mostly used by its approximately 40 staff members. [Traffic Study at p.2.] At nearly 30 spaces, the current level of off-street parking seems reasonably adequate for staff, most of whom do not live close by. The SPS proposal to increase Alki School Staff to as much as 75, and eliminate all their off-street parking will change that.

As a consequence of current scarce neighborhood parking, many Alki Parents now feel forced to park in “no parking” zones, alleys, neighborhood home driveways, etc. in order to be anywhere near the school to drop-off and pick-up their (often very young) kids. Others feel they must park illegally on the Park Dept’s grass parking strips along 59th and 58th Aves SW and areas, in order to drop off and collect their young kids at a location reasonably close to the School.

School related Traffic jams now intermittently close the Street, and can clog the School and Park’s Crosswalks with vehicles. The current parking scenario congests and backs up 59th Ave SW vehicular

traffic into the two crosswalks that serve as the primary pedestrian access points to the school, at the busiest usage times for both School and Park users. Because of parking congestion, the normal two-lanes of 59th AVE SW are narrowed to a single passable lane during school drop-off and pick-up times. Northbound cars often face Southbound cars head-on and stopped within the single lane, and must back their cars over the school's crosswalks, at the busiest times of kids' use of them, simply to allow a Southbound car to pass.

These conditions are quite unsafe now for both kids and parents, and they leaves the Park Dept's grass strip as a muddy mess, most of the year. It will get worse if the SPS proposal is allowed to proceed without modification.

It is important to realize two things:

1. Parents park in the illegal spots *because legal spots are not available anywhere near the school*, with its current 350 occupants; [See attached street parking photos.]
2. Parents who can find no other parking choose to illegally "pop the curb" and park on the Park's Dept grass strips *so they don't block the street*, because 59th Ave is only 25 feet wide. If they parked only against the curb, school buses and other vehicles could not easily pass through the street. [See attached street parking photos.]

With these current and obvious conditions, it is utterly preposterous that SPS considers traffic and parking problems issues unworthy of advance consideration for its proposal to nearly double the size of Alki School, and eliminate all its current off-street parking [TS p.4]. [See attached photos.]

Cars on 59th now must play a game of "Chicken." Almost the entire East side of 59th AVE is a "no parking" zone. A short section in front of the school allows temporary parking to legally accommodate 2 school buses, and 2 or 3 cars on the East side of 59th, but far more cars park there illegally every day between the School and Alki Beach.

Any time a vehicle is parked on the East side of 59th Ave SW, (i.e., the same side as the School), the normally two-laned street is reduced to a single lane of traffic. 59th then becomes illegally reduced to single lane for 1-2 city blocks along-side the School and Park. This happens twice daily, in the mornings and afternoons, when school starts-and-stops. When two cars meet in this long "single lane" on 59th, the entire street is blocked until one of them decides to back up to allow the other to pass (i.e., the game of "chicken.")

These "blocked street back-ups" and "games of chicken" occur most often during school afternoon pick-up times, on most days, and sometimes several times on the same day. When this happens, Northbound trapped cars must back up in the narrow lane for as much as 100-200 feet, past cars on both sides of the streets loading kids and families, and *across the School's student and family occupied crosswalks...* all simply *to* allow the Southbound car to pass. This is crazy now, and it will get much worse if the SPS departures are granted.

From years of observation, I know that the school traffic and parking related bottlenecks and blockages on 59th usually last about 15-20 minutes in the mornings, and about 20-40 minutes in afternoons. They can last much longer when weather is good for after-school playground activities, or if

parked parents have after-school meetings, etc. The traffic jam time periods listed in the Traffic Study were somewhat shorter, probably because the investigators were there for 2 days, in the darkest depths of winter, during the Covid Omicron peak, when both West Seattle Bridges were closed, i.e., not a normal time at all.

The School's teachers and student crossing walk guards help direct traffic for about 10-15 minutes to reduce risks, but cars usually remain parked along the East Side of 59th long after the teachers and guards have left the street, leaving cars, students, families and park user pedestrians to fend for themselves. Some of those "fending for themselves" are older elementary age kids, crossing the crosswalk without parents, going to the park to play after school or for sports team practice.

These above descriptions accurately depict what occurs now on a daily basis, with an Alki School of roughly 350 students and staff. It will get worse with nearly twice as many students and parents, and with elimination of all off-street parking. The current situation is already unsafe. It warrants an honest admission of the problem, and a legitimate assessment of the consequences a vastly expanded school would bring to it, not denial.

Traffic-Related Parking Scarcity. The Traffic Study strives hard to give the impression that Alki School has no *current* traffic or parking related problems – problems that are clear for any observer to see, (unless perhaps your only observations are in made early December during an exceedingly rare convergence of two closed bridges, and a covid infection spike, during a 100-year pandemic). [See attached photos.] The Traffic Study accomplishes this goal by simply exporting its extremely abnormal December 2021 parking data to other years, and to all seasons of the year.

The reality is that the City's Alki parking overlay is correct. The entire neighborhood has consistent parking shortages, and these spike twice a day, 5 days a week, 9 months a year, at the "T" intersection of 59th and Stevens, at the two cross walks in front of Alki School, where children and parents must run a gauntlet of parked and moving cars to enter and leave the school.

First Responder Access to Alki Beach. 59th Avenue is also the quickest access corridor for first responders to reach the central Alki beach area, so the daily school traffic jams have impacts beyond the School and Parks and Recreation populations. 59th is impassable to fire and police vehicles now on school days, for about 15-20 minutes each morning and about 20-40 minutes each afternoon (i.e., about one hour a day on sunny days.) Even one vehicle parked (legally or illegally) on the East side of 59th reduces it to one lane, and makes it impassable to wide fire trucks and SFD ambulance-aid trucks.

As mentioned above, this kind of blockage occurs now at least twice a day, 5 days a week, 9 months of the year (for much longer time periods on nice days when parents want to linger and allow their kids to play in the Park after school.) These blockages will only get worse, and last longer, after the school nearly doubles in size, and all existing off-street parking is eliminated.

Alki Beach has become an important area for Seattle Police Department ("SPD") and Seattle Fire Department ("SFD") to patrol for gun crime, for illegal beach fires, and especially for SFD Ambulances to quickly reach area residents, business patrons, and parks property visitors who have medical emergencies. Minutes matter in medical emergencies when lives are at stake.

Both the SPD West Precinct and SFD Stations 29 & 32 are located South of Alki Beach. 59th Ave SW is the shortest and fastest pathway to the Beach for their emergency vehicles. When 59th is blocked, SFD and SPD vehicles must go to West 2- 4 blocks to either 61st or 63rd AVE SW, go North two/three blocks, and then turn back on Alki Avenue for about 4 blocks to reach the central part of Alki Beach. The time delay varies with traffic, but it can easily be 5 minutes or longer than the straight path from Admiral down 59th to Alki... but not when it is blocked by Alki school traffic jams that will increase if a much larger school is opened, with no off-street parking for parents, staff, or persons in need of ADA parking.

Alki School sits next to nearly 200 acres of Parks Land and Facilities. The Alki School lot size is very small. The current building footprint occupies most of the SPS-owned Land at that site. Most of the ground area around the building - even a few feet away - is owned by the City Parks Dept, not SPS. Alki School uses the adjacent Parks' playground, gym, and outdoor recreation facilities for its students' recess, athletic, and play areas.

Parks users who are not Alki students or parents must also use the same cross walks and access points to reach Alki Community Center and Playfield, with indoor gym and day care programs, two outdoor basketball courts, two baseball and softball fields, multiple youth soccer and flag football fields, public restrooms, two Alki Tennis and pickleball Courts, Whale Tail Park, the Alki young children's play structures, and Schmitz Park Preserve trail head. Others use the same route to access Alki Beach (½ block away), its several beach volleyball courts, and its many area restaurants. They follow a route by the School because *they must park blocks away from the beach*, due to current neighborhood parking congestion. Contrary to the Traffic Study's unsupported assertion, I can confirm from 41 years of Alki residence that these pedestrian traffic patterns are not restricted to mid-summer or late afternoons after school has ended.

IV. THE PROBLEM – THE PROPOSED REBUILD OF ALKI ELEMENTARY NOT ONLY FAILS TO ADDRESS THE CURRENT SIGNIFICANT TRAFFIC SAFETY ISSUES, BUT IT ACTUALLY MAKES THEM WORSE.

SPS mainly denies there is a problem. Its apparent only available traffic and parking mitigation option for a 600-person school building is to "stagger" start-and-stop for different grades. This will only spread the traffic congestion impassibility of 59th Ave over longer periods of time each day, worsening the current significant vehicular, pedestrian, and public safety access problems. "Staggering" start and finish times for different grades may work at a high school, but it seems unreasonable for working parents to have their young elementary age kids on different school-day schedules.

V. ONE ADA PARKING SPACE FOR 600+ PEOPLE IS INSUFFICIENT.

Seattle Public Schools ("SPS") plan to nearly double the size of Alki School will increase students from about 300 to nearly 550 students, and Staff from about 42 to 65-75- [i.e., 600 + overall]. [TS at pp. 3-4]. SPS also proposes only one ADA parking spot, located across the street on 59th – one ADA space for over 600 building occupants.

Actually, “600” includes only the student and staff populations. Total pedestrian and vehicle traffic, will easily involve 1000+ people, twice daily, and more than one of them may need ADA Parking. The typical scene at Alki Elementary is that one parent and younger sibling (or two) use a cross-walk at the “T” intersection to greet their school age child, and they all walk back over the cross walk to their car, or perhaps to a nearby home. Sometimes elderly grandparents come. The practical need for ADA parking at an enlarged Alki school should therefore be gauged by a population of at least 1000 people.

The SPS plan to offer a single off-site ADA parking space, located across a crowded intersection from the school, is neither reasonable nor sufficient. Chapter 11 of The Seattle Building Code clearly anticipates multiple safe ADA parking spots for structures that serve a population of this size. In fact, that is exactly what SPS has done with its other recently remodeled West Seattle area schools. [See WEST SEATTLE PARKING SCHOOL SURVEY conducted by Alki Neighborhood resident Kathleen Oss.] SPS should do the same for Alki, retain its current off-street parking lot, and locate multiple ADA parking spaces there – instead of eliminating it.

However, based on its faulty Traffic Study, SPS denies that its Plan for Alki School will have significant adverse impacts on traffic and parking, or apparently on ADA qualified persons. It therefore seeks wholesale zoning waivers from the Seattle Dept of Construction and Inspection (“SDCI”) to relieve it of the normally required obligation to retain or increase its off-street parking, including sufficient and safe ADA parking.

