



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Office of Capital Programs
Facilities, Finance, and Analytics Administration
P.O. Box 45848, Olympia, Washington 98504-5848

February 21, 2021

Ms. Jennifer Meisner, Historic Preservation Officer
Shoreline Historic Preservation Program
c/o King County Historic Preservation Program
Department of Natural Resources and Parks
201 South Jackson, Suite 700
Seattle, WA 98104

**RE: PETITION FOR RECONSIDERATION OF HISTORIC LANDMARK
DESIGNATION OF SHORELINE NAVAL HOSPITAL CHAPEL**

Ms. Meisner:

On January 28, 2021, the Shoreline Landmarks Commission (Commission) designated the Naval Hospital Chapel located at 1902 NE 150th Street, Shoreline, Washington, to be a historic landmark. The Commission based its decision on boundaries of significance, exterior features of significance, and interior features of significance.

The Commission reached its decision over the objections of the Department of Natural Resources (DNR) and the Department of Social and Health Services (DSHS), which asked the Commission to adjust the eastern boundary line approximately 80 feet to the west. As proposed by DNR and DSHS, the boundary line would have been continuous with the western side of the existing square parking lot, extending where it intersected with the roads to the northeast and southwest.

After deliberation, the Commission ultimately adopted a “compromised” eastern boundary line, excluding a small portion of the parcel to the south of the existing parking lot (the south-east corner of the parcel).

DSHS petitions for reconsideration of the Commission’s above-referenced landmark designation. Here, the Commission based its decision regarding the eastern boundary on apparent errors or omissions of fact as to the “compromised” boundary line—crafted by Commissioners Caroline Lemay and Candace Tucker—a line which was adjusted for the purported benefit of DSHS. This petition is also based on new information bearing on the decision that was not reasonably available to the Commission on January 28, 2021. This information specifically includes new photographs of the parking lot towards the chapel from the existing parking lot; photographs from the area to the northeast of said parking lot; and some rough mapping on tree locations and

sizes northeast of the existing parking lot, which DSHS now respectfully provides for further review.

In short, the Commission should exclude the area to the *north* of the existing parking lot from landmark designation, *not* the area to the *south*. The Commission's exclusion of the area to the south of the parking lot is inconsistent with its larger deliberation over the nomination and the information presented by DSHS. The Commission appears to have confused the area that was to be excluded via compromise, removing an area in the southeast corner that is of little-to-no value to DSHS. This corner is poorly positioned for DSHS's anticipated future development needs to serve our clients with developmental disabilities in the northeast portion of Fircrest School campus. In support of its petition, DSHS respectfully offers the following references from the January 28, 2021, hearing for the Commission's review and reconsideration:

A. DSHS's Comments and Response: The Northeast Area is of Greatest Importance

- 1:08:25-1:10:32: The Commission viewed DSHS's proposed boundary line in a map. DSHS included this map alongside its comments before the initial hearing over this landmark nomination, which was held on November 19, 2020. DSHS explained that it is interested in duplicating the existing parking lot to the *north*. DSHS explained that this northeastern area has very few trees and is an area where a dozen diagonal parking spaces already exists. This northeastern area is also considerably flatter, more open, and mostly obscured from the chapel itself. Moreover, there is only one cluster of three trees that would have to be removed in order to expand the parking to the north, and as such, this northern area would be better suited for additional parking development than the southern area that was excluded from landmark designation, as reflected by Attachments A and B.
- 1:28:16-1:28:35: In response to a question presented by Commissioner Ella Moore, DSHS explained that the state is considering new nursing facilities in the northeast corner of Fircrest School campus. DSHS also emphasized its need to replace buildings on the easterly side of the campus. DSHS explained that it expected to remain at Fircrest School campus well into the foreseeable future, a campus where it has served as a good steward of the chapel and cared for clients with developmental disabilities for more than 60 years.

