

June 29, 2017

Ryan Windish, AICP  
 Community Development Director  
 City of Sumner  
 1104 Maple Street  
 Sumner, WA 98390-1423

**Re: Projects: Sumner School District  
 New Early Learning Center on Sumner Middle School Campus and  
 Sumner Middle School Track and Athletic Field Upgrades  
 (collectively, "Revised Project")**

**Application: Revised Conditional Use Permit  
 PLN-2017-0002**

**REVISED CONDITIONAL USE PERMIT APPLICATION**

Dear Ryan:

**I. INTRODUCTION**

This letter serves as the *Revised Application for a Conditional Use Permit* ("Revised CUP") under Sumner Municipal Code (SMC) 18.48.050 for two projects: (i) an Early Learning Center (referred to herein at times as "ELC") and (ii) Track and Field Upgrades (collectively, the "Revised Project") proposed by Sumner School District (the "School District") on the campus of Sumner Middle School (referred to herein at times as "SMS") located at 1508 Willow Street, Sumner, Washington and on a portion of Maple Lawn Elementary School (an existing softball field) located at 230 Wood Avenue, Sumner, Washington, and commonly known as Pierce County Parcel Nos. 0420251231, 0420251232, and 0420251062<sup>1</sup>. Attached hereto is the Revised CUP Site Plan with information for the Revised Project and a color Campus Map with the Revised Project layout.

The Revised Project reflects changes to the project arising from comments received by the School District to the Expanded State Environmental Policy Act ("SEPA"), dated January 9, 2017, from neighboring property owners (the "Neighborhood Group"), and subsequent discussions that ensued between the School District and the representatives of the Neighborhood Group over numerous meetings over several months. Those discussions culminated with revisions to the project under an Agreement between the Neighborhood Group and the School District, dated as of May 18, 2017, a copy of which is attached to this Revised CUP<sup>2</sup> ("Agreement with Neighborhood Group").

<sup>1</sup>Parcel No. 0420251062 adjoins the SMS and abuts an existing driveway into SMS. This residential parcel was acquired by the School District in July 2016 and has an address of 205 Sumner Avenue.

<sup>2</sup>The School District's Board of Directors approved the Agreement with the Neighborhood Group, dated May 18, 2017, by Board Resolution No. 28 16/17 on June 14, 2017.

The Revised Project includes the following revisions:

- A new driveway access to the SMS campus from Gault Street
- Changes to school bus access to the SMS campus (including the ELC)
- Closure and locked gating of the existing Sumner Avenue driveway access (except for emergencies)
- A re-configuration and re-location of the track with new synthetic turf field
- Elimination of lighting of the track and turf field (no field lighting or infrastructure for field lighting)
- Elimination of the tennis courts
- (Revised) District Operating Procedures to limit community use of the SMS Facilities (athletic fields and interior facilities) (described in detail below)
- Reduced number of lighting poles, smaller scale lighting fixtures, and shorter height of the light poles in the ELC parking area adjacent to Sumner Avenue
- Smaller scale lighting fixtures on the light poles and shorter light poles in the ELC Bus Loop area
- Adjustments to the positioning of the lighting fixtures and lighting poles in the new ELC parking lot adjoining the SMS parking lot.
- (Revised) District Operating Procedures to the ELC exterior and parking lighting to separately control operation of distinct areas of the ELC which abut neighboring properties
- Eight (8) additional parking stalls at the ELC
- A post-occupancy noise evaluation of the ELC Chiller
- An ELC Emergency Evacuation Plan
- Two (2) existing portables located on the SMS Campus shall be prohibited for future use for student capacity (classrooms) in conjunction with the Early Learning Center or other classroom school use on the SMS Campus.

## **II. REVISED PROJECT DESCRIPTION**

The proposed Early Learning Center and the Track and Field Upgrades at Sumner Middle School are located on property designated under the City's Comprehensive Plan Land Use Map as Public-Private Utilities and Facilities with a Low Density Residential – 12,000 (LDR-12) Zoning Classification. Within a LDR-12 Zoning Classification, school uses are treated as a "secondary allowed use" upon approval of a Conditional Use Permit (SMC 18.12.040E) consistent with criteria established under SMC 18.48.050. The overarching purpose of a CUP as set forth under the Purpose Section of SMC ch. 18.48, consistent with the City's Comprehensive Plan Land Use Element, is to establish a special review procedure and consideration for uses that are otherwise a permitted use. SMC 18.48.010.

As shown in detail below and under the Updated Reports attached to the Revised Expanded State Environmental Policy Act Checklist (“Revised SEPA”), the School District has engaged the necessary consultants in transportation, lighting, noise, civil engineering, and architecture to determine that such special review has been conducted to establish that there are no significant adverse or detrimental impacts to the neighboring community.

The School District has carefully and thoughtfully designed the Revised Project being mindful of the neighboring community and consistent with the Agreement reached with the Neighborhood Group. Attached hereto for ease of review are “Conditions Attaching to Revised CUP Application” which conditions are described fully below that Sumner School District has agreed to implement and shall be treated as “Conditions of the Project”.

**A. Early Learning Center**

**1. ELC Background**

Sumner Middle School is approximately 21 acres and adjoins Maple Lawn Elementary School. Sumner Middle School was constructed in the early 1960s and has been expanded several times with a substantial remodeling permitted in 2009 pursuant to Decision of the Hearing Examiner approving a CUP. Maple Lawn Elementary School was constructed in 1954 and has been expanded several times with a substantial remodel permitted in 2010 pursuant to Decision of the Hearing Examiner approving a CUP.

The School District proposes to construct a partial, two-story Early Learning Center and associated parking on approximately 3.65 acres located in the westerly portion of the SMS site as depicted on the attached Revised Site Plan which is currently occupied by tennis courts and a portion of a field, baseball and softball fields, and an existing residence. In conjunction with the Track and Field Upgrades (as described more fully below), the fields will be reconfigured, the tennis courts will be eliminated, and the residence will be demolished for parking associated with the Early Learning Center.

The Washington State Legislature has mandated all-day Kindergarten and reduced class sizes in K-3 together with an emphasis on early learning (“preschool” or Pre-K”) education. The School District has been a leader in education in Pierce County providing the opportunity for full-day Kindergarten for several years and establishing an Early Learning initiative to encourage school readiness to help prepare children to enter a formal school system.