The SPS ADA plan for Alki School directly contradicts the City’s 2021 policy document entitled: “*Best Practices for School Traffic Design.*” Link:

https://www.google.com/url?sa=i&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=0CAMQw7AJahcKEwiYkfPZqs39AhUAAAAAHQAAAAAQAg&url=https%3A%2F%2Fwww.seattle.gov%2Fdocuments%2FDepartments%2FSDOT%2FSRTS%2FTraffic%2520safety%2520committee%2FBestPracticesforSchoolTrafficDesign.pdf&psig=AOvVaw2qzWvZ0hSjOLP_Evh8aGlx&ust=1678399268999950

Page 7 lists stated ADA objectives to accommodate “Medically Fragile Students.” These include:

- easy physical access to the school;
- *close distance* to the school;
- *on-site ADA parking spaces* for passenger vehicles;
- separation from the general student population and congested “school circulation patterns at pick-up times;”*
- *clear visibility* of the ADA parking area from the school;
- nearness to the special needs bus loading area.*

The SPS proposal for Alki violates virtually every stated City goal for ADA school parking in its “Best Practices” document. Instead, SPS proposes to locate a single ADA parking spot *off-site*, across the street and *visually hidden from the school* by multiple parked school buses, directly at the most highly congested “T” intersection corner of vehicle and pedestrian traffic, where access is obtained by first

getting up to the sidewalk, then crossing the street at a *congested crosswalk and sidewalk - full of other non-ADA students*. The proposed single ADA parking space is also located *across the street from the Special Needs School Bus loading area*, which also violates the City's "Best Practices."

VI. THE SPS TRAFFIC STUDY'S CONCLUSION THAT THE ALKI SCHOOL PROJECT CREATES NO SIGNIFICANT TRAFFIC AND PARKING IMPACTS IS INACCURATE AND MISLEADING, BECAUSE IT WAS PERFORMED AT A NON-REPRESENTATIVE TIME. THOSE CONCLUSIONS ARE CLEARLY WRONG AND SHOULD BE REJECTED.

As discussed above, SPS hired a consultant to conduct a "traffic study" of the Alki area, primarily to investigate potential traffic and parking impacts of its proposed Alki School expansion. (HIGHLIGHTED COPY ATTACHED) ("Traffic Study" or "TS"). The Traffic Study was officially dated November 15, 2022, but (as also discussed above) the actual survey data were collected in November and December of 2021. The parking space availability survey was conducted on December 7 and 9 of 2021.

As also discussed above, these two days fell:

- during the first full Winter of the Covid, during the Omicron variant spike, and during a 100-year Pandemic;
- when both West Seattle Bridges were closed (i.e., *both upper and lower bridges*);
- during the coldest, rainiest, dreariest, and shortest days of the year, when there are far fewer Alki Area Park users and business patrons than in other months of the year, who normally compete to find parking with Alki Elementary parents. (TS p.1)

What exactly was the weather like on the two days selected to survey Alki School Area Parking space availability? The Weather Underground website historical data for Seattle on December 7, 2021 shows a low Temperature of 37, a high of 47, winds at 14 mph, humidity from 93 -100%, light rain of .11 inch. December 9 was nearly identical: a high of 49, low of 43, winds at 14mph, light rain of .11 inch, humidity at 96-100%. I.e., windy, rainy, damp, cold weather. Link:

<https://www.wunderground.com/history/daily/us/wa/seattle/KSEA/date/2021-12-7>

I can confirm that on windy, rainy, cold short winter days, few people come to Alki unless they need to, but there are still traffic jams at Alki Elementary. [See attached photos.]

From my 41 years as an Alki neighborhood resident (29 of them living on 59th Ave SW near Alki school), and from the last 7 years working from my home, I can also confirm that street parking from Seattle Area citizens and tourists using the nearly 200 acres of Alki area parks can be very full, at all times of day, at any time of year when there it is sunny, and especially during the spring and fall months of the school year (April-May-June and September-October).

In other words, *heavy seasonal Alki area park use overlaps with five of the nine school year months*. For example, as I write this sentence on March 7, 2023, a T-ball little league team is practicing at Alki play field, right after school ended. As a former coach, I can confirm that most Teams that practice at Alki Playfield, next to Alki Elementary, are *not* Alki Elementary students. They come from all over West Seattle, and compete with Alki parents for parking spaces. (See further discussion under "Parks

Department” heading, below.] This happens steadily until the school year ends in June. The same thing happens again in fall (September, October, and early November) with soccer, lacrosse, and flag football teams that practice and play games at Alki Playfield.

Even though these activities overlap with Alki School parking and traffic demands for 5 months of the school year, and even though the SPS Traffic study admitted there are significant “seasonal spikes” in Alki area traffic, “...no adjustments were made to account for the seasonal spikes in traffic due to Alki Beach activity.” [Direct quote from Traffic Study at p 7.]

Current Traffic Congestion in front of at Alki School. The SPS Traffic Study inexplicably did not address solutions for, or even discuss the daily traffic jams at and near Alki Elementary’s cross walks, let alone address how this problem can be dealt with when Alki has twice its current student population.

The only comment was a short passage near the bottom of p 13:

“...the travel ways are effectively restricted to one lane for both directions of travel. This results in peak-period congestion and *some undesirable vehicle movements* at this intersection during the 15 to 20 minutes before and after school. During the periods of peak load / unload activity, on-street parking and maneuvering into and out of the parking spaces slows travel around the school.” [Italics added.]

“*Some undesirable vehicle movements*” includes Northbound cars on 59th Avenue “playing chicken” with Southbound cars, having to back-up over the School’s crowded pedestrian after school release time. A responsible Traffic Study would have drawn attention to this alarming fact, not hidden it in generic rhetoric.

Future Off-Street Parking. At Section 2.5.2 [TS p18] the Traffic Study wrongly understated “an estimated” parking supply of 20 current off-street parking spaces at Alki School. However, my photos (taken during the first few days of March 2023) clearly show 29 spaces, depending on how closely together cars are parked there. [Copies attached.] In other words, the off-street parking loss will be about 30% greater than the Traffic Study represented.

Future On-Street parking. The Traffic Study openly recognized and admitted that its November-December 2021 timing (i.e., during the Covid pandemic and dead of winter, with two closed West Seattle Bridges, etc.) was not representative of traffic conditions during “normal times.” It therefore made upward weighted vehicle count adjustments for “missing traffic” due to those circumstances. [TS p.1 & 10]. However, the Traffic Study made *no similar “upward” vehicle count adjustments for missing parked cars that would also be present during “normal times.”* [TS at 9, 17.] The study did not even adjust for parking impacts caused by the *same “missing traffic”* that its own document recognized would be present during normal times.

Instead, the study claimed that its unadjusted raw parking space data - gathered on December 7 and 9 of 2021 - reflected neighborhood and school parking conditions near the School and in the Alki neighborhood *at all times of the school year*, during good spring and fall weather, post-pandemic, after both West Seattle bridges reopened, and when youth sports teams (looking for places to park) flood the adjacent Alki Playfield right after schools on weekdays.

These parking assumptions were irrational, clearly erroneous, and patently ridiculous - to even a casual observer. Nevertheless, every SPS and City agency that has been involved in review of the Alki Elementary School proposal so far, has relied on this faulty SPS Traffic Study conclusion to recommend approval of SPS' requested traffic and parking departures. (See more discussion below.)

Here are two astounding quotes from the Traffic Study, found at p 17:

“Parking occupancy counts were performed in December 2021.”

“It is acknowledged that parking demand in the vicinity is also influenced by seasonal activities at Alki Beach front, which are not reflected in the counts from December 2021.”

After explicitly recognizing this deficiency, the study then offered this same raw, unadjusted, “un-normalized” parking data, to claim that data collected in December of 2021 reflected parking availability at every month of the school year, during normal times, so that it could offer the conclusion that there was sufficient area parking to accommodate an expanded Alki School, with no off-street parking, into the future.

Here is how that was done: The Study at page 17 listed between 152 and 180 available parking spaces on December 7 and 9 of 2021. Compare these numbers to those offered as available *every day, school year-round*, at page 26 (157-180). They are essentially the same. The Study literally (and inaccurately) offered parking space-available numbers for year-round parking, based on its December 2021 count that it admits was not representative for other times of year, for non-pandemic years, and after the two closed West Seattle bridges reopened. Yet it presented these same, admitted, abnormally skewed numbers for SPS, and DON to rely on to ask SPS to grant the requested departures.

What justification did the Traffic Study offer for this assertion? No data, no on-site inspections, no spring or fall season *actual* parking space counts, no engineering justifications, no quantified hard values, no “normalizing” math formulas, nothing but assertions that December 2021 parking space availability somehow should be considered to apply year-round, during normal times.

Given daily realities discussed above, and Traffic Study's glaring written admission that its parking space availability numbers are not reliable beyond December of 2021, the Study's offered *conclusions and recommendations are unreliable and inaccurate, and they should not be afforded any deference as expert opinion*. Of course, this admission also means that the entire “Parking Supply” content of Traffic Study “Appendix B” is meaningless, because all that data were collected on two days in December 2021, during extremely abnormal times, at an unrepresentative time of year.

Unfortunately, the admissions of parking data inaccuracy were embedded in text at different locations in Study (e.g., at pp 17 and 26). They apparently went unnoticed by the various agencies that relied only on its started conclusions to recommend that SDCI grant the departures. They undoubtedly did not realize that the Traffic Study's “Conclusions” directly contradicted its own written admissions of parking data inadequacy.

No Future Traffic Improvements Planned. One might hope that the various above-described current and certain-to-get-worse traffic and parking problems around Alki School would be admitted and addressed by SPS and its Traffic Study, before demolition begins. Unfortunately, that is not the case.

The SPS's website "Timeline" document shows that SDOT is expected to conduct a "Traffic Management Plan" *in 2025 - after* the proposed expanded Alki school reopens. According to the SPS's Timeline (Copy Attached), this SDOT procedure will not be completed until *long after SPS's current parking spaces have already been demolished*, which is currently scheduled for this coming June. This is wrong. The traffic and parking impacts should be addressed *before* the current 29 off-street parking spaces are demolished and lost.

In spite of the Timeline's claim of later SDOT involvement, the Traffic Study's section addressing "planned transportation improvements" plainly states (at p. 7) that "No improvements" and "No projects" are planned for the transportation network around the school. This appears to directly contradict the SPS website's Timeline information. In any case, it does not make sense for SDOT to study consequences of doubled school size and eliminated off-street parking two years after it has been eliminated.

No improvements in Public Transportation. The Traffic Study discusses Metro and school bus transportation at page 19. It seriously overstates the impact of Metro Bus usefulness to Alki School families. Alki school parents who rely on a Metro Bus to accompany their small children to school must make 4 trips each day. They must be able to go to the school and back home again, near school start and finish times.

The *only* Metro Bus Route that fits that description is Route 50. However, Route usually 50 runs a small bus that seats only about 55 people. Route 50 runs to-and-from Alki along Admiral way. Its route near Alki lies in a narrow, steep sided wooded valley, with few side streets to access it within the Alki Student Attendance Zone. It is mainly designed to carry riders to-and-from Alki to other parts of West Seattle, and then on to Beacon Hill, Rainer Valley, and Seward Park.

Metro Bus Route 56 does not apply to Alki School at all. It runs to-and-from Alki and Downtown Seattle, but only during rush hours, and in the opposite directions needed for Alki elementary families.

Route 775 is the very small approximately 20 seat bus dedicated to riders of the West Seattle Water Taxi. Its morning and afternoon stops will accommodate Alki School start and finish times, but the bus can be full of Water Taxi users.