B. Commissioner Deliberation: Compromise Intended North of the Parking Lot

- 1:45:20-1:48:25: Commissioner Lemay suggested that it was difficult to decide how to best designate the boundary line because the Commission was "working with very little to go off of," and that she was "a little fuzzy still on this." Commissioner Lemay suggested that, as to the boundary line, the dispositive issue was creating a reasonable buffer around the chapel. All this while weighing DSHS's proposed boundary line adjustment and other factors such as mitigating landscape buffers and topographical grades.
- 1:50:00-1:52:02: Commissioner Moore inquired if there were any current photos from the parking lot to the chapel and vice versa. The Commission reviewed available

photographs, and confirmed that the Naval Hospital Chapel is *not* viewable from the existing parking lot because of heavy forestation. Furthermore, the chapel cannot be clearly viewed from the area northeast of the existing parking lot.

- 1:52:45-1:54:11: In furtherance of her earlier comments on creating a sufficient buffer around the building, Commissioner Lemay ventured to say that, to her, “maybe the 80 foot boundary move [proposed by DSHS] would be acceptable.” Commissioner Lemay suggested that based on the photographs reviewed, even with DSHS’s proposed boundary line, the forested setting of the remaining designation could be maintained.
- 1:55:30-1:56:20: Commissioner Lemay suggested that “chipping away” at the boundary around the chapel could be acceptable.
- 1:59:12-2:01:15: In deliberating over whether to maintain the existing parking lot as part of the landmark designation, Commissioner Lemay suggested that doing so could be justified. In furtherance of that comment, Commissioner Lemay suggested that the boundary line could be moved 80 feet westward in accordance with DSHS’s proposal, to the *north* of that contributing parking lot. Commissioner Tucker immediately responded with approval, expressing that doing so would offer a good compromise. Commissioner Dean Kralios explained that DSHS’s proposed boundary line would still preserve a 75-foot buffer to the chapel itself.
- 2:01:35-2:08:47:
 - Commissioner Adam Alsobrook sought clarification on the boundary line issues described by Commissioners Lemay and Tucker. Commissioner Lemay emphasized that the boundary line could be adjusted in accordance with DSHS’s proposal to the *north* of the contributing parking lot. Commissioner Tucker agreed that such an amendment to the *north* would be acceptable, and that doing so would maintain the experience of the site.
 - Commissioner Lemay explained that what she meant by “*to the north*” was “*to the north of the contributing parking lot...the north piece of that.*” In doing so, Commissioner Lemay was specifically discussing the portion of the applicant’s suggested boundary line, which could be moved 80 feet westward in accordance with DSHS’s proposal. Commissioner Lemay explained that this adjustment could be achieved while simultaneously keeping “*the south side of the parking as well in the boundary.*” That is because Commissioner Lemay considered the south side of the parking to be part of the whole circulation experience of the Naval Hospital Chapel. Commissioner Lemay further explained that “*to the north of there, could be opportunities for development*” by DSHS.
 - During Commissioner Lemay’s suggestion, Commissioner Tucker proceeded to show a map of DSHS’s proposed boundary line, and when doing so, accurately pointed to the *north* of the existing parking lot (2:02:42-2:02:52). Shortly thereafter, in response to Commissioner Alsobrook’s desire for a clearer

demarcation, Commissioner Tucker proceeded to hand draw a red line around the boundary being discussed, which erroneously *included* the northern portion above the parking lot as part of the historic landmark designation, while erroneously *excluding* the southern portion below the parking lot (2:04:33-2:04:42).

- Commissioner Tucker asked if her hand drawn outline accurately reflected the amended boundary being discussed: removing the area north of the existing parking lot from the designation. In response to Commissioner Tucker, Commissioner Lemay erroneously indicated that the outline *was* accurate (which it was not). All this despite Commissioners Lemay and Tucker clearly intending to exclude the area *south* of the existing parking lot from the designation, as opposed to the area *north* of that parking lot.
- 2:08:47-2:18:18: The Commission took an informal poll on the boundary line adjustment issue. Commissioner Lemay signaled approval for the purported compromise based on the erroneous demarcation (2:10:10); Commissioner Tucker signaled approval for the purported compromise based on the erroneous demarcation (2:11:20-2:12:20). As part of the informal poll, Commissioner Tucker reintroduced her hand drawn boundary line, which was then considered for landmark designation despite being based on an error and omission of fact: the southwestern corner excluded by this red line was inconsistent with her earlier words and those of Commissioner Lemay, which were clearly intended to remove the area north of the existing parking lot in accordance with DSHS's proposed boundary line (2:17:29).