The School District’s Capital Facilities Plan, which is incorporated by reference in the City of Sumner’s Comprehensive Plan, adopted all-day Kindergarten and smaller class sizes at the elementary school level and moved toward increasing early learning opportunities offered at its elementary schools. With the Legislative mandate for all-day Kindergarten, smaller class sizes, and early learning programs coupled with increased student enrollment at its elementary schools, in early

2015, the School District began its bond planning for a formal Early Learning Center to focus on the earliest learners to provide dedicated classrooms and learning environments to provide readiness and socialization for entering a formal school system. Studies have shown a correlation between early learning opportunities and a decrease in dropout rates and an increase in math, reading, and language skills. With an Early Learning Center, the School District will also include capacity for the Kindergarten level which would allow for additional capacity at its elementary schools in the City of Sumner and would create the opportunity for social relationships for pre-school students and kindergarten students.

With existing land at the Sumner Middle School Campus and transportation efficiencies of service to Daffodil Valley Elementary School and Maple Lawn Elementary School, the Facilities Planning Committee consisting of community members and the Early Learning Center Pre-Design Committee (School District Staff and community members) began planning and holding numerous outreach meetings and disseminated written communications with the Sumner Community to obtain public input, feedback, and comments relating to: (i) a proposed formal Early Learning Center, the first such Center in the School District, and (ii) the selected location at the Sumner Middle School and Maple Lawn Elementary School Campus. With the passage of a Capital Bond in early 2016, the School District could move forward with site planning and design.

## **2. ELC Revised Project Description.**

The Early Learning Center will primarily serve students within the attendance boundaries of Maple Lawn Elementary School and Daffodil Valley Elementary School and special education pre-school students District-wide.

**ELC Building Overview.** The Early Learning Center will be a partial two-story, approximately 35,290 square foot square foot state of the art building with a maximum height of 36' over a small, easterly portion of the building to provide for educational functions important to an early learning center and to provide architectural compatibility with the residential area. The ELC building design requires a minor six foot deviation (over the easterly portion of the building) from the standard 30' height limitation in an LDR-12 Zone requires a height exception under SMC 18.50.040. As part of the Agreement with the Neighborhood Group, the Neighborhood Group has consented to, without any revisions, the height and design of the ELC building as set forth under the CUP Application (with attachments) and the Request for Special Exception for Building Height (with attachments), dated January 6, 2017 (See Section 3 of the Agreement). The Request for Special Exception, dated as of January 6, 2017, therefore, remains unchanged and has been resubmitted as a separate request for continuity with this Revised CUP Application.

The ELC building will reflect principles of environmental sustainability consistent with the Washington Sustainable School Protocol program. There is an abundance of windows and clerestories into classrooms to maximize use of natural energies (i.e., solar and daylight); provision is made for a thermally superior efficient building envelope with mechanical and lighting systems that

meet or exceed State Energy Code; daylight and motion responsive controls are provided; and fixed shading on the exterior of the building will be installed. Recycling and reuse stations will be incorporated into the design. The building's main entry will reflect a sustainability value with the integration of timber and wood into the design to support a building identity compatible with the neighboring area. The roofline and building massing are intentionally modulated to allow the scale of the structure to match that of the surrounding residential buildings and northwest styles. The height of the westerly portion of the building is stepped in height and consistent with the standard 30' height limitation in an LDR Zone.

Learning in a safe and secure environment with a family focused orientation for the early learners to promote exploration and learning drives the interior design of the building. Corridors connecting classrooms will provide kinetic learning and play experiences, allowing children to interact with their immediate surroundings and have a constant view of the outdoors from space to space. Multipurpose spaces will be designed to allow adaptation for a variety of learning interaction. Indoor play courts will connect to the outdoors to provide for experiences that can engage all of the senses. Interior design will promote infrastructure for technology for today and the future, moveable cabinetry and bookcases in the classrooms will be provided, convenient storage spaces will be provided in the classrooms, display cases will be installed throughout the school to honor and showcase work completed by the students for both parent and community appreciation.

**ELC Operations.** The Early Learning Center will house up to 250 students, consisting of 12 classrooms of kindergarten students and four classrooms of pre-school students. All-day Kindergarten (up to 182 students) will start at 8:35 a.m. with departure at 3:00 p.m. The pre-school students, both special needs and regular students (up to 68 students in a session), will attend either a morning session (8:35 a.m. to 11:25 a.m.) or an afternoon session (12:05 p.m. – 2:55 p.m.). The arrival and departure times will not overlap with Sumner Middle School arrival and departure times and will overlap only five minutes with Maple Lawn Elementary School arrival and departure times. With the expansion of the new, additional parking lot at Maple Lawn Elementary, arrivals and departures at Maple Lawn are directed behind the school, and circulation on Willow Street has significantly improved with no queuing occurring on Willow Street.<sup>3</sup> Arrival or departure queues will occur on-site within the Early Learning Center as there is more than sufficient queueing space within the drive aisles<sup>4</sup>.

**Access to the ELC/ New Gault Driveway Access.** Parent and general vehicle access to the Early Learning Center will be by way of the existing westernmost access on Willow Street. The existing Sumner Avenue driveway access will be gated and will no longer be used as a public access except in emergency situations. Multiple pick up/drop off locations at the ELC are

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<sup>3</sup>See Revised Traffic Impact Analysis, dated June, 2017, prepared by Transpo Group attached to the Revised Expanded SEPA Checklist, at page 17.

<sup>4</sup>See Revised Traffic Impact Analysis, dated June, 2017, prepared by Transpo Group attached to the Revised Expanded SEPA Checklist, at pages iv, 40, and 43.

provided to secure separation of pedestrians and students from automobiles. Busses will be separated from vehicular traffic through a separated bus loop; pre-school students and kindergarten students will enter from separate locations. In compliance with WAC 170-295-7030, pre-school children not being transported by school bus, must be signed-in and signed-out by the parent or other person authorized to transport the child to or from the Center. Therefore, parents or other authorized person dropping off or picking up students would park and escort children into and out of the building.

