

**FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE HEARING EXAMINER
CITY OF BURIEN**

APPLICANT: Highline School District 401

CASE NO.: PLA 06-1958

LOCATION: 2725 SW 116th Street (see Exhibit A, Attachment 1)

APPLICATION: A request to replace the existing Shorewood Elementary School, increasing the size from 41,000 sq. ft. to 60,000 sq. ft. (see Exhibit A and attachments).

REVIEW PROCESS: Hearing Examiner conducts a public hearing and makes a recommendation to City Council, who makes the final decision..

MAJOR ISSUES:

- 1) Compliance with the Type III approval criteria set forth in BMC Section 19.65.075(7)C.

SUMMARY OF RECOMMENDATIONS:

Staff Recommendation: Approve with conditions

Hearing Examiner Recommendation: Approve with conditions

PUBLIC HEARING:

After reviewing the official file, which included the Planning Division Staff Advisory Report; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Shorewood Elementary School application was opened at 10 a.m., March 15, 2007, in the Educational Resource & Administrative Center, Burien, Washington, and closed at 10:15 a.m. Participants at the public hearing and the exhibits offered and entered are listed in this report. A verbatim recording of the hearing is available in the Planning Department.

HEARING COMMENTS:

The following is a summary of the comments offered at the public hearing.

From the City:

Stephanie Jewett, Planner: Provided a summary of the project scope and purpose,

major features of the proposed school building(s) and site amenities, and noted the required upgrades relative to on and off-site drainage. Also provided staff's analysis and recommendation (see Exhibit A).

From the Applicant:

John Garthwaite: Briefly described the programmatic issues that went into the design of both the proposed school buildings and site layout. Concurred with staff's analysis and recommended conditions, and noted that construction workers' parking would likely be provided by a nearby church and that contractor guidelines were being developed that would include a project contact person.

From the Community:

Kerri Tieman: Was curious what the traffic impacts might be and wanted to know if there would be a contact number for neighbors to call during construction.

Karis Malagon: Submitted Exhibit B, which raises several questions regarding on-site drainage an off-site impacts, noting that problems have developed over the years with new development. Mr. Malagon's comments and questions have been addressed in Exhibits C and D.

FINDINGS OF FACT AND CONCLUSION

1. The Facts presented in the Site Description, Summary of Proposal, and Public Notice and Comments on pages 2 through 4 in Exhibit A, Staff Recommendation, February 14, 2007, are accurate and are hereby adopted by reference.
2. The Facts and Conclusions regarding compliance with Type III Approval Criteria on pages 5 and 6 in Exhibit A, Staff Recommendation, February 14, 2007, are accurate and hereby adopted by reference.
3. The Facts and Conclusions regarding compliance with Development Regulations on pages 6 through 20 in Exhibit A, Staff Recommendation, February 14, 2007, are accurate and are hereby adopted by reference, which includes the following:

- General Compliance: page 6
- Zoning Code Use Chart Compliance: pages 6 and 7
- Building Height Variance Request: pages 7 through 9
- State Environmental Policy Act: page 9
- Significant Tree Retention: page 9
- Landscaping Requirements: pages 10 and 11
- Parking: page 11 and 12
- Loading Space Requirements: page 12
- Critical Areas – Streams & Wetlands: pages 12 and 13
- Critical Areas – Geologically Hazardous Areas: pages 13 through 18
- Frontage Improvements: page 18
- Surface Water Management: pages 19 and 20
- Adequate Public Facilities: page 20

RECOMMENDATION

Based upon the foregoing findings and conclusions, it is recommended that the request for replacement of the Shorewood Elementary School, PLA 06-1958 is approved, subject to the recommended conditions A through E found on pages 1 and 2 of Exhibit A.

Entered this 6th day of April, 2007.



Donald B. Largen
Hearing Examiner

EXHIBITS:

The following exhibits were offered and entered into the record:

- A. Planning Staff Report with attachments dated February 14, 2007
- B. Letter submitted by Karis Malagon regarding drainage issues.
- C. Public Works response to Exhibit B dated March 22, 2007
- D. Applicant's response to Exhibits B and C dated March 26, 2007.

PARTIES OF RECORD:

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