C. Motion and Amendments Based on Error, Omission, and Inconsistency

- 2:49:47-2:54:41: Commissioner Lemay discussed removing the area *south* of the contributing parking lot based on the erroneous demarcation, as opposed to the *north*. In support of that clarification, Commissioner Tucker reintroduced her hand drawing, which was inconsistent with the larger discussion on compromise with DSHS (2:50:25-2:51:55).
- The Commission viewed a technical map of the site to help achieve a more narrative description of the amended boundary line based on Commissioner Tucker's hand drawing (2:51:55-2:54:14). The Commission voted to approve the amendment to the motion that excluded the area to the *south* of the contributing parking lot, despite being inconsistent with the earlier intent and words of Commissioners Lemay and Tucker. This intent and these words were in furtherance of compromise with DSHS over its proposed boundary line adjustment to the *north* of the existing parking lot for its future development needs (2:54:30-2:54:41).
- 2:56:00- 2:58:18: The Commission moved to approve the Naval Hospital Chapel for landmark designation. This motion included the modified boundary line that excluded the area *south* of the contributing parking lot, as opposed to the area *north* of the parking lot based on the erroneous demarcation.

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- 2:59:20-2:59:40: After the Naval Hospital Chapel was approved, guest Wendy DiPeso inquired as to the approved boundary line, as she was still unclear on what had actually changed: whether the area *north* or *south* of the parking lot was included within the landmark designation. This comment reflects apparent confusion over the boundary line adjustment after more than three hours of public comment and deliberation by the Commission.

DSHS appreciates the Commission's thoughtful consideration of the varying and competing interests pertaining to the Fircrest School campus and the Naval Hospital Chapel therein. DSHS also appreciates the Commission's interest in achieving compromise with DSHS. And DSHS fully appreciates the difficulty of operating remotely during the current pandemic, especially the work of a deliberating body such as the Commission. Unfortunately, DSHS has no choice but to seek reconsideration of the Commission's landmark designation because the compromise, made for the benefit of DSHS, is, unfortunately, of little benefit to DSHS and was based on error, omission, and apparent confusion. In sum, the final landmark designation is inconsistent with the words and stated intentions of Commissioners Lemay and Tucker, as well as the larger discussion as to DSHS's development needs and the proposed boundary line adjustment to the *north* of the existing parking lot.

In the spirit of compromise, should the Commission reconsider its landmark designation to *include* the area *south* of the existing parking lot and to *exclude* the area to the *north* of the existing parking lot up to where it intersects with the road, DSHS will waive further objections and/or appeal of the Commission's landmark designation of the Naval Hospital Chapel. Such designations that DSHS considers objectionable include, but are not limited to, the interior features and the historic preservation of the existing/contributing parking lot. DSHS believes that this slight adjustment—consistent with the Commission's stated intent, as reflected throughout the deliberation process in totality—would be a just result that preserves both the interest of the community in this historic landmark and DSHS's development interests in serving the needs of residents and staff at the Fircrest School campus.

Sincerely,



Robert J. Hubenthal, Chief
Office of Capital Programs
Robert.Hubenthal@dshs.wa.gov and 360-480-6935