A new driveway access to connect to the SMS campus will be constructed at the westerly terminus of Gault Street as depicted on the Revised CUP Site Plan, the New Gault Access Driveway. School bus access to the Early Learning Center (both ingress and egress) will occur from the New Gault Access Driveway. In addition, Sumner Middle School busses will use the New Gault Access Driveway to ingress to Sumner Middle School and SMS busses may egress by way of the New Gault Access Driveway at the discretion and upon evaluation by the School District (given the student crossings to the fields over the driveway that will occur during dismissal hours). The New Gault Access Driveway will be also used by Early Learning Center and Sumner Middle School teachers, as convenient to Staff travel, provided Staff arrives before 7:00 a.m., and for after-school hours use of the SMS campus.<sup>5</sup>

**ELC Parking and Exterior Lighting.** Separate parent, faculty, and visitor parking areas are provided. 129 parking stalls, inclusive of 124 standard stalls and five ADA compliant stalls will be provided. The parking lot will adjoin the existing Middle School parking lot and will utilize full cut-off LED lights mounted on approximately 30' aluminum poles to closely match the existing parking lot lighting at Sumner Middle School. The new western parking lot on Sumner Avenue and the Early Learning Center bus loop will utilize a smaller scale light fixture with full cut-off LED lights and be mounted on shorter 12' poles which will further prevent any light spillage at the adjacent property lines. The building perimeter lighting will be wall and soffit mounted LED fixtures. As a standard School District protocol, the lights are installed with motion sensors to illuminate upon motion and to dim to at least 50% of full strength when no movement is detected. All lighting will be off during daylight hours. On weekends lighting will remain off except for authorized facility events.

In addition, the parking lighting will be controlled by the School District's ELC Exterior Lighting Procedures which will control lighting operations separately for distinct areas of the ELC. Attached hereto is a copy of ELC Exterior Lighting Operating Procedures.<sup>6</sup> This Operating Procedures, among other items, specifies that: (i) the lighting in the new parking lot on Sumner Avenue will be turned off by 6:00 p.m. except for authorized ELC school-related events, and (ii) the exterior pole mounted lighting in the ELC bus loop area and the southerly exterior building mounted lighting will remain off during evening hours except for District authorized events.

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<sup>5</sup>See Agreement with Neighborhood Group at Section 8.6, pages 4-5.

<sup>6</sup>See Agreement with Neighborhood Group at Section 1 (page 1) and Exhibit B.

As the Revised Lighting Report prepared by BCE Engineers establishes (based upon light contribution from the existing parking lighting at the adjoining Middle School), there will be no measurable impact to the surrounding residential properties.<sup>7</sup>

**Fencing/Landscaping/Stormwater Facilities.** Eight-foot solid fencing, as authorized by SMC 18.12.080.J.8, with a mix of evergreen trees and shrubs will be planted to provide appropriate screening along the bus loop and westerly parking area (the westerly and southerly common residential property lines). The equipment yard (containing the emergency generator and chiller) located on the west side of the proposed Early Learning Center, enclosed with a solid, approximately nine foot high masonry wall with solid gate, will ensure that noise emanating from these sources will be below noise limits established by the City (SMC 8.14.050).<sup>8</sup> Stormwater compliance will meet the requirements of the Department of Ecology Stormwater Manual as required under the City's development regulations. Approximately 16 trees and portions of an existing athletic field will be removed to provide sufficient space for a new nature playground area to serve the ELC. Native landscaping will be installed in the new parking lot islands and in the perimeter of the play areas to provide habitat and educational value to the ELC students. Landscaping, to the front of the building, with an assortment of native plants, grasses, and perennials, will compliment the architecture with a "street appeal" concept.

## **B. Sumner Middle School Track and Athletic Field Upgrades**

### **1. Track and Field Upgrades Project Description**

The existing Sumner Middle School sports fields include a softball field and a baseball field with a football/soccer field overlaid on the outfields, a separate football/soccer field surrounded by a track, a smaller grass playfield to the west of the softball and baseball fields, and four tennis courts. Under the 2016 Capital Bond, the parents and community within the School District voted to approve track and field upgrades at the School District's three middle schools.

As part of the Revised Project, there will be no lighting associated with the athletic field upgrades (track and synthetic turf or the reconfigured and relocated fields) nor infrastructure for future lighting of any fields. In addition, all four existing tennis courts, the small grass field, and the softball field on Sumner Middle School campus will be eliminated. The softball field will be re-located to an existing softball field on Maple Lawn Elementary School. The baseball field on the Sumner Middle School campus will be reconfigured and upgraded and relocated to the southwesterly area of the campus. The reconfigured area as shown on the attached Revised CUP

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<sup>7</sup>See Revised Lighting Report, dated June 22, 2017, prepared by BCE Engineers, Inc. attached to the Revised Expanded SEPA Checklist.

<sup>8</sup>See Updated Noise Study, dated June 27, 2017, prepared by Ramboll Environ attached to the Revised Expanded SEPA Checklist, at page 11.

Site Plan will have a baseball field with a football/soccer field overlaid on the outfield. The softball field at Maple Lawn Elementary School will be improved to accommodate middle school softball games with a 200' outfield. Both fields will be re-constructed in accordance with regulation-required dimensions under the Washington Interscholastic Activities Association to allow for school competition. Appropriate backstops and dugouts with fencing will be installed.

The existing Sumner Middle School cinder track and turf field will be relocated as depicted on the attached Revised CUP Site Plan. A new 400 meter, eight lane paved track surrounding a new synthetic turf field to accommodate football, soccer, lacrosse games, and other field games will be constructed. The new synthetic turf field will include an underground storm drainage collection system, installed to meet City requirements consistent with the Department of Ecology stormwater manual adopted by the City. The existing bleachers will be replaced with new bleachers.

A paved field event area, approximately 100'x 200', located in the northeast corner of the track adjacent to the New Gault Access Driveway as depicted on the attached Revised CUP Site Plan, will be also constructed. This field event area will provide an area for long jump, triple jump, high jump, and double shot put fields, runways, and a landing area grouped together.

### **III. CUP CRITERIA**

The Project, as set forth below, satisfies the review criteria for approval of a CUP under SMC 18.48.050.

- A. **The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the proposed use or in the district in which the subject property is situated.**

As described above, the proposed revised Early Learning Center and the Track and Field Upgrades at the Middle School are all located on land that is designated under the City's Comprehensive Plan - Land Use Map for use as "Public-Private Utilities and Facilities" and within an underlying LDR-12 zoning classification with the acknowledgement in Low Density Residential Districts that school uses are treated as a "secondary allowed use". Therefore, proposed school uses and improvements to existing uses (track and field) are necessarily contemplated in the "district" in which the Property is located.