The Metrobus schedules can be verified by checking the King County metro website.

No Future Pedestrian and Bike Route improvements Planned. The SPS proposal apparently intends to discourage car traffic in favor of pedestrian and bicycle trips to-and-from the School. The Traffic Study at ppg. 3.2.2, at page 22 confirms that most trips taking Alki's 350 students to-and-from school are in cars, and that added cars after expansion to nearly 550 students are expected to load and unload along the same already illegally over-parked and crowded 59th Avenue that is used now. [ppg 4.2 at p. 29]. The Traffic Study also confirms that car, pedestrian and bicycle trips will increase with a much larger school. [ppg 3.2 at p.21]

Bikes. About 5 families bike their kids to school now in good weather (Traffic Study at p. 20). Although SPS claims to want to encourage more walking and biking to school, its Alki proposal seeks a departure for fewer bike parking racks at the school. [Ppg 3.7 at p 29, Mahlum Memorandum at p 3,

DON Departure Recommendation at p. 35.] Given the stated goal of reducing car traffic, this is irrational. The Traffic Study actually confirms that *no improvements are planned for school bus transport, Metrobus service, bicycle routes, or pedestrian routes*. [See above, and TS at p 20, TS at ppg 3.6 & 3.7 at p 27].

Pedestrians. Interestingly, the SPS Traffic Study fails to disclose how many current Alki students and families live close enough that they now actually walk to and from school. At page 19 at section 2.8, the Traffic Study appears to leave a mis-impression that 260-375 pedestrian cross walk crossings indicate that a lot of local Alki kids walk to school. This is incorrect, because most parents drive, park their cars, and then walk their kids to-from the school using the cross walks.

The Traffic Study observes that cars are now and will continue to be a primary source of transportation to and from the school, that there are no plans to take steps to encourage greater biking and pedestrian access to the school, and that SPS actually seeks a Departure for *fewer than required Bike Racks*, but still maintains that this will have no significant impact on parking? This is also irrational.

Pre-Schooler Access Route. A new pre-school for 42 kids is proposed for Alki. A separate available access corridor for pre-schoolers (plus parents and siblings) is proposed for south side of the school property. TS figure 2. There is no parking allowed on that side of the street, so the small pre-schoolers and parents will need to park at distance and use the cross walks to access the school. The proposed pre-school entrance is located directly next to the proposed driveway and loading dock for SPS cargo delivery and garbage trucks, which creates obvious safety concerns for toddlers and their families. Because no off-street or “same-side” on-street parking is available, after using the cross walk, they will have to also cross in front of the loading dock area to reach the proposed pre-school gate. These issues were also not addressed or considered by the SPS Traffic Study.

ADA Parking. The Traffic Study did not even address ADA parking needs.

Cars. The hard truth is that most Alki parents choose to drive their kids to-from school, often on the way to-from work, especially during wet and cold weather, and none of this is likely to change, in spite of SPS claimed hope that it will. The typical non-working Alki parent scenario is a parent with a school-age child and one or two younger children, who usually drives to the school, parks their car as close as possible, and then walks their young student to school holding their hand, while carrying a younger child. Their car allows them to keep all kids safe and dry, and get to-from home fairly quickly, especially in bad weather. The realities of Seattle’s climate simply out-weigh the stated hopes of SPS that more families will walk or ride bikes to school year-round.

Public Safety /First Responder Vehicle Corridor. The Traffic Study also completely failed to mention or address the current and potential future negative impacts of increased parking and traffic around the school for first responder direct access via 59th Ave SW to the popular and heavily visited Park, business, and residential areas of central Alki Beach. This issue is discussed above.

Traffic Study’s Impact. The SPS Traffic Study’s central benefit to SPS appears to be creation of a report that enabled SPS to simply “pretend” that the City’s Alki Parking Overlay is inaccurate or does not apply to the school area, that there are no current acute traffic and parking problems at or near the school that need to be considered, and that SPS and SDCI therefore need not address the additional

problems created by dramatically increasing Alki school size, eliminating all current off-street parking, and designating a single off-site ADA parking spot... for 600-1000+ people.

The attached traffic photos clearly show that SPS's assumptions of "no significant traffic and parking impacts" are incorrect, and that current serious traffic and parking problems exist at Alki School now, and will become dramatically worse under the currently proposed SPS Plan to nearly double the size of the School. A Traffic Study is not needed to determine these impacts. A simple visit to the School about 2:15 pm, almost any day, will confirm it.

VIII. PARKS DEPARTMENT PROPERTY USERS COMPETE WITH ALKI PARENTS FOR SCARCE AREA PARKING SPACES.

As mentioned above, Alki School parents must now compete for parking with users of area residents, restaurants, businesses, and users of nearly 200 acres of Seattle Parks and Recreation Dept facilities, which include:

- outdoor basketball courts;
- Alki Playfield
 - Baseball, West Seattle Little League, and West Seattle Pee Wee Baseball all have multiple teams in multiple age divisions,
 - Youth Softball
 - Adult recreational League softball,
 - Youth recreational Softball,
 - Youth Soccer practices and games - multiple leagues, with multiple age division
 - adult soccer;
- young children's play structure next to Alki School;
- Alki Tennis and Pickle Ball courts;
- Whale Tail Park
- Alki Playfield restrooms,
- The entire Alki Beach and Park area, with its numerous volleyball courts;
- The Alki Beach Bath house, with its Community events and after school arts programs, mostly for kids;
- Schmitz Park Preserve (Schmitz Park trails' Alki entry point is located directly next to Alki School, about 75 feet East of its Gymnasium).

It is important to consider that the athletic practices and games are attended not just by players and coaches, but also by parents, grandparents, friends and relatives, all of whom must find places to park, often at about the same time Alki Elementary lets out.

Contrary to the Traffic Study's "assumption" (at the top of p. 9) that Alki Park related vehicle parking demands arise long after school is out, it is important to emphasize that *many of above-listed Park activities begin right after school, so team coaches, parents and players from other schools and opposing teams arrive at the Alki School-Park area, and look for street parking at the same time that Alki School parents occupy all the spaces as they pick up their kids.* An expanded Alki school will definitely create significant adverse parking and traffic impacts for the above-listed users of Parks Dept property adjacent to Alki School. None of these Park user impacts were considered or addressed by the Traffic Study.

IX. SPS, SPS' MAHLUM ARCHITECTS, AND THE DON RELIED DIRECTLY ON THE FAULTY SPS TRAFFIC STUDY TO RECOMMEND THE TRAFFIC AND PARKING DEPARTURES.

The Study's conclusions are inaccurate and unreliable, but those conclusions have (so far) influenced every level of the Departure evaluation process, which SDCI should now correct. SPS, its Mahlum Architects, and the Seattle Department of Neighborhoods ("DON") all relied squarely on SPS' faulty Traffic Study to recommend that SDCI grant the requested parking and traffic related waivers. [See attached" Mahlum Departure Comment Responses, dated 02 December 2022, at bottom of p. 2; and DON Recommendations at p 31, mid-page.] For the reasons discussed in this letter, those requests should be denied.

Mahlum Architects. Here is a direct quote from Mahlum's Departure Memorandum to DON:

"Results of a traffic study conducted by Heffron Transportation, Inc. indicated that on street parking space utilization is below levels considered full capacity and that there is sufficient available on-street parking to accommodate daily parking."

Mahlum made this recommendation to DON, and DON relied directly on it. [Mahlum Departure Recommendation Memorandum to DON, dated 02 December 2022, see yellow highlighted passage at pp-2-3. Attached.]

Mahlum's longer formal presentation for Departure 2 (traffic and parking) also relied squarely on the faulty SPS Traffic Study's admittedly inaccurate parking survey data. [*"Alki Elementary School Departures Presentation,"* AUGUST 2022, at pp 57 & 61, Link:

https://www.google.com/url?sa=i&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=0CAMQw7AJahckEwiw9OKxrM39AhUAAAAAHQAAAAAQAg&url=https%3A%2F%2Fwww.seattle.gov%2Fdocuments%2FDepartments%2FNeighborhoods%2FMajorInstitutions%2FAlki%2520Elementary%2F220831%2520MA_DON%2520%2528Alki%2520ES%2520Departures%2520Presentation%2529%2520R2.pdf&psig=AOvVaw1QYYLZRefSuSR4O89exGxJ&ust=1678399697618273

Department of Neighborhoods. Due to Covid precautions, the City suspended the normal DON public meeting procedure for review of SPS zoning waiver requests. All DON SPS departure recommendation authority was placed with the DON Director.

Consequently, the DON appears did not hold normal in-person public meetings to allow the usual range of citizen participation in its Alki departure review process. It appears that DON held one ZOOM-type meeting which generated a host of negative comments about Alki Elementary School traffic and parking problems, which it “recognized” but discredited, *because of the Traffic Study contrary conclusions*. [See DON’s “*ALKI ELEMENTARY SCHOOL DESIGN DEPARTURE RECOMMENDATIONS*” Project #3039297-SD, February 1, 2023. See Community comments in Appendices, Link: <https://www.seattle.gov/documents/Departments/Neighborhoods/MajorInstitutions/Alki%20Elementary/Alki%20ES%20DON%20Recommendations%20FINAL.pdf>]

DON followed Mahlum’s Departure 2 recommendation, which was itself based the faulty SPS Traffic Study. DON made its own explicit finding that the faulty Traffic Study’s conclusion of sufficient parking justified its recommendation that SDCI grant Departure 2. [Ibid, at pp. 17 & 31. Malum’s above-listed “Departure Memorandum” is the first Appended document in the DON Departure Recommendation.]

In fairness to Mahlum and DON, a quick read of the 40+ page Traffic Study leaves the impression that *all* survey data were “adjusted” and “normalized” to better reflect normal times and seasons. It requires a very close reading to detect that this was *not* done for parking space survey data.

In any case, SPS, its Mahlum Architects, and DON all relied on the faulty and admittedly inaccurate Traffic Study to recommend that SDCI grant the parking related traffic and parking departures. The SDI departure review is last chance for the City to correct this mistake by SPS and its traffic consultant, and it should do so.

X. SDCI SHOULD DENY THE SPS REQUEST FOR PARKING AND TRAFFIC ZONING WAIVERS, AND REQUIRE THE SPS TO ADDRESS THOSE ISSUES IN ITS SITE PLAN

In reviewing SPS requests for zoning waivers, the following rules apply:

SMC 23.79.008 C, 1, a, (4) reads as follows:

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

* * *

(4) *Impacts of traffic, noise, circulation, and parking in the area*

My understanding is that the SPS has already made requests to SDCI for zoning departures for its proposed expanded Alki School of 550 student and 65-75 staff, that include:

- no off-street parking;
- no child-safe accommodations for ADA student drop-offs and pick-ups,

Based on the misleading “no-impact” parking assertions in its Traffic Study, it appears that the SPS’s Plan is to simply keep denying there are parking and traffic problems in the Alki School Neighborhood. It proposes - essentially - to change Alki school from a long-cherished local neighborhood school, to something approaching a “magnet” school, without adequately dealing with the related traffic and

parking issues that would create, in a neighborhood, and on a street, that are already severely overburdened with traffic and parking issues.