Enclosures/Attachments
cc: Kenneth Hong, AAG
Carrie Nelson, DNR

Attachment A – Page 1

DSHS: Photos Submitted with Letter Requesting Reconsideration



A: Path from Chapel Looking Southeast toward Existing Parking Lot



B: Trash Enclosure and Three Parking Spots South of Existing Parking Lot

Attachment A – Page 2

DSHS: Photos Submitted with Letter Requesting Reconsideration



C: Proposed Future Parking Lot Site, Northerly Section



D: Proposed Future Parking Lot Site, Southerly Section

Attachment A – Page 3

DSHS: Photos Submitted with Letter Requesting Reconsideration

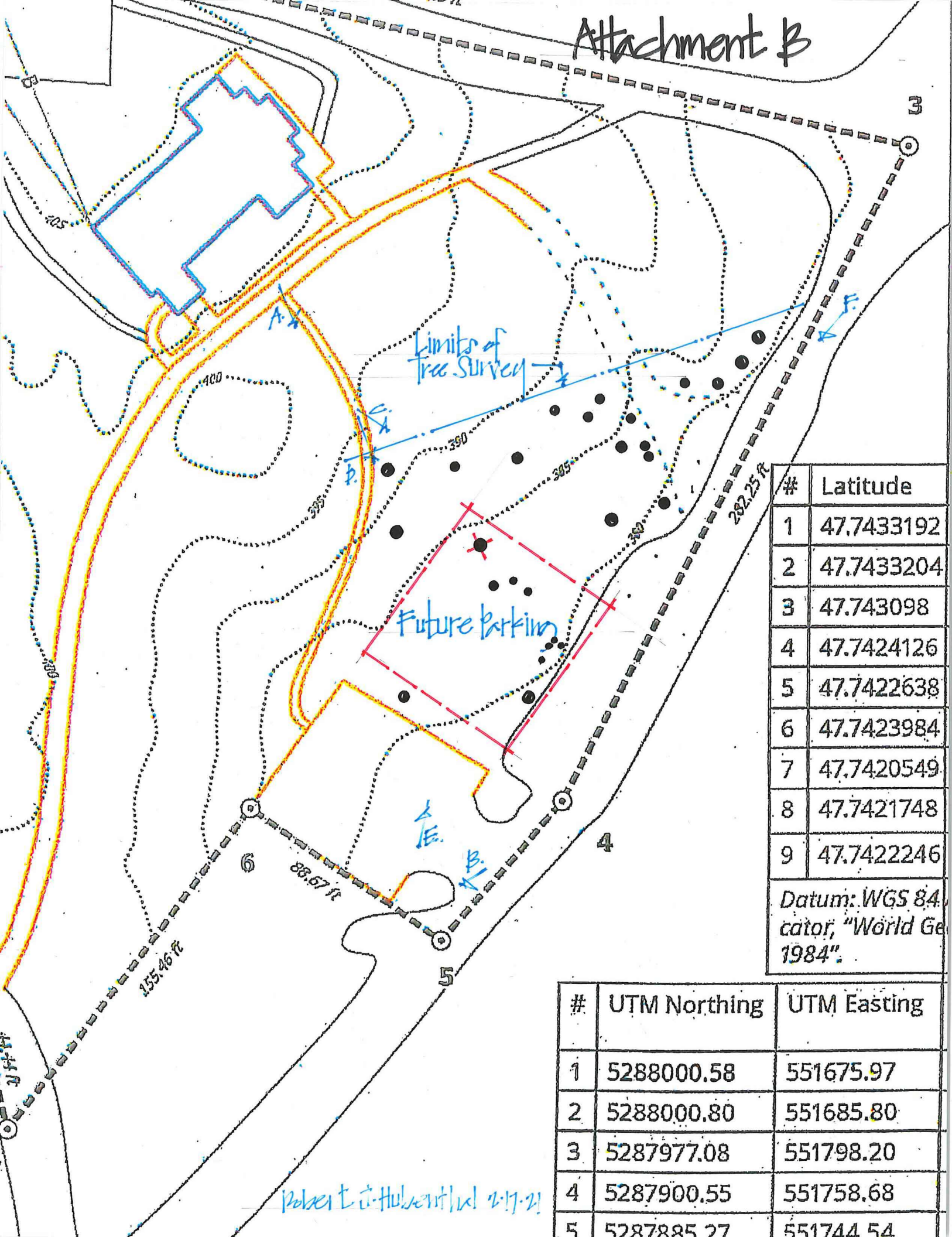


E: View towards Proposed Future Parking Lot Site from Existing Parking Lot



F: Existing Diagonal Parking with Future Parking Potential to the North

Attachment B



#	Latitude
1	47.7433192
2	47.7433204
3	47.743098
4	47.7424126
5	47.7422638
6	47.7423984
7	47.7420549
8	47.7421748
9	47.7422246

Datum: WGS 84, sator, "World Ge 1984".

#	UTM Northing	UTM Easting
1	5288000.58	551675.97
2	5288000.80	551685.80
3	5287977.08	551798.20
4	5287900.55	551758.68
5	5287885.27	551744.54

Robert J. Hubenthal 2-17-21