Specifically, neither the proposed Early Learning Center nor upgrades (as revised) to the track and fields will be materially detrimental to the general public welfare, property or improvements in the vicinity. The School District, through its consultants with expertise in the areas for potential impacts, has thoroughly and carefully reviewed the proposed Revised Project in relationship to the surrounding area. Acknowledgement that the Early Learning Center and athletic field upgrades (as revised and described herein) do not create material detrimental impacts to the surrounding area are confirmed by the Agreement with the Neighborhood Group.



The Early Learning Center has been designed to be set back from Sumner Avenue. It has been designed to incorporate a gable roof to be complimentary with the existing gabled roofs of residences in the area. The roof and building massing are intentionally modulated to allow the scale of the structure to complement the residential buildings in the vicinity. The proposed exterior materials of wood and brick are consistent with the northwest styles of the area. The height of the second story, necessary to the educational function of the building and amenities of an early learning center, is predominantly consistent with the 30' standard height limitation in the underlying LDR-12 zone except for a small portion of the roofline which exceeds the standard height limitation by only six feet. The Neighborhood Group has recognized that the portion of the ELC building facing the residential properties will be predominantly consistent with the standard 30' height limitation in an LDR Zone. The Neighborhood Group has consented to the design and height of the Early Learning Center under the Agreement with the Neighborhood Group and the School District has committed by that Agreement and this Revised CUP Application to build a new Early Learning Center consistent with the representations set forth in the District's Request for Special Exception for Building Height. In addition, the LDR-12 zoning classification contemplates that school and church uses, which require certain systems and architectural features, will exceed the standard residential height limitation allowing up to 50 feet in an LDR-12 zone with a special use exception.<sup>9</sup>

The landscaping surrounding the Early Learning Center will incorporate evergreen trees, shrubs, and a playground area that will include evergreens trees, conifers, and native planting to provide a nature area which will complement the neighboring area and provide buffering. The westerly parking area and bus loop area that borders adjacent residential parcels will be screened with an eight foot solid wood fencing installed along the southerly and westerly property boundaries of the ELC together with a mix of evergreen shrubs, cedar, and fir trees. All stormwater from impervious surfaces associated with the Early Learning Center will be infiltrated onsite.

As described in the Revised Lighting Report prepared by BCE Engineers, the parking area lighting, necessary for safety and security purposes, will be full-cut off LED lighting directed to the ground which does not allow light to escape beyond the fixture. The School District has also established three separate lighting zones to independently control distinct areas of the Early Learning Center. The three zones are: (i) the westerly parking area, (ii) the bus loop and the southerly exterior lighting, and (iii) the parking area and remaining exterior building lighting. In addition, the lighting for the westerly parking area adjacent to Sumner Avenue and the bus loop area, with the Revised Project, will include shorter light poles and smaller scale fixtures to ensure there is no measurable light impact to the adjacent residential properties. In addition and significantly, the School District's Lighting Procedures, a copy of which is attached hereto, will limit the hours of operation of the lighting in the westerly parking lot and the bus loop. The lighting in the westerly parking lot will be off by 6:00 p.m. unless there is a School District authorized facility event and the lighting in the bus loop area will remain off from daylight hours through the evening unless there is a

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<sup>9</sup>See Request for Special Use Exception, dated January 6, 2017, re-submitted by the School District.

School District authorized event. All pole and exterior mounted lighting are also controlled by motion sensor to allow dimming of the parking and exterior mounted lighting to at least 50% if motion is not detected.

As fully analyzed in the Updated Noise Study prepared by Ramboll Environ, the equipment yard associated with the Early Learning Center will create minimal increase to background noise levels by only 0 to 2dBa and would comply with the City's noise limits. Noise from on-site traffic would result in increases of also only between 0 and 2 dBA at the nearest residential properties, resulting in a minimal potential for noise impacts.<sup>10</sup> The School District will also conduct a post-occupancy noise level evaluation of the chiller during the period of use (spring or summer months) and will provide the noise level evaluation to the City and the Neighborhood Group to ensure compliance with the City's noise limits.

As demonstrated by the Revised Transportation Impact Analysis , dated June 2017 ("Revised TIA") prepared by the Transpo Group, there is no significant, adverse transportation impacts related to or arising from the proposed new Early Learning Center. There is no decrease in the level of service operations (either in the school arrival or afternoon departure time periods) at the 26 intersections studied, there would be minimal access intersection queues along Willow Street likely not noticeable to drivers (2 or less vehicles) , there would be only a very minimal increase (six seconds or less) in delay at any of the 26 intersections studied, and two (2) vehicles or less increase in the southbound or northbound queue length on SR 162 during the school arrival or departure peak hour.<sup>11</sup> Moreover, there is more than 500 feet of on-site queue length provided for arrival unloading and departure pick-up of students (although necessary queue length associated with anticipated vehicular traffic with the Early Learning Center is estimated only to be between 200' and 365').<sup>12</sup> Therefore, queuing for arrivals and departures off-site is not likely and especially here where the age of the student either requires that the student (pre-school student) be accompanied into the building to be signed-in or in the case of kindergarten students, these students are customarily delivered (by bus or parent) at the entry of the building. In addition, the number of planned parking stalls (129) exceeds the minimum parking stalls (115) required under the SMC with a projected demand of 25 to 46 vehicles.<sup>13</sup>

The Revised TIA prepared by the Transpo Group further establishes that there is no significant adverse transportation impacts related to or arising from the potential for increase in frequency of use during certain months of an upgraded (synthetic) turf field and track and associated athletic field upgrades. In conjunction with Transpo's traffic impact analysis, observations and driveway counts were completed by the Transpo Group on May 2 and May 11, 2017 between 2:30

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<sup>10</sup>See Updated Noise Study prepared by Ramboll Environ attached to the Expanded SEPA Checklist, at page 11.

<sup>11</sup>See Revised TIA, dated June 2017, prepared by the Transpo Group attached to the Revised Expanded SEPA Checklist, at pages iv, 37 -39, and 43

<sup>12</sup>See Revised TIA prepared by the Transpo Group attached to the Revised Expanded SEPA Checklist, at pages iv, 40, and 43.