The SPS waiver request should be denied, because it is based on SPS's irresponsible and unsafe refusals to:

- 1) admit existing and obvious parking and traffic realities that currently affect safety of children and families who use the School and Park, and
- 2) address the consequences of those conditions becoming worse if SPS' current proposal is not modified.

The Alki Elementary location is quite unlike almost any other school area in the City. Alki School is not surrounded by anything resembling a typical 4 cornered street grid that would allow for more and closer street parking. It is surrounded mostly by Parks. Other schools that adjoin parks usually have at least some nearby off-street parking available, at the school or at the park. By contrast, there is virtually no off-street parking available at the several *Alki area Parks, whose numerous patrons must also rely entirely on street parking.*

There are no off-street public parking lots in the area, and there is a narrow "bottle-neck" access to the School and adjacent Playfield, creating vehicular and pedestrian congestion for significant periods of time around school start-and-stop times, at the cross walks of the "T" intersection of 59th and Stevens. That congestion is *caused* by currently insufficient parking in the area for Alki school parents and families, and Park users. It will magnify if SPS is permitted to dramatically expand the School while eliminating its current 29 off street parking spaces.

Schmitz Park Boulevard once ran between Alki Elementary and adjacent Alki Playfield Park and formed a more typical street pattern at the school, but it was closed decades ago, due to traffic safety problems for the children. These same problems persist and should be addressed by a school rebuild, not made worse.

Contrary to the Traffic Study's inaccurate conclusions, Alki School shares parking and traffic demands from year-round City and County residents and tourists, who come to the area to use Alki Beach Park, Alki Playfield, the Tennis and Pickleball Courts, Whale Tail Park, Schmitz Park Preserve (with its hiking trails), Alki Bike Path and Trail, and the numerous area restaurants and businesses – at all times of day.

SPS apparently managed to avoid "discovering" this obvious fact by timing its Traffic Study parking census for December 7 and 9, 2021, (i.e., during the shortest, darkest days of winter, when both West Seattle Bridges were closed, and during the Covid "Omicron Spike" Winter of 2021-2022. As discussed above, although the SPS Traffic Study *admitted* that December of 2021 was not "representative" of normal times and seasonal variations, it made no adjustments to "normalize" its parking availability census data, as it did to some other data it collected during the same period. Nevertheless, this raw, unadjusted, admittedly inaccurate parking data was relied on by SPS, DON, and other groups to recommend that SDCl grant SPS requested parking and traffic departures for Alki Elementary School.

The Seattle Parks Dept has nearly 200 acres of park property and facilities in the Alki area with virtually no off-street parking. The Alki area has one of the largest park acreages in the City of Seattle.

The only off-street Parks parking is about 20 evening spots located at Alki Community Center, which doubles as Alki School's daytime black-top play area, and which Parks Staff opens at about 6pm for Community Center daycare parent pickups. By contrast, the other large Seattle parks have considerable off-street parking (e.g., Woodland Park, Greenlake, Discovery Park, Magnuson Park, Golden Gardens, etc.) Users of Alki parks can add to traffic and parking congestion at any time of year, on a sunny day.

In spite of the SPS's apparent wishful thinking to the contrary, most Alki Elementary parents drive their kids to school, often on the way to their work. The SPS's Plan for Alki that ignores vehicle realities is in stark contrast to its other recent West Seattle School remodel projects, which have carefully preserved or added off-street parking and in some cases added off-street child-safe vehicle lanes for safer access to their new schools. (See attached West Seattle SPS schools parking census by Alki Neighborhood resident Kathleen Oss.)

Impacts on Other City Departments. The parking and traffic impacts of SPS' proposed nearly double-size expansion of Alki Elementary, and SPS' proposed elimination of all its current off-street parking spaces, impacts the interests of several City Departments besides SDCI. My inquiries indicate that they seem mostly unaware of SPS' specific plan for Alki, and its consequences for them and for their staff's important missions.

SFD, SPD - Included in this group are the SFD Station 29 and 32, and SPD West Precinct (i.e., first responders to crime, fire, and medical emergencies in the central Alki Beach area).

Parks - Of course, the Parks Dept has numerous Alki area properties, covering nearly 200 acres, and shares use of the Alki School Gym and Playfield with the School. Some of Parks' impacted interests are outlined above. Parks also has a joint-use agreement with SPS that applies to Alki, and gives parks an enhanced stake in the impacts of changes proposed for Alki School.

SDOT - will inherit increased parking and traffic headaches if the SPS plan is allowed to proceed as currently proposed, and therefore also has a direct interest in preventing those problems.

If SDOT or any other City agencies assented to the Alki remodel proposal, in reliance on the inaccurate conclusions presented in the SPS Traffic Study, they deserve an opportunity to reconsider and register their concerns with SDCI.

As part of its evaluation of the SPS waiver requests for Alki School, I ask that SDCI consult with the above-mentioned City Departments, and notify them that the Parking data contained in the SPS Traffic Study was gathered during the non-representative time of December 2021, and that the study admittedly understated the adverse impacts of increased traffic and on-street parking demands

XI. CONCLUSION.

Normal school-year parking issues were not seriously addressed or considered by SPS or its Traffic Study, except to admit in passing at page 17 that its Covid-era, closed-bridge, dead-of-winter December 2021 on-street parking space census was inaccurate for most times of year, and for normal years. Instead of "normalizing" its deficient parking data, at page 26 the Traffic Study simply offered it as reliable for year-round estimates, and at page 30 made recommendations based on them for SPS, DON, and SDCI decision-makers to rely on. Please don't.

Rejection of SPS's departure requests related to traffic, parking, and ADA accommodation appears to be the only remaining way to require the SPS to responsibly consider the clear adverse impacts of its proposed project, and deal with them honestly, before all the School's current parking spaces are eliminated by demolition in June of 2023 (as currently planned).

SDCI should correct these errors by denying the requested departures for traffic and parking, and if protocol allows, advise SPS to re-evaluate Alki School's current parking and traffic issues, and address those that its proposed enlarged Alki School project will worsen. Left unaddressed, they will become approximately twice as bad when the new expanded school opens.

Site Visit Requested. All of the current conditions described in this letter are easily verifiable through a site visit by SDCI or Dept Staff. Although I stand behind the factual representations made in this letter, it is not necessary to take my word for any of it.

Please conduct an (unannounced) site visit to Alki School and Playfield, at about 2:15pm on any weekday but Wednesday (school often ends early on Wednesdays). School ends at 2:30. Please go first to the intersection of 59th AVE SW and SW Stevens to see the traffic, parking, and pedestrian behaviors there. Please stay awhile longer and notice the activities at the adjacent Alki Playfield. Please then consider how much worse it will be as Springtime progresses, if the school is permitted to nearly double in size, while eliminating all its current off-street parking with no off-street ADA parking.

For all the above reasons, I request that SDCI deny SPS' requests for zoning waivers for its currently proposed Alki Elementary School Project that involve parking and traffic.

Thank you for your consideration of the above-listed issues, and of my requests.

Respectfully submitted,

/s/

Steve Cuddy, Attorney
Alki Neighborhood Resident
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ATTACHMENT 5

Thank you,



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Helping people build a safe, livable, and inclusive Seattle.

SDCI offers most services online through our [Virtual Applicant Services Center](#). We offer limited access to our office for scheduled meetings. Thank you for your flexibility and patience as we continue to improve our online and in-person customer service options.

From: Steve < cud1105@aol.com >
Sent: Sunday, January 7, 2024 7:52 PM
To: Garrett, Tami < Tami.Garrett@seattle.gov >; Guillory, Carly < Carly.Guillory@seattle.gov >; Torgelson, Nathan < Nathan.Torgelson@seattle.gov >
Subject: OPPOSITION TO SPS DEPARTURE RESPONSE FOR ALKI ELEMENTARY SCHOOL, File # 3039297-SD [Email 1 of several]

CAUTION: External Email

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January 5, 2024

TO: Nathan Torgelson, Director: nathan.torgelson@seattle.gov
ATTN: Ms. Carly Guillory, Design Review Planner: Carly.Guillory@seattle.gov
cc: Tami Garrett, SDCI Supervisor: Tami.Garrett@seattle.gov

RE: OPPOSITION TO SPS DEPARTURE RESPONSE FOR ALKI ELEMENTARY SCHOOL, File # 3039297-SD

Dear Carly,

SDCI Supervisor Tami Garrett recently confirmed that you are the SDCI planner now assigned to evaluate the Seattle Public School's ("SPS") Departure Requests. Please accept this communication for SDCI and its Director.

I. SUMMARY: PS admits that it cannot comply with the Hearing Officer's Decision, so its Departure Request/ Response must be denied.

SDCI and the City are bound by the City Hearing Examiner's Decision in this case. Her Decision found that Alki Elementary's circumstances are unique, and therefore require compliance with the City's off-street parking code standards. She found that PS must provide 48 off-street parking spaces to mitigate adverse impacts of a much larger school that SPS currently proposes for Alk

In its Response to SDCI, SPS plainly admits that it cannot provide the level of off-street parking mitigation required by the Decision, because its Alki lot size is very small, and because steep adjoining hillsides make purchase of adjacent land for parking unworkable

Because SPS admits that it cannot comply with the Hearing Officer's Decision, its Departure Request/ Response must be denied.

Additionally, SPS relies entirely on conclusions offered by two SPS/Heffron Traffic Reports to claim that there are no current significant parking and traffic problems at Alki School that would require mitigation for the much larger school that SPS proposes. The Heffron Traffic Engineer who conducted and authored both those Reports was a witness at the Hearing. The Hearing Officer entered specific Findings of Fact noting that same Traffic Engineer's sworn testimony admitted - multiple times - that there were, in fact, exactly such problems at Alki School. The SPS Traffic Engineer's testimony and admissions *made under an Oath of Honesty* at the Hearing contradict his own Reports' conclusions. The SPS/Heffron Traffic Reports are unreliable and must be disregarded, and the SPS claims and Departure Requests that rely on them must be rejected.

II. INTRODUCTION AND BACKGROUND.

I am a 43-year Alki neighborhood resident who has closely followed the proposed Alki Elementary project, and submitted prior comments to SDCI in opposition to the SPS proposal to nearly double the size of Alki School.

I have a two-decade history of advocating for traffic and pedestrian safety for children and families at and near Alki Elementary and the several adjacent Seattle Parks and Recreation properties. My attached earlier comments sent to SDCI regarding the Alki School project explain that history. I continue to support a new school similar to Alki's historical size of 300-

400, which is what SPS promised the community when it marketed the BEX-V levy that funded the rebuild of Alki School, but I oppose the much larger school that is now proposed by SPS, for the reasons contained in this letter. These views are shared by most of my neighbors.

My primary concern continues to be the considerable existing vehicle and pedestrian safety problems that now persist daily at Alki Elementary school for students and families, which will become much worse if the school population is increased. The current problems are already significant and unmitigated. The extremely unsafe and dangerous pedestrian-vehicle interactions that occur twice daily at the school, at school-day start and release times, are caused by acute parking shortages at those times of day. In recent years, parking and traffic has become so hazardous at the school that the Alki Principal actually leaves his normal job to stand in the middle of 59th AVE SW, and direct traffic between the two crosswalks in front of the school, twice daily, for extended time periods of time at the intersection with SW Stevens.