<sup>13</sup>See Revised TIA prepared by the Transpo Group attached to the Revised Expanded SEPA Checklist, at page 41.

p.m and 8:30 p.m. to count activities, participants, and spectators of school-related and community usage of the existing athletic fields at Sumner Middle School, the existing softball field at Maple Lawn Elementary, and the interior facilities of Sumner Middle School to determine a trip generation for the facilities usage. Based upon these counts, the Transpo Group determined a trip generation rate associated with the use of these facilities. Given the revisions to the project, including, the elimination of the tennis courts and the grass playfield, and the restrictions on usage and the cap on the number of participants allowed to use the interior and exterior facilities of Sumner Middle School concurrently under the Sumner Middle Facilities Use Operating Procedures, as a condition of the CUP, the Transpo Group has concluded that “[t]raffic volumes related to the after school and community use activities are anticipated to decrease resulting in a decrease in project impacts”<sup>14</sup>. As evidence d in the Transpo’s Revised TIA, this conclusion is supported by the data collected by Transpo which found that there were a total of 12 different activities occurring during the observations in May 2017; however, the elimination of the grass playfield and the tennis courts coupled with the School District Operating Procedures which the Revised Project is conditioned upon, the number of activities will significantly be reduced which in turn will reduce the trips to the Sumner Middle School Campus.<sup>15</sup>

The SMS Facilities Use Operating Procedures require:

- There shall be not more than 3 Small User Groups (groups of 150 participants or less) scheduled in a day; provided, however, such 3 Small User Groups shall total not more than 150 participants (collectively) in a day.
- When a Church is a User, there shall be no other User Group scheduled during the time period for a Church User.
- For Large User Groups (groups of 150 or more participants), there shall be only 1 User Group scheduled in a day except for a Sumner Middle School school-related use of not more than 150 participants shall be allowed in the same day a Large User Group is scheduled.
- When scheduling User Groups consecutively, there shall be not less than 30 minutes between User Group reservations to avoid overlap; provided, however, 2 or 3 Small User Groups may be scheduled concurrently. However, any such concurrent scheduling of a Small User Group shall total not more than 150 participants (collectively) in a day.
- The term “User Group” shall mean a User Group scheduled during one reservation period.

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<sup>14</sup>See Revised TIA prepared by the Transpo Group attached to the Revised Expanded SEPA Checklist, at page 29.

<sup>15</sup>See Revised TIA prepared by the Transpo Group attached to the Revised Expanded SEPA Checklist, at pages 26 – 29.

With these Procedures as a condition of the CUP coupled with the elimination of facilities at the Sumner Middle School facilities (grass field and tennis courts), similar to the projected decrease in trip generation, there will be even more available parking capacity on the Site. With a total of 490 spaces campus wide available with the addition of the Early Learning Center (294 existing spaces at SMS and MLE with the completed additional parking stall expansion), and the planned 129 spaces for the ELC), the Transpo Group has determined that the available parking spaces far exceeds any demand associated with the athletic field upgrades.<sup>16</sup> Based upon the existing usage of the SMS facilities as of May 2017, Transpo determined that parking utilization was only 57% and with the anticipated increase in parking stalls and concurrent decrease in trips associated with after school activities, there will be substantial parking capacity on the campus.<sup>17</sup>

Finally, although the existing track and fields are an existing noise source, the School District also requested analysis of this existing source. The Noise Study found that athletic games on the turf field would “easily comply” with the noise limits.<sup>18</sup> In addition, although never part of the project, the District has agreed under the Agreement with the Neighborhood Group to not install any permanent public address system but to allow use of amplified sound devices consistent with current existing and prior uses on the athletic fields.

Thus, the School District has designed the Early Learning Center to compliment the surrounding area and has thoroughly evaluated all potential reasonably likely impacts from the proposed Early Learning Center and athletic field and track upgrades to ensure there is no materially detrimental impacts to the neighboring area. The School District has incorporated further measures as part of the Revised Project, as described above and attached hereto, including, adjustments to position of light fixtures and location of light poles, smaller scale and shorter light poles in selected parking areas, directional lighting, operating procedures, post-approval planning, and post-occupancy monitoring to enhance compatibility with the surrounding residential community.

**B. The proposed use shall meet or exceed the performance standards that are required in the district it will occupy.**

The Project meets and exceeds performance standards as set forth under the LDR-12 zoning classification.

The Early Learning Center will provide parking (129 parking stalls) that exceeds the parking requirements (115 parking stalls) based upon schools serving kindergarten through 8<sup>th</sup> grade as provided under SMC 18.42.040P. The Project will provide landscaping that meets or exceeds the City’s landscaping requirements to provide enhanced screening, including plantings along the

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<sup>16</sup>See Revised TIA prepared by the Transpo Group attached to the Revised Expanded SEPA Checklist, at page 39.

<sup>17</sup>See Revised TIA prepared by the Transpo Group attached to the Revised Expanded SEPA Checklist, at page 39.

<sup>18</sup>See Updated Noise Study prepared by Ramboll Environ attached to the Revised Expanded SEPA Checklist, at page 11.

common residential boundaries coupled with solid wood fencing to ensure appropriate screening related to the Early Learning Center parking area on Sumner Avenue and bus loop area along the southerly boundary. In addition, as described and attached, the School District has agreed to and adopted additional Operating Procedures for the SMS facilities to limit the number of community user groups concurrently on the Site to provide certainty and compatibility with neighboring areas.

**C. The proposed development shall be compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design.**

The Project will be compatible with the surrounding land use in terms of traffic and circulation and building and site design.

As described, parent and general vehicle access to the Early Learning Center will be by way of the existing westernmost access on Willow Street. The existing Sumner Avenue driveway access will be gated and will no longer be used as a public access except in emergency situations. A new driveway access to connect to the SMS campus will be constructed at the westerly terminus of Gault Street as depicted on the Revised CUP Site Plan, the "New Gault Access Driveway. School bus access to the Early Learning Center (both ingress and egress) will occur from the New Gault Access Driveway. In addition, Sumner Middle School busses will use the New Gault Access Driveway to ingress to Sumner Middle School and, at the discretion, of the School District SMS busses may exit via New Gault Access upon further evaluation of the District. The New Gault Access Driveway will be also used by Early Learning Center and Sumner Middle School teachers, as convenient to Staff travel, provided Staff arrives before 7:00 a.m., and for after-school hours use of the SMS campus.

As described above, the Revised TIA performed by the Transpo Group, demonstrates that at the 26 intersections studied within the surrounding area there is no level of serve operations impact during the school arrival and departure peak hours, including the access driveways to the Campus. A very small increase in delay (six seconds or less) at the study area intersections would result from Early Learning Center traffic. The southbound and northbound queues along SR 162 at the SR 410 at the eastbound and westbound ramps would also increase minimally by less than two vehicles and would likely not be noticeable to the drivers. Parking is easily accommodated at the Early Learning Center. As the Revised TIA establishes, peak parking demand is between 25 and 46 vehicles; therefore, with the availability of the proposed 129 parking stalls, there will be more than sufficient available parking to accommodate the need associated with the Early Learning Center. Further, drop-offs at the start of the school day and pick-ups at the end of the school day will also be easily accommodated on-site as there is in excess of 500' of queue length available within the Early Learning Center drive aisle although the anticipated necessary queue length to accommodate arrivals and departures is anticipated to range only between 200 feet and 365 feet. This planned excess capacity will alleviate any circulation queueing on adjacent streets. There will also be minimal queueing (2 vehicles or less) at the driveway intersection on Willow Street into the Early Learning which again will likely not be noticeable to the driver.

The Early Learning Center building has been designed to set back from Sumner Avenue. Architectural features of a gable roofline, modulation of the building envelope, and wood and masonry exterior materials recognize and provide compatibility with the northwest style of the surrounding area. Landscaping along common boundaries with the residences will be densely planted with a mix of cedars, evergreen trees and shrubs, and native plants. A nature playground area to serve the Early Learning Center will be densely landscaped along the perimeter of the playground area and within the interior playground area with native plants, providing a buffer, and evergreen trees and shrubs will provide a substantial and enhanced buffer area surrounding the building.

The reconfiguration of the fields and the upgrades to the football/soccer field and track with will not create any significant adverse transportation impacts as established by the Revised TIA prepared by the Transpo Group. Although the athletic field upgrades may increase the frequency of use arising from the synthetic turf field during certain months, given the elimination of uses and the Operating Procedures, Transpo has concluded that “vehicle trips associated with community use of the athletic fields would decrease and school activity could also decrease, which result in less off-site impacts of the athletic fields. No significant adverse level of service and queue impacts are anticipated as a result of the athletic field upgrade”<sup>19</sup>.

**D. The proposed use shall be in keeping with the goals and policies of the Sumner Comprehensive Plan.**

The proposed Early Learning Center and Athletic Field and Track Upgrades are consistent with, serve, and enhance the City’s Comprehensive Plan goals and policies in several respects.

The site of the Early Learning Center and the Field Upgrades to the Middle School is designated under the City’s Comprehensive Land Use Map as “Public-Private Utilities and Facilities.” As described under the City’s Comprehensive Plan, the primary purpose of this land use designation is to identify lands appropriate for the provision of public and private utilities, facilities and services. Allowable uses include parks, schools, medical facilities, non-profit service uses/organizations, public and private utilities, and government buildings. The Land Use Sub-Element contemplates that the designations under the “Comprehensive Plan Land Use Map” will be implemented through the Zoning Classification for the reason that they are treated as compatible uses.

*Land Use Sub-Element Policy 1.6 Implement the land use map and accompanying designation descriptions as presented in the section titled "Land Use Designations" and Figure 3 titled "Comprehensive Plan Land Use Map" through the adoption and maintenance of the Zoning Map.*

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<sup>19</sup>See Revised TIA prepared by the Transpo Group attached to the Revised Expanded SEPA Checklist, at page 43.

Therefore, consistent with this Policy, the City's Comprehensive Plan describes the "Low Density" Residential Designation as allowing not only the "primary use" of single-family residential dwellings but also "[s]econdary allowed uses" which include ". . . public and private educational facilities . . .". Therefore, a site designated with a "Public Facilities" land use designation is intended to be utilized for the primary purpose of providing a public benefit or service which is exactly the purpose of the Early Learning Center to introduce formal education to and to provide educational opportunities to children in their early childhood years and to provide adequate capacity to house kindergarten students to meet required reduction in classroom sizes as legislatively mandated. As will be more fully described below, the Field Upgrades also serve the express goals and policies of the City (Family and Human Services Element) to support programs that "promote recreation for the Sumner area" and to support "the development of youth activity programs that include late night, after-school, or vacation activities".

This purpose of the "Public Facilities" land use designation, in turn, harmonizes with several Goals, Policies, and Objectives under the City's Comprehensive Plan which support the function and services provided by educational facilities to the Community as a whole. "Education" is expressly identified as a specific "Value" to be supported and encouraged. At page 22 of the Comprehensive Plan, recognition of the importance of education is acknowledged:

***Our public school system is at the center of our community. It is a source of pride and provides identity for our City, education to our young people, resources for our citizens, and a future for all. We strive for our own broad educational system open to everyone.*** (Emphasis added.)

The "Value" of education is also expressed under the Capital Facilities and Public Services Element of the Comprehensive Plan which recognizes that public facilities must be provided in a manner which is effective and efficient.

Capital Facilities and Public Services Element  
Goal 1: *Provide effective, efficient and quality capital facilities and public services at the level necessary to support a growing community.*

These objectives are present in siting the Early Learning Center at an existing school campus which allows for educational opportunities, socialization, and relationship building for the youngest children across age groups from elementary school through middle school. Moreover, an established school campus provides efficiency in resources where deliveries can be combined, opportunities for carpooling are increased, and economical efficiencies of existing infrastructure (sewer, water, stormwater, and transportation corridors) which maximizes public funding to allow funding sources to be allocated to educate students in lieu of capital improvements.

The Early Learning Center and the Athletic Field Upgrades, as discussed above<sup>20</sup>, are also consistent with the following Comprehensive Plan policies:

Environment Element

Policy 1.4 *Protect surface water quality and quantity from significant degradation as required by state and federal law.*

Policy 1.4.4 *Maintain consistency with local, regional and federal water quality protection plans and permits.*

Policy 1.6 *Encourage the efficient use of energy as a means of practicing environmental stewardship.*

Policy 1.9 *Encourage energy conservation and efficiency in building material and site design.*

Policy 3.5 *Work with other agencies and the Sumner School District to promote environmental education.*

Transportation Element

Policy 3.1 *The LOS standard for arterials and collectors in the City of Sumner shall be LOS D or better except . . . [certain intersections are allowed LOS F].*

Utilities Element

Policy 4. *Ensure environmentally sensitive, safe and reliable service, and conservation of energy.*

Policy 4.5 *Support the planting of trees along street edges and parking lots and large expanses of asphalt to create a pleasing environment and to increase energy efficiency by reducing heat absorbed by asphalt that increases ambient temperatures.*

In addition, the Comprehensive Plan further recognizes under the Community Character Element (page 55) that a “**complete community**” includes the integration of “schools”, “civic facilities”, and “community services” “essential to the daily life of residents” (Land Use Sub-Element, Policy 1.2). These essential attributes of daily life are expressed in the City’s Comprehensive Plan as goals, policies, and objectives “to empower community members to be healthy and safe” with particular emphasis on “youth programs” to nurture healthy living early in life to provide a foundation for incorporating activity into one’s life to ensure healthy living. The Athletic Field Upgrades further these City Comprehensive Pan Policies. The Comprehensive Plan Policies include the following:

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<sup>20</sup>Also see Revised Expanded SEPA Checklist. The Early Learning Center is designed consistent with the Washington Sustainable Schools Protocol.