Several factors combine to make the problems of a larger school at Alki unsolvable:

- The parking shortages and constricted traffic flows unique to Alki School's neighborhood are essentially permanent features.
- The Alki School lot size is extremely small.
- SPS's Response concludes that buying adjacent steep hill land is unworkable for additional parking which could alleviate at least some of the congestion.

A much larger school will increase parking scarcity, further degrading pedestrian/vehicle traffic safety problems, and could never be satisfactorily mitigated. It is therefore not surprising that SPS has been unable to present a plausible parking and traffic mitigation plan for a large school at Alki, and instead hired a creative traffic consultant to help it "pretend" there is simply "no problem" to mitigate.

SPS lost that argument when it was rejected by the Hearing Examiner's Decision in August. The Hearing Examiner's Decision required SPS to provide 48 off street parking spaces, if it insists on building a large school in the unique and constricted setting of Alki School. SPS appealed the Hearing Examiner's decision to Court, where it also lost when its Appeal was dismissed in October. SPS did not appeal its Court loss.

Having lost at both at the Hearing Examiner and Court, SPS submitted its currently pending Parking Departure Response ("Response") to SDCl on about December 11. Instead of complying with the Hearing Examiner's requirement that it provide 48 off-street parking spaces for a larger school, the SPS Response offers an inadequate 15.

Although I was not an appellant in the Hearing Examiner case, most of the issues I raised in my initial comments to SDCI (and that were discounted or overlooked by SDCI in its initial Departure review), were specifically found valid by the Hearing Examiner, and cited as reasons for her Decision to deny Parking Departure #2. Those issues are revisited more fully in Section II, below.] I raise them again now, with the expectation that they will be taken more seriously by SDCI this time, as it evaluates SPS's Response.

The City Attorney that handled the Alki Elementary Superior Court Appeal was Liza Anderson. Liza advised me that, because there is no Department of Neighborhoods ("DON") public comment procedure for modified SPS Departure Responses, the only opportunity for Citizens to submit comments at this step is to send them directly to SDCI. I am therefore sending these comments to SDCI with the understanding from the City Attorney's office that they will be read and considered. I have passed this information on to other interested citizens who may also send comments with the expectation that they will be considered by SDCI.

I sent a broad initial set of comments to your predecessor Holly Godard, followed by supplemental comments and photos about specific topics, including parking and related traffic, critiques of Heffron's first Alki School Traffic Report ("Heffron-I"), pedestrian risks, unsafe ADA parking spaces, photographs that document the existence of 29 parking spaces at the former Alki school (*not* 20 as SPS as Mahlum and SPS have repeatedly and incorrectly claimed), and adverse impacts for 59th AVE SW as a public safety corridor for the Seattle Police and Fire Department vehicles to quickly access the central Alki Beach area and its neighborhoods.

Please review my earlier submissions, as they are relevant to both the concerns expressed by the Hearing Examiner, and to the pending SPS Parking Departure Response. For your easy reference, I have attached to this email my initial set of comments sent to Holly, and I will also send a few representative photos in subsequent emails. I will not resend all the photos and comments that I sent to Holly. Because of file size, the photos will need to ar in later multiple emails.

My photos from Winter and Spring of 2023 show:

- 29 black-topped parking spaces at the now demolished Alki Elementary school (*not* 20 as SPS has again wrongly claimed to SDCI);
- twice daily traffic jams at congested sidewalks at the only crosswalks and street that front Alki school, which create extremely unsafe and dangerous pedestrian-vehicle interactions. Some show the Principal and other faculty members in the street directing congested traffic.

III. THE HEARING EXAMINER'S DECISION.

The Hearing Examiner's **FINDINGS OF FACT** include the following determinations:

8. At 1.4 acres, Alki Elementary has the smallest site of the District's elementary schools. P 2.
9. Alki school has limited street access on 59th AVE SW. Due to its narrow width during drop off and pick up times, 59th effectively becomes a one-way street. P 3.
10. The code requires 48 parking spaces for the expanded size of Alki school that SPS currently proposes. P 3.
Ample hearing testimony from project neighbors detailed a cramped situation with difficult vehicle circulation patterns, particularly during peak periods, features which will be made worse with the near doubling of students, many of whom will be of pre-school age and will neither walk nor bus. Under these challenging circumstances, virtually all 75 staff members would have to secure off-site parking, in contrast to the current situation, where there is at least some on-site parking for staff. P 5.

The School District's traffic engineer *** did not refute the neighbors' depiction of on-site traffic circulation during peak periods and their personal experience with the difficulties in locating parking. He stated he had observed congestion and undesirable vehicle movements. He expected that with a traffic management plan, parents would likely be directed to essentially treat 59th as a one-way street, though its legal designation was unlikely to reflect that de facto operating condition during the drop-off and pick-up periods. P 5.

The School District's traffic engineer stated he was not surprised at the observed road zone extension or the illegal parking. P 6.

[Writer's Note: These several admissions confirming the existence of significant unmitigated current parking problems come from the same Heffron traffic engineer who has now twice offered written conclusions that there is sufficient area parking for an Alki School double its current size. This is beyond preposterous. His "Traffic Reports," and the self-serving conclusions they contain offer, should not be considered reliable. They contradict his own sworn testimony at the hearings - as noted by the Hearing Examiner.]

It was not disputed that conditions are cramped and emergency access during these peak periods face challenges. P 6.

There was also concern about the one off-site ADA parking spot in what is a chaotic area during peak periods and the difficulty a disabled person would have. This testimony came from individuals who have experienced this issue either through family or sports. [Writer's Note: ie, users of the many adjacent Seattle Parks and Recreation properties.] P 6.

The experiences of neighbors who live and observe street conditions daily was that the street network density and shorter block faces, coupled with the site's unique conditions, and the removal of on-site parking, will make the situation considerably more difficult for parents dropping off their children and for circulation generally. P 6.

[All italics added.]

The Hearing Examiner's **CONCLUSIONS OF LAW** include the following:

Criteria:

- Impacts on traffic, noise, circulation and parking in the area;
- ****a minimal amount or no departure from development standards may be allowed if the anticipated impacts are significant and cannot be satisfactorily mitigated.* P 8.
[Italics added.] 38 SMC 23.55.020(B)

Impacts:

- Appellants also met their burden to demonstrate that it is not necessary to eliminate all parking to meet educational needs. The approach exacerbates the difficult parking and circulation issues already present in the immediate area even without the expansion. P 9.

IV. SUPERIOR COURT CASE.

The SPS Superior Court challenge to the Hearing Examiner's Decision was dismissed, and no further appeal was taken by SPS. SPS and SDCl are therefore bound by Hearing Examiner's Decision.

V. THE SPS PARKING DEPARTURE CORRECTION RESPONSE DATED DECEMBER 8, 2023 FAILS TO ADDRESS THE HEARING EXAMINER'S KEY CONDITIONS AND CONCERNS.

SPS Response does not address the most critical matters raised by the Hearing Examiner's ruling, which involve "traffic circulation challenges the area faces." Decision at p 9. Ci Response" at p 1.

Off Street Parking. In response to the Hearing Examiner’s requirement that a proposed larger Alki school that would house over 600 students and staff must have 48 off-street parking spaces, the SPS Response now offers only 15 parking spaces in the same area that, previous to last summer’s school demolition, provided 29 paved parking spaces. (See parking lot photographs in subsequent emails.)

Those photographs show 29 paved parking spaces. They were distributed among locations identified as areas 1 through 7 on the diagram contained at Response unnumbered page 12, entitled: “Correction Response: Prior Site Design. Unnumbered Response page 7, entitled “Correction Response: Prior Use of Site for Parking,” incorrectly shows that, prior to demolition, parking was limited to the pink area shown. This diagram is inaccurate and misleading to SDCI, and should therefore be rejected.

Current Parking Problems at Alki School. Photos of the twice daily parking and traffic jams at Alki School will be sent in subsequent emails. They prove existence of the unsafe parking and traffic mess that happens twice every school day at Alki (requiring the Principal to personally direct traffic to avoid his school kids being run over by cars in the crosswalks.) This occurs because – no matter what Heffron or SPS may claim - there are serious and persistent parking shortages *now* at Alki School that require parents to park and drive unsafely simply to be reasonably near the school to meet their children – many of whom are very young. The Hearing Examiner correctly found that these problems will become much worse at an Alki school with double its current population. Please also refer to my more detailed comments previously submitted to SDCI about this issue.)

Traffic Congestion. The Hearing Examiner found that the insufficient available parking and unsafe pedestrian and vehicle congestion that exists now at the school, would become “considerably more difficult” at a school approximately twice its current size. PS now presents a *second* Heffron traffic study (“Heffron-II”) that not only fails to address this critical Finding, it continues to argue that there is no parking shortage problem. The Hearing Examiner has already ruled against SPS on this claim.

Astonishingly, the Hearing Examiner’s Findings of Fact also found that the *same SPS Heffron Traffic Engineer* who conducted and authored *both* Heffron studies (which concluded that these problems do not exist), *admitted multiple times at the hearing that they do exist. His sworn testimony directly contradicts the conclusions of both his traffic studies*, so the Heffron Traffic Studies must both be rejected as unreliable. [See FINDINGS OF FACT, reprinted above, at p 5 & 6.] Similarly, the SPS claims, arguments, and Departure Requests that rely on the Traffic Reports should be rejected.

One Size Fits All School Design. The real problem is that – apparently after the BEX-V

promises of a 300-400-person Alki school were made to the community that strongly supported that size of new school - SPS adopted an internal policy to use only two large pattern school designs, which appear appropriate for much larger school properties, but are unworkable for its smallest school lot at Alki, whose unique location and neighborhood conditions does not permit expansion.

The pending SPS Response explains that it is unworkable to acquire land on Alki's adjacent steep hills to provide additional parking, in order to comply with the Hearing Examiner's Requirement that it *provide 48 parking spaces to mitigate traffic congestion and safety problems* at the School. The SPS's Response admits that it *cannot comply* with the Hearing Examiner's ruling, nor could it offer safe school vehicle and pedestrian access at the single street in front of a much larger school. (It cannot do it *now*, with an Alki student population that has fallen under 200.) As the Hearing Examiner's decision noted, the law will not permit Departures "***if the anticipated impacts are significant and cannot be satisfactorily mitigated." Decision at p 8. Because SPS plainly admits that it cannot comply or mitigate, SDCl must follow the Hearing Examiner's Decision - and the law - to deny the pending Departure Response.

A Smaller School. Given the small lot size, the only way to comply with the Hearing Examiner's ruling is to scale back the proposed large Alki school size to the originally proposed 300-400-person school, for which the Code would require fewer off-street parking spaces. (This would also bring a happy coincidence of SPS actually keeping its BEX-V promise to the community and to all those who voted for the promised 300-400-person Alki school.)