Community Character Element

Policy 1.2: *Endeavor to maintain a complete community, consistent and compatible in character and design, containing housing, shops, work places, schools, parks, civic facilities, and community services essential to the daily life of residents.*

Family and Human Services Element

Policy 2. *Support human service programs that focus on prevention, education, and families.*

Policy 2.5 *Support youth programs and involve youth in planning and implementation.*

Policy 2.5.2 *Support the development of youth activity programs that may include late night, after-school, or vacation activities.*

Policy 2.5.4 *Support programs that promote recreation for the Sumner-Bonney Lake areas.*

Thus, the Early Learning Center and Track and Athletic Field Upgrades clearly implement the City's Comprehensive Plan.

**E. All measures have been taken to minimize the possible adverse impacts which the proposed use may have on the area in which it is located.**

As described above, the School District has thoughtfully and carefully reviewed, with the assistance of consultants with expertise, all reasonably likely potential impacts. In addition, the School District has responded to SEPA and CUP comments received from and engaged with the surrounding neighborhood (the Neighborhood Group) relating to the project. Based upon that engagement with the Neighborhood Group, the District agreed to (by executed Agreement) and has revised the project and further conditioned the Revised Project, as described above, through appropriate measures imposed upon the Revised Project, to address comments from and concerns perceived by the neighboring area.

The Project will be designed to meet City regulations consistent with the Department of Ecology stormwater requirements. The equipment yard (containing an emergency generator and chiller) located on the west side of the proposed ELC is appropriately enclosed with a solid approximately nine foot high masonry wall with solid gate to ensure that any noise impacts are below noise limits established by City Code. Moreover, the District will undertake a post-occupancy noise evaluation to ensure "as built" compliance with the City's noise standards. This evaluation will be submitted to the City of Sumner and to the Neighborhood Group. In addition, an eight foot solid wood fencing, as permitted under the City Code, will be installed along the southerly and westerly boundaries of the bus loop, abutting the residential properties to provide further noise attenuation. Dense landscaping in the nature of a mix of evergreen shrubs will be planted along this fencing to provide additional screening. School District Operating Procedures will require that the

bus engines serving the Early Learning Center be turned off when parked for unloading of students and will remain off until the students are re-loaded onto the buses at the end of the school day and the buses are ready for departure.

An eight foot solid wood fence will also be installed along the southerly property boundary of the parking area along Sumner Avenue. Additionally, parking stalls are directed toward the interior of this parking area to prevent any headlight glare abutting the residential parcel to the south. Landscaping along the southerly boundary in this parking area will be densely planted with a mix of evergreen shrubs and deciduous columnar trees. Landscaping consisting of a mixed of evergreen shrubs and deciduous shrubs will be planted in the main parking area fronting the Early Learning Center. Native landscaping and deciduous trees will be installed in the main new parking lot islands and in the perimeter of play areas to provide shade, habitat and educational value to the students. A Nature Playground area (west of the building) will provide dense plantings with fir and spruce trees along the westerly and northerly perimeter of this area which will provide effective screening as well as an educational component. Landscaping along the front of the building will compliment the architecture with a "street appeal" concept.

The Early Learning Center parking lot adjoining the existing Middle School parking lot will utilize full cut off LED lights mounted on 30' poles and will direct light down and not above the fixture. The parking lot lighting will closely match the existing parking lot lighting at Sumner Middle School. The new western parking lot on Sumner Avenue and the bus loop will utilize a smaller scale fixture with full cut-off LED lights and be mounted on shorter 12' poles in order to prevent any measurable light from being seen at the adjacent property lines. The building perimeter lighting will be wall and soffit mounted LED fixtures. The lights are installed with motion sensors to illuminate only with motion and to dim to at least 50% of full strength when no movement is detected. In addition, the lighting for Early Learning Center will be separated into distinct zones for operating and controlling the lighting of the westerly parking lot, the main parking lot with the associated portion of the building exterior, and the bus loop and southerly exterior portion of the ELC building under separate protocols. Generally, all exterior lighting will be: (i) off during daylight hours and (ii) off during the weekend except for School District authorized events. In addition, the westerly parking lot will be programmed to be turned off at 6:00 p.m. except for School District authorized events and the bus loop and southerly exterior lighting will be off during all evening hours except during School District authorized events. As the Revised Lighting Report prepared by BCE Engineers demonstrates, the parking lot lights will have "no measurable impact" to the adjacent residential properties.

#### **IV. CONCLUSION**

The proposed Early Learning Center and the Synthetic Turf Field and Track Upgrades provide valuable educational resources and builds upon the development of youth activity programs for the Sumner Community. The Early Learning Center supports the Comprehensive Plan policy of

providing “efficient and quality capital facilities and public services at the level necessary to support a growing community”. The Field and Track Upgrades support the Comprehensive Policy emphasis on public health and welfare by encouraging the development of opportunities for youth-activity activities as an educational tool to ensure a future healthy living style.

As fully shown above, the School District has listened to and engaged over several months with the neighboring community to address comments from the neighboring community relating to the project. As a result, the School District has revised and agreed to additional conditions on the project to further minimize any impacts from the Project to further establish that there are no material detrimental impacts to the surrounding area.

The proposed Revised Project clearly implements the City’s Comprehensive Plan policies and is compatible with the surrounding area . Thus, the criteria under SMC 18.48.050 for a recommendation of approval of a Conditional Use Permit has been satisfied.

We are prepared to respond to any questions during City Staff’s review of Sumner School District’s Revised Conditional Use Permit Application. Please do not hesitate to contact me.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Robert A. Lindstrom".