SPS has Nearby Options for Large schools. There are at least two other nearby sites that could easily handle the mega-school building that SPS wrongly proposes for its smallest Alki lot. Schmitz Park and Lafayette Elementaries are located on very large properties, and are each only about a mile away from Alki School. Schmitz already has a very large parking lot. A time when SPS is fast losing both students and money, forcing a much larger school on its small Alki lot is unnecessary and irrational. Alki's student population has been falling for years, and last year dropped to un If 600+ person capacity buildings are needed by SPS, nearby Lafayette and Schmitz can easily accommodate them.

Adverse Impact for the City and its Citizens. If SPS is allowed to cram a huge school building onto its small Alki lot, the increased significant and unmitigated problems Found by the Hearing Examiner will be inherited by the City (SDOT, Parks and Recreation, SFD, and SPD). The Hearing Examiner found adverse impacts for the Fire and Police Department's use of 59 AVE SW. The City has a legitimate interest and right to protect its pedestrians and families who use over 200 acres of adjacent Parks' properties from these avoidable and dangerous problems. Of course, the Hearing Examiner's Finding that the pending SPS Alki proposal will worsen pedestrian safety is in clear violation of the City's "Vision Zero" policy to

reduce pedestrian accidents.

Walk-to-School Fantasy. SPS engages in the irrational presumption and wishful thinking that it can somehow accommodate a far larger school population at Alki and avoid consequent traffic problems by somehow forcing most of its Alki parents – including working parents who drop their kids off on the way to-and-from work - to give up their cars, walk or bike their kids to school, or take Metro buses that are not coordinated with school start and stop times, at all times of year and in all kinds of weather. [See “first” Heffron Traffic Study, dated November 15, 2022 (“Heffron-I”) at Sections 2.7 and 28, at p 19.)

“Supply-Side-Only” Parking Studies. “Hoping” that more kids walk to a much larger school is not a “plan.” It is a fantasy, and SPS knows it. That is why SPS failed to conduct an obvious, cost-free, and easily done survey of its Alki School parents, to determine their school population’s *actual parking demand*. SPS has not asked its Alki parents how many of them *actually* bike, walk, or drive their children to school, or could walk or bike. This easily obtainable and important “parking demand” data is inexplicably missing from SPS submissions and both its Heffron Traffic studies.

Adverse Inference. SPS had within its capacity the ability to easily learn its current parent population’s *actual* school driving behaviors, but it either has not done so, or has withheld this critical information from SDCl. This glaring omission of easily obtainable and highly relevant data of Alki parent parking demand deserves an “adverse inference” by SDCl, ie, a legally required “presumption” that such evidence would be harmful to SPS’s parking departure request, if it were disclosed to SDCl.

Of course, actual physical and visual evidence proves that is the case, as twice daily unsafe traffic and parking jams of parent cars illegally park near the school on Seattle Parks Dept grassy areas, in alleyways, in neighbor’s driveways, and sometimes even on sidewalks, because they cannot find available “legal” parking anywhere near the school, to pick up their very young children. These were the daily realities at an Alki school that most recently had about 230 students and staff. Add 400 to that number, and it will be far worse. SDCl must deny the Parking Departure and protect the City’s overriding interest to keep its streets and sidewalks safe for the school kids and families, and for the *City’s other kids and families* who use the adjacent park properties during the same times of day

Heffron Traffic Reports. Instead of honestly identifying actual school parent “demand” for parking, SPS hired Heffron to conduct two “engineering surveys” that identify only “parking supply.” Apparently, Heffron also had no interest in learning about actual parent “parking demand,” although this information was available and easily obtainable. In addition to their other defects (discussed below), the Heffron Traffic studies were each essentially “half” a report, addressing only “parking *supply*.” That is why they produced one-sided and inaccurate conclusions that are grotesquely contradicted by daily realities at the school, forcing their

author to contradict his own reports when he testified under an oath of honesty at the Hearing. (Decision at p 5-6.)

Supply and Demand. The obvious explanation is that Alki School parent daily parking “demand” is already so large that it exceeds Heffron’s identified parking “supply” and overwhelms the street. Rather than honestly deal with that reality, the Heffron Traffic studies go to great lengths to ignore the daily unsafe traffic jams at the school that arise from parking scarcity. Instead, they cite observations conducted at non-representative times of year, and at all times of day and night EXCEPT the critical school start-and-stop times that produce the acute and obvious daily parking shortage problems at the school. Heffron then offers hypothetical industry assumptions and formulas to simply claim the acute parking shortages that obviously do exist at the school - do not - unless they are testifying under oath.

The emailed photos and daily lived experiences cited in the Hearing Examiner’s Findings of Fact demonstrate that she was not fooled by Heffron’s creative claims, nor by SPS’s reliance on them. The acute parking shortages at Alki school start and release times are completely unmitigated now, at a school with only 230 students and staff. They could not be mitigated by an SPS proposed school on the same small lot with over 600 occupants, that *cuts in half its current off-street parking* from the 29 to only 15 spaces, refuses to provide the 48 spaces required by the Hearing Examiner’s ruling, and does absolutely nothing about parking and traffic congestion. The modified SPS Parking Departure Response violates the Hearing Examiner’s Decision by proposing a 600+ person Alki school with only 15 off-street parking spaces. SDCI is bound by the Decision and must deny the Departure Response.

First Parking Study (Heffron-I). The Hearing Examiner already rejected the first Heffron Traffic Report’s conclusion that Alki street parking could accommodate a much larger Alki School population. She found Heffron-I unreliable in part because it was conducted at non-representative dates and times. Those dates were early December 2021, during the heart of the wet, cold and dark season of winter, when both West Seattle Bridges were closed (to regular traffic) discouraging and preventing City residents from easily reaching Alki Beach and the adjacent City parks, and during the Omicron Covid spike that paralyzed the Nation and City. No matter, the author of Heffron-I blithely opined that his December 2021 survey somehow proved there would be adequate street parking for an Alki school with over 600 persons during normal times, and at the critical times of school day, even after eliminating *all* its then existing 29 off street parking spots. The Hearing Examiner did not buy it, so SDCI cannot buy it either.

Second parking Study (Heffron-II). The pending SPS Response (at p 2) now relies also on a second Heffron Traffic report that has the same defect as the first: It was also conducted at non-representative times.

Heffron-II was conducted during the late summer of 2023, *after* Alki school had been demolished, *after* all its students, teachers, support staff, and family drivers had been moved by SPS to nearby Schmitz Park school (which has a very large property that includes a large parking lot), and *after* the (connected-to-school) Alki Community Center's 70 child day care center had also closed for the demolition and rebuild of Alki School. Most daycare parents normally drop their kids off from their cars on their way to work each day, and also compete with Alki school parents for parking while they do that.

So Heffron-II again conducted a parking space survey at a time-of-year, and at times-of-day that did not, and after school demolition could not possibly reflect the actual realities of school parents seeking parking near Alki School. Relying again on assumptions and formulas, rather than easily obtainable empirical data, Heffron concluded that its Summer of 2023 study confirmed that its 2021 report was accurate – the same report that was already rejected by the Hearing Officer as unreliable.

Like Heffron-I before it, Heffron-II simply ignored all actual daily observable (and easily quantifiable) parking demand evidence to the contrary – to conclude that there is adequate street parking to accommodate an Alki school building population of over 600, and that offering only 15 off-street parking spaces would be sufficient. Subsequent emailed street parking photos that I will send, others that I submitted previously to SDCl, the evidence presented by the successful appellants *and* found credible by the Hearing Officer, *and* SPS's Heffron Traffic Engineer's sworn witness admissions at the hearing all prove that claim is wrong.

Inaccurate Comparator schools. At the bottom of page 4, the SPS Response lists seven SPS elementary schools with no off-street parking that it suggests are comparable to Alki: Green Lake, Laurelhurst, Loyal Heights, Madrona, McGilvra, Whittier, and Montlake.

With one exception, Google Earth views show that all those schools are located in a typical 4-sided city block, surrounded by wide two-way city streets that allow parking on both sides, with typical street grid patterns that extend in all directions from the 4 school-block intersections, offering a total of *12 city blocks of two-sided street parking with in one block's walk of each school*. McGilvra has the same arrangement, except that it is located on a 3-sided City block, with 9 available adjacent wide city street blocks of two sided parking, all within a one block walk to the School. In each case, a parent with small children could easily park and walk to the school in under 5 minutes

By contrast, a Google Earth view shows that Alki has only *one narrow street* that fronts the school (59th Avenue SW), with *parking limited to only one side* of that st *Only one other street (SW Stevens) offers parking within a city block of the School*. Streets farther to the West of Alki School have limited street parking, with much of it occupied by area apartment

dweller cars.

To the immediate South of the school, there is no street at all. The school is set against a steep treed hillside with no street, sidewalks, or stairs. Farther South, there is very little street parking across Admiral Way, because the hills there are also very steep, and unsuitable for a long walk by a parent with multiple small children, who is dropping-off or picking-up a big-brother or big-sister at the school. (That is the typical parent scenario, which explains why so many of them drive, especially in the unpleasant weather that dominates much of the school year, and why they try to find parking somewhere near the school, even if it means illegally “popping the curb” to park on City Park grass, or on a forbidden side of the street, etc

To the East, 58th Avenue SW is located across Alki Playfield from Alki School. 58th is also a very narrow street that allows *parking on only one side of the street*. It has many driveways with curb spaces between that are usually filled with residents’ cars. W Stevens Street, also to the East and located along the North side of Schmitz Park Preserve, permits *no street parking at all*. The areas North of the school are mostly Seattle Parks properties with no parking, and some apartments and businesses – whose customers also compete with Alki parents for parking.

These contrasting scenarios show that Alki School families’ street parking opportunities are dramatically worse than those available to families at the seven other schools wrongly cited by Mahlum and SPS in the Response as “comparable.” That is why the Hearing Examiner found that Alki’s unique setting and related school traffic congestion effectively turned nearby streets into one way streets. The SPS/Heffron Traffic Engineer also admitted this was the case.

In addition to differing street patterns, parking demands in the other seven schools’ neighborhoods also do not compare with Alki, which in addition to the school, has citywide draws of:

- Alki Beach,
- Alki Beach Park,
- Alki Beach Bathhouse and art center,
- Old Growth Schmitz Park preserve and trails (the North Entrance to Schmitz Park is located about 200 feet from the Alki school Gym),
- the Alki Tennis and Pickleball Courts,
- the Alki Playfield (for youth baseball, softball, volleyball, soccer, football, and lacrosse),
- the Alki Community Center’s daycare, craft and art classes, outdoor team sports, and indoor gymnasium sports, outdoor basketball courts,
- Whale Tale Park playfield,

- a second young children’s play structure area near the school and community Center, and
- numerous popular area restaurants and retail businesses.

Most users of the above Seattle Parks and other facilities rely on cars to get to Alki, and Alki parents must compete with them for parking at critical school start and release times, when the shortages become acute.

The Hearing Examiner summed up these various factors well in her Finding that Alki School’s:

“...street network density and shorter block faces, coupled with the site’s unique conditions, and the removal of on-site parking, will make the situation considerably more difficult for parents dropping off their children and for circulation generally.”
Decision at P 6.

BEX-V Levy. The SPS Response at p 1 characterizes the proposed project as “...a 502-student capacity school with an additional capacity for 40 students in developmental early learning...” When the proposed 65-75 faculty and staff are added, the proposed larger school occupant number will exceed 600 persons. Add to this number the 75 kids and staff at t connected Alki Community Center daycare program, and *the actual number of people in those adjoined buildings would approach 700.*

The Response next leaves the impression that BEX-V Levy constituted voter approval for this much larger school size This is incorrect. A neighbor who attended pre-levy community meetings hosted by SPS confirms that SPS marketed the school-specific BEX-V Levy rebuild for Alki as a 300-400-capacity school – ie, roughly the same size as it has been for many decades. A 300-400-person rebuilt Alki School is what the citizens - and neighborhood – voted to support - NOT a 600+ person school.

Parking Lot Building Access / Pre-school Access.

ADA Parking. The Response fails to address how students and caregivers who need ADA parking will have access to the school from the proposed 15 car parking lot on the South Side of the school. Reasonably convenient ADA access is a clear legal requirement under State, Federal, and Local discrimination laws. Must ADA parking pace users travel all the way around the school to its main proposed North entrance? If so, that plan would also violate SPS’s own School Traffic Safety Committee’s guidelines for special needs students who need ADA transportation, which are reprinted as follows:

Medically Fragile and Special Needs Students

Loading and unloading for medically fragile and special needs students should be separated from general parent pickup and general school bus loading. Administrators at Green Lake Elementary report that there were frequent unintentional conflicts between medically fragile students and rambunctious kids after school until the school circulation pattern was revised to separate these groups at pickup time. Generally space at public school sites should not be allocated to private car circulation, but medically fragile and special needs students are an exception. These students and families have inherent challenges to equally accessing public space and should be given accommodations to ensure equal access.

1. Locate medically fragile and special needs student loading/unloading at easily accessible locations from entrances, both in terms of distance and grade change.

a. Many medically fragile students are dropped off in private vehicles. Provide an accessible vehicle loading/unloading area near the special needs bus loading area.

b. When site conditions make locating an accessible entrance on the street difficult, consider an onsite driveway loading area for special needs buses and parent vehicles.

c. Locate medically fragile and special needs student loading/unloading where it is easily observed from the school building.

d. Wheelchair vans drop off from either the side or the back depending on the model. Ensure that there is accessible drop-off space for either kind of van and that children dropped off from a rear-loading van will not have to travel through traffic to reach a curb-ramp.

-Reprint from 2021 SPS Brochure found at:

<https://www.seattle.gov/documents/Departments/SDOT/SRTS/Traffic%20safety%20>

Preschool Access and Entrance. The SPS Response eliminates the previously proposed Southside walkway for preschool access from 59th AVE SW to a preschool entrance near the Center of the North Side of the building.

The Response and its diagrams do not disclose whether the preschool entrance will remain at the same North-side location, and if so, whether the proposed preschool *access* to the Preschool entrance will now come from the East and 58th AVE SW, which seems likely. If so, the Response fails to address the consequences of relying the already scarce parking availability along 58 AVE SW. No parking at all is allowed on SW Stevens, East of 58th, for preschool parents - or anyone else.

The Response should be denied for failing to address building access for ADA parking space users and for preschool students and parents.

VI. CONCLUSION.

The essence of the SPS Departure Response is that SPS still wants to:

- more than double the current student and staff population of Alki School,
- cut its off-street parking spaces in half (from 29 to 15),
- continue to ignore the daily unsafe traffic and parking jams that already occur there that threaten students, parents, and park users' safety,
- rely on creative Traffic Studies to pretend that obvious and observable parking shortage caused traffic hazards do not exist (even though their Principal must leave his job twice each day to deal with them),
- pretend that blocking 59th AVE SW for significant periods each day does not adversely affect emergency fire, ambulance, and police access to citizens who use central Alki Beach and other adjacent Parks Properties, to area businesses and their customers, and to neighborhood residents,
- dramatically worsen the traffic and parking congestion problems,
- ignore the City's important "Vision Zero" pedestrian safety policy.
- create and leave these problems and hazards for the City's SDOT, Parks and Recreation, SFD, and SPD to deal with far into the future.

This must not be allowed to happen. SDCI is obligated to follow the ruling of the Hearing Examiner in this case. Her ruling requires that the Departure Request must be denied because its adverse effects would be significant, and SPS plainly admits that they cannot be mitigated.

The Hearing Examiner's ruling is effectively that SPS must provide Code-required ratios of off-street parking for Alki school. Given its small neighborhood realities that include few nearby streets and surrounding steep hillsides, the only approach that will comply with her Decision is a smaller school, along the lines of that first promised to the community when it approved the BEX-V Levy that funds the project.

Notice of future SDCI Action Requested. Please notify me at: cud1105@aol.com immediately when SDCI takes action on the pending SPS Response that seeks a modified Parking Departure for Alki scho I want to preserve the option to consider an appeal and the appeal time period is very short.

Thank you for your consideration of these comments. Please contact me if you have questions or need clarification for any information provided in this email, or any other materials that I supplied to SDCI about this matter.

Sincerely yours,
Steve Cuddy, Attorney
Alki Neighborhood Resident

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ATTACHMENT 6

On Fri, 12 Jan, 2024 at 6:22 PM, me <lcuddy@g.com> wrote:

To: nathan.torgelson@seattle.gov; carly.guillory@seattle.gov

Cc: Tami.Garrett@seattle.gov

TO: Nathan Torgelson, Director: nathan.torgelson@seattle.gov

ATTN: Ms. Carly Guillory, Design Review Planner: Carly.Guillory@seattle.gov

cc: Tami Garrett, SDCI Supervisor: Tami.Garrett@seattle.gov

RE: OPPOSITION TO SPS DEPARTURE RESPONSE FOR ALKI ELEMENTARY SCHOOL, File # 3039297-SD

Dear Ms. Guillory,

I am Linda Cuddy, a 30 year Alki resident, a volunteer girls basketball coach for 2 years at Alki Community Center, volunteer project lead for 5 years for the City's Whale Tail Park Redevelopment project, and a recipient of a Large Neighborhood Grant through Department of Neighborhoods.

I deeply care about the Alki community and its safety. I wrote and received a Sidewalk Grant from SDOT to fix an existing safety problem. The north end of the park's location is on SW Lander and it is a heavily traveled and narrow street only one block from Alki Beach. The park did not have any sidewalks and children could just run into the street, it was a SAFETY ISSUE. It was fixed.

In that project, I had to strictly comply with all of DCLU's requirements, and solve even the smallest details in advance, as required and evaluated by the City. For example, BEFORE ANY CONSTRUCTION COULD BEGIN, even mosaic art in the sidewalks had to be incorporated into the preliminary site plan.

I am aware that the SDCI procedure for SPS is different. It appears the City is much more relaxed these days for granting departures/permits to them. No matter what the procedure is, SDCI should not allow SPS projects to go forward without the major issues being solved in advance. SDCI should require SPS projects that have serious SAFETY ISSUES, like the ones at Alki Elementary School, to be addressed and planned for, in advance, in site plan designing.

I am not opposed to SPS building an appropriately-sized school on their smallest 1.4 acre parcel, which is so small can't accommodate its own playground. I am opposed to SPS's plan to build a regional mega-sized school when there are two, much larger elementary school sites, in need of repairs, within a mile of Alki School in either direction, Lafayette and Schmitz Park.

Alki residents and I voted to support the proposed school plan presented by SPS in their BEX V Levy campaign – an Alki School no larger than to accommodate about 350 people, to work within the size of the property and to keep it as a neighborhood sized school. WE WANT THAT SCHOOL not THE PROPOSED ONE that had to request 12 departures. That means it's TOO large!

I am writing to also register my opposition to SPS's current proposal to build a regional mega-sized school at its Alki Elementary location while providing only 15 off street parking spaces. My understanding is that the City Hearing Examiner's Decision requires 48 off-street parking spaces. SDCI must honor the decision of the Hearing Examiner and deny SPS's request for further parking departures. More than one or two ADA parking spaces must be provided for special needs and handicapped. These requests are made in the interest of students, parents and staff, as well as the greater Alki community's safety.

ALKI SCHOOL AND NEIGHBORHOOD

The Alki School, SPS's smallest parcel of 1.4 acres, is located in an incredibly busy environment, in the midst of regional parks and Alki Beach attractions, all within a "Parking Overlay." As the Hearing Examiner said, "The school site has limited street access, with just one right-of-way, on the east side of 59th Avenue SW, from SW Admiral Way looking south. 59th Ave SW is signed for on-street bus loading and unloading on the east parallel to the school and for parent drop-off north of SW Stevens Street also on the east side. Due to its limited and cramped street access, difficult vehicle circulation patterns and the narrow width of 59th Ave SW, during peak drop off and pick up times, passage on 59th Ave SW effectively becomes a one lane street creating unsafe and unmanageable traffic and parking issues." Parents are forced to park in an unsafe and illegal manner in the parent drop off zone. Otherwise, traffic issues would be much worse and restrictive on 59th. According to SDOT parking is NOT allowed on either a planting or paved strip between a sidewalk and street – but the street is so narrow that this is the existing method EVERY CAR must USE to park in this zone to create a passable one lane, making the main side walk, parallel to Alki Playfield dangerous.

See Attached: CAN I PARK HERE?

11.72.320 - Planting strip. No person shall stop, stand or park a vehicle on a planting strip unless the vehicle bears a special placard or license plate issued under RCW Chapter 46.19.

(Ord. 124302, § 13, 2013; Ord. 112421 § 9, 1985; Ord. 109545 § 2, 1980; Ord. 108200, § 2(11.72.320), 1979.)

Limited and cramped street access, difficult vehicle circulation patterns, narrow width streets reduced to one lane, parents forced to park illegally, zero off-street ADA parking are ALL "existing issues." Each one of these issues ALONE is a problem, but collectively it's an out of control, SAFETY CONCERN for every student, bicyclist, pedestrian, ADA person and user of nearby Seattle Parks.

Then add into the above scenario the "new issues:" increased # of students from 200 to 540 (+340), increased staff from 30 to 75 (+45), less on-site parking for teachers/staff, more on-street parking for teachers/staff, and 2 new populations and 2 different parking needs to accommodate: 48 Pre-K students and additional special needs students with higher needs.

ALL EXISTING AND NEW ISSUES or "COMBINED ISSUES" NEED TO BE ADDRESSED NOW, PRIOR TO GRANTING THE FINAL DEPARTURE AND BEFORE CONSTRUCTION BEGINS.

The existing issues will only become worse and most likely, irreversible if not solved. The new issues also need to be solved. Together they morph into “combined issues” and they will add more chaos to the existing scenario if left not corrected. The Hearing Examiner wrote, “ALL THIS NEEDS TO BE ADDRESSED PRIOR TO THE LAST DEPARTURES BEING GRANTED. The approach exacerbates the difficult parking and circulation issues already present in the immediate area even without the expansion.