Robert A. Lindstrom, AIA  
Associate Principal  
BLRB Architects

Attachments

cc: Sumner School District (w/attachments)

**SUMNER SCHOOL DISTRICT  
NEW EARLY LEARNING CENTER ON SUMNER MIDDLE SCHOOL CAMPUS AND  
SUMNER MIDDLE SCHOOL TRACK AND ATHLETIC FIELD UPGRADES  
APPLICATION: REVISED CONDITIONAL USE PERMIT PLN-2017-0002**

**CONDITIONS ATTACHING TO REVISED CUP APPLICATION**

**No Lighting of or Infrastructure for Lighting Associated with the Athletic Fields**

Sumner School District shall not install any lighting or infrastructure for future lighting associated with the athletic fields upgrade.

**ELC Exterior Lighting Procedures**

1. Early Learning Center Main Parking Lot and adjoining Sumner Middle School Parking Lot, ELC Exterior Pathway Lighting and ELC Exterior Building Lighting (except Southerly Exterior Mounted Lighting).

1.1 All exterior lights are expected to be off during daylight hours.

1.2 In the morning, exterior lights shall turn on no earlier than 15 minutes before the first employee arrives.

1.3 In the evening, exterior lights shall turn off no later than 15 minutes after the building is secured for the evening (typically 11:15 pm -11:30 pm).

1.4 On weekends, exterior lighting shall be allowed for School District authorized facility events. Otherwise exterior lights shall remain off.

1.5 All exterior lights shall be equipped with motion sensors in order to dim to approximately 50% intensity when no motion is detected.

2. ELC Parking Lot Located on Sumner Avenue.

2.1 All parking lot lights are expected to be off during daylight hours.

2.2 In the morning, all parking lot lights shall turn on no earlier than 15 minutes before the first employee arrives.

2.3 In the evening, parking lot lights shall be off by 6:00 p.m. except parking lot lighting shall be allowed for evening School District authorized facility events until 30 minutes after the event is concluded.

2.4 On weekends, parking lot lights shall remain off except for evening School District authorized facility events which shall remain on until 30 minutes after the event is concluded. Otherwise, exterior parking lot lights shall remain off.

2.5 All exterior lights shall be equipped with motion sensors in order to dim to approximately 50% intensity when no motion is detected.

3. ELC Bus Loop and Southerly Exterior Building Mounted Lighting.

3.1 All exterior lights are expected to be off during daylight hours.

3.2 In the morning, exterior lighting shall turn on no earlier than 15 minutes before the first employee arrives.

3.3 In the evening, exterior lighting shall remain off except exterior lighting shall be allowed in the evening for School District authorized events.

3.4 On weekends, exterior lighting shall remain off except exterior lighting shall be allowed for School District authorized events.

3.5 All exterior lights shall be equipped with motion sensors in order to dim to approximately 50% intensity when no motion is detected.

**Sumner Middle School Facilities Use (Interior And Exterior) Operating Procedures**

The following conditions shall apply to use of the Sumner Middle School interior and exterior facilities collectively:

1. There shall be not more than 3 Small User Groups (groups of 150 participants or less) scheduled in a day; provided, however, such 3 Small User Groups shall total not more than 150 participants (collectively) in a day.

2. When a Church is a User, there shall be no other User Group scheduled during the time period for a Church User.

3. For Large User Groups (groups of 150 or more participants), there shall be only 1 User Group scheduled in a day except for a Sumner Middle School school-related use of not more than 150 participants shall be allowed in the same day a Large User Group is scheduled.

4. When scheduling User Groups consecutively, there shall be not less than 30 minutes between User Group reservations to avoid overlap; provided, however, 2 or 3 Small User Groups may be scheduled concurrently. However, any such concurrent scheduling of a Small User Group shall total not more than 150 participants (collectively) in a day.

5. The term "User Group" shall mean a User Group scheduled during one reservation period.

**Fencing**

Sumner School District shall install solid fencing with associated landscaping along the southerly and westerly property boundaries abutting the ELC bus loop and the westerly parking lot.

Sumner School District shall construct an approximate nine foot high masonry wall with solid gate around the mechanical yard on the westerly side of the ELC.

**ELC School Bus On-Site Operating Procedures**

The engines of the ELC busses serving the Early Learning Center shall be turned off when parked for unloading of students and will remain off until the students are re-loaded onto the buses at the end of the school day and the buses are ready for departure.

**Post-Occupancy Monitoring Of ELC Chiller**

Sumner School District shall conduct a post-occupancy noise evaluation during the spring/summer months when the chiller is in operation. This noise evaluation shall be submitted to the City of Sumner and to Stephen Burnham on behalf of the Neighborhood Group.

**Preparation of an Emergency Excavation Plan for ELC**

Sumner School District shall prepare an Emergency Evacuation Plan for the ELC to be submitted to the City of Sumner prior to obtaining an certificate of occupancy permit.

**Closure of Sumner Avenue Driveway for General Public Access**

Sumner School District shall gate (with a locking mechanism) the Sumner Avenue access driveway and close use of the driveway for public access except in the case of an emergency.

**Construction of a New Driveway Access from Gault Street**

Sumner School District shall construct in accordance with the development regulations of the City of Sumner a new driveway access from the westerly terminus of Gault Street.

The School District shall be permitted to install a locking gate westerly of the westerly terminus of Gault Street at such location consistent with the development regulations of the City of Sumner.

**Use of New Gault Access Driveway**

The New Gault Access Driveway:

1. Shall be used, during the school year, for ingress by busses to the Early Learning Center and the Sumner Middle School; provided, however, egress of such busses:

1.1 from Sumner Middle School may be by way of Willow Avenue and/or the New Gault Access subject to evaluation and at the sole discretion of the School District; and

1.2 from the Early Learning Center will be by way of the New Gault Access.

2 May be used, during the school year, for ingress and egress by teachers of the Early Learning Center and Sumner Middle School, as may be convenient to and consistent with the direction of travel of said teacher; provided, such teacher arrivals are no later than 7:00 a.m.;

3. May be used, during the school year, for general public access for ingress and egress after school hours and on the weekends and during non-school days, for ingress and egress to the Sumner Middle School and Early Learning Center facilities and the Sumner Middle School fields. The School District shall recommend and encourage public ingress and egress of the New Gault Access for usage of said facilities and fields after school hours and on the weekends during the school year and during non-school days; and

4. Shall not be used during the school day by parents arriving or departing Sumner Middle School or the Early Learning Center.

**Use of Existing Portables on Sumner Middle School Campus**

Sumner School District shall not be allowed to use the two existing portables on the SMS Campus for expanding classroom capacity in the future.