A collaboration of SPS and the City develop the Transportation Management Plan (TMP) for the Alki School project. It has not been developed (see page 3, *Schedule). It would be a VALUABLE tool for the Alki community to see how the “combined issues” are addressed and implemented prior to the last departure being granted AND construction begins.

If SPS thinks the solution to all the raised “combined issues,” outlined above, is to provide only 15 off-street parking spaces, THAT’S A JOKE on the Alki community and every teacher, student, family member, bicyclist, pedestrian, ADA person and user of nearby Seattle Parks, even SDCI.

COMMUNICATION WITH DECISION MAKERS

Alki residents contacted SDOT, City of Seattle School Traffic Safety Committee, Seattle Police and Fire Departments, attended a joint meeting of Pedestrian and Bicycle Committees, AND then Council Member, Lisa Herbold in March, 2023. The goals were to inform EVERYONE in City Hall about the severity of the “combined issues,” addressed above, lack of community input and representation during COVID and the inaccurate conclusions from Heffron’s first Traffic Study. We asked SDOT to consider doing an independent traffic study for “their” City streets. West Seattle Council Member Lisa Herbold contacted SDCI to request they consider a report from Alki resident Steve Cuddy. We had the opportunity to speak with the Director of the School Traffic Safety Committee (STSC) but communications went silent. On March, 4, 2023: A group of Alki residents met with former School Board Director for District VI, Leslie Harris at the Delridge Library. When asked about the type of school, she replied, “This is what they call the prototypical elementary. Personally I don’t like this plan, but I honestly don’t know if we’re too far down the road to change it.” <https://westseattleblog.com/2023/03/schools-decision-awaited-in-challenge-to-alki-elementary-expansion-rebuild/>

LACK OF COMMUNITY INPUT AND REPRESENTATION DURING COVID

October 2020 the DON Process Change Due to Covid-19: Mayor Durkin signed, Ordinance 126188: Director of DON will make a recommendation to Seattle Department of Construction & Inspection, taking into consideration the public’s comments, in I lieu of the committee holding public meetings. Thus, the DON Director is temporarily authorized to submit this recommendation report to SDCI in lieu of a public advisory committee process. Residents were denied community meetings AND Advisory Committee representation to discuss DON’s departure recommendations before submitting to SDCI for granting). DON based their rationale and departure recommendations to SDCI on the comments of 48 people. Their community outreach

INACCURATE CONCLUSIONS FROM HEFFRON'S FIRST TRAFFIC STUDY

The (first) Heffron Traffic Study provided SPS with the information they needed to proceed to site plan development for a mega-sized school. If this study HAD PROVIDED accurate data to SPS the Alki School design would look VERY different AND size appropriate.

Twelve out of 12 departures were granted by SDCI (based on INACCURATE DATA in Heffron Traffic Study)

Departures were appealed

Parking departure was denied for Zero on-site spaces. Hearing Examiner wrote: "Based on The parking analysis was completed during an extraordinary time-period that does not reflect current or expected conditions. This issue should be revisited, with further thought given to how to improve the balance between school needs against the parking and circulation challenges the area faces."

SPS had to account for 48 on-site spaces.

SCHOOL TRAFFIC SAFETY COMMITTEE (STSC): A SDOT DEPARTMENT

What was learned from the conversation with the Director of the School Traffic Safety Committee (STSC) was SPS's **Transportation Management Plan (TMP)** is a collaborated effort of many City Departments. The STSC is one of those departments involved and they have written a guide specifically for SPS titled, "Best Practices for School Traffic Design: A Construction and Renovation Guide for Seattle Public Schools," 2/18/2021. (See attached)

It's a fact the City and SPS must work together on school projects and that is why STSC wrote BEST PRACTICES FOR SCHOOL DESIGN. One of the TMP committee's core functions is to review proposed circulation plans for school construction projects. The guide is to assist SPS designers in avoiding some common design pitfalls and to help create optimal site and circulation plans. As stated on page 1 of the guide:

"One of the committee's core functions is to review proposed circulation plans for school construction and renovation projects and consider how new facilities will help students **be safe** and active. We have written this guide to assist designers **in avoiding** some common design pitfalls and to help create optimal site and circulation plans. The following guidance is compiled from the School Traffic Safety Committee's **experience dealing with persistent traffic and circulation problems at a wide variety of schools**. Our hope is that this guide **will be used to provide direction early in the design process so that projects can avoid later design revisions and wasted effort.**"

We are starting from the position that every school in Seattle should be safe for children to walk or roll to and enter. All site planning must start with this as a fundamental requirement. Seattle Public Schools expects that more than half of students will get themselves to school; school facilities must reflect this expectation by **providing safe and convenient routes for pedestrians and bicyclists**. **A site plan that provides safe and inviting spaces for pedestrians and bicyclists is one that can be equally**

accessed by all of Seattle's residents. Many of these best practices will necessitate working closely with the Seattle Department of Transportation, during the earliest conceptual site design processes."

-From the Best Practices for School Traffic Design Guide.

ALKI PROJECT SCHEDULE

SPS creates a building schedule for every project they build. It outlines dates and timeframes for every aspect of a project. The below schedule for the Alki Elementary School Project was stopped due to appeal process but would have had the following.

SCHEDULE:

- ❖ School Design Advisory Team (SDAT): 2021-2022 This is part of the Pre design process for major school projects to compile a team of teachers, parents, students, principal, 1 community member, SPS and design team met to allow each school community to have input into renovation of or construction of their school building
- ❖ Pre design started: November, 2022 (over 1 year ago)
- ❖ Construction Begins: December, 2023 (1 month ago)
- ❖ TMP started: January, 2025 (now/ 7 months before school opening)
- ❖ TMP completed: AUGUST, 2025 (1 MONTH BEFORE SCHOOL OPENING)
- ❖ School Reopens: September, 2025.

Based on the timeframe, above, it would have been over one year since Pre designed started and planning for the Transportation Management Plan (TMP) was to begin. That means, this is the first time, collaboratively, SPS the School Traffic Safety Committee (STSC) and other committee members (SDOT, Seattle Police Department, King County Metro, and volunteer pedestrian and bicycle safety representatives, and parents) would begin to develop the TMP. That is **over year after construction was to begin, and only 7 months before the school was to reopen.**

What the timeframe reflects is a lack of priority and concern by SPS and the City for the transportation safety at Alki Elementary School and the surrounding neighborhoods. It appears the priority is about The School Building and NOT the SAFETY of every teacher, student, family member, bicyclist, pedestrian, ADA person, user of nearby Seattle Parks AND the greater Alki neighborhoods. It is the responsibility of SPS and The City to protect their safety.

According to STSC "Best Practices for School Traffic Design: A Construction and Renovation Guide for Seattle Public Schools," 2/18/2021, "We are starting from the position that every school in Seattle should be safe for children to walk or roll to and enter. All site planning must start with this as a fundamental requirement."

Noted on the above project schedule, were meetings with the School Design Advisory Team (SDAT). Throughout all of the 7 virtual meetings the 19 committee members REPEATEDLY, vocalized their

concerns about the “combined issues” and requested safer bus and parent loading areas and a school playground separate from PARKS. SPS/MAHLUM incorporated none - NO CHANGES.

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TRANSPORTATION MANAGEMENT PLAN

SPS must be held accountable by the City to develop a safety conscious, parking and traffic circulation plan, TMP, for EVERY large project that honestly addresses and plans for the unique needs, like the “combined issues” at Alki during the earliest conceptual site design processes. According to STSC “Best Practices for School Traffic Design: A Construction and Renovation Guide for Seattle Public Schools,” 2/18/2021.

SPS must do Pre design to help formulate a final site plan for all SPS projects, otherwise a project can’t begin. Once SPS’s site plan is finished the City “PROCESS” begins and starts with Department of Neighborhoods (DON). DON uses the site plan, conducts public meetings and provides departure recommendations to SDCI. Then, SDCI evaluates DON’s grant departures and provides departures. If an individual or individuals do not agree with any or all of SDCI’s departure decisions, they can appeal a departure.....construction cannot BEGIN ON ANY SPS project until ALL building departures are granted.

Part of the PROCESS MUST include a TMP. It is an integral part of a project and MUST be developed by SPS and STSC during Pre design. It would be short sighted if STSC didn’t begin working collaborating with SPS at Pre design and hold them accountable to not over look any issues, because there isn’t an easy solution. BECAUSE WHAT SPS REALLY CARES ABOUT IS JUST THE BUILDING, and everything else is secondary. This attitude must change.

To be an effective cohesive site plan the TMP must be completed at the same time as the building design and prior to the Department’s of Neighborhoods (DON) involvement in the City process, because safety, parking and traffic concerns are usually an important topic to most communities. In the case of the Alki project if the DON process for public meetings and the Advisory Committee was not altered because of Covid, the topics of safety, parking and traffic would have been a priority. If both SPS and DON had a preliminary TMP to exhibit alongside the site plan, how effective would that be in addressing the public? DON are the “ears” for the City, hearing public comments, making assessments of issues and submitting their recommendations to SDCI for departure evaluation.

The primary responsibility for the school’s Transportation Management Plan apparently falls on the Alki Elementary Principal. This does not make sense. How can a person trained in education be expected to solve complicated transportation safety issues, especially at a location like Alki Elementary.

SUMMARY

The neighboring streets surrounding the Alki Elementary School Project are complex, cramped and narrow with parking and circulation difficulties. Addressed throughout this document are “existing,” “new,” and these together “combined” problems. SPS knows them. PARKS knows them. SDOT knows them. What is the plan to correct them? Think carefully because someone is going to get hurt from SPS’ and the City’s Negligence.

Once THE LAST DEPARTURE IS GRANTED, by SDCI and construction begins IT IS TOO LATE to start working on a TRANSPORTATION MANAGEMENT PLAN. Options will be dictated by SPS's site design and the neighborhood's limited geography, NOT independently or as a cohesive package.

The TMP design becomes an "after" thought or subordinate to the site plan having to compromise better options, settling/stuck with the unsafe "existing issues" and with the Alki plan trying to squeeze in the "new issues."

By following the guidance of the most important member of the TMP committee, The School Traffic Safety Committee and starting the planning earlier in the design process will provide the best outcomes for developing circulation plans:

- ❖ Provide direction early in the design process
- ❖ To assist in avoiding common design pitfalls
- ❖ To avoid later design revisions and wasted efforts
- ❖ Create optimal site and circulation plans
- ❖ **Every school in Seattle should be safe for children to walk or roll to and enter**
- ❖ All site planning must start with this as a fundamental requirement

At the June 15, 2022 virtual public meeting when Mahlum introduced the site plan and at the end of the meeting a neighborhood resident asked, "Eliminating 20 to 30 parking spots is going to have a pretty huge impact." The project team acknowledged that as an "operational challenge". (West Seattle Blog, June 2022)

What are SPS and the City's plans to correct this "operational challenge" so **that every school in Seattle should be safe for children to walk or roll to and enter**? Fifteen on-site parking spaces WON'T PUT A DENT IN IT. What about SDOT's Vision Zero? Shouldn't that apply NOW?

Thank you for reading this document AND considering my assessment of the Alki project and thoughts on how the relation/process between SPS and the City must be re evaluated.

Sincerely,

Linda Cuddy

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