

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
August 20, 2009

SUBJECT: Modifying exterior spaces at Willamette Elementary School

ATTENDEES: Applicants: Tim Woodley, Victor Everingham, Steve Winkle,
 Remo Douglas, Ben Vaughn, Seth Stevens
 Staff: Peter Spir (Planning Department); Khoi Le (Engineering
 Division)

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any “follow-up” items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Project Details

The applicant proposes (1) installing synthetic turf on the playing field, (2) upgrading drainage facilities and installing water quality facility, (3) installing miscellaneous curb cut access driveway improvements, (4) repaving and extending an existing pedestrian path, (5) removing two oak trees. (The trees have been inspected by the City Arborist and found to be rotten, even hollowed out in part, making their removal necessary given the safety issues they pose at this location.) These changes listed above will improve and extend the usefulness of the playground areas particularly through rainy/winter months and also enhance fire/emergency access to the east side of the building.

These changes, both individually and cumulatively, do not require anything more than a Class I Design Review per CDC 55.020(1,11,12 and 17). Staff expressed support for the proposal.

This school has been in a state of non-conformity with the parking requirements of West Linn for decades. The CDC requires 124 parking spaces for a school with Willamette Primary’s current floor area at a rate of one space per 1,000 square feet of floor area. The school has 32 off-street spaces. The School District also counts 20 on-street spaces (on 12th Street) for a total of 52 spaces. However, CDC 46.080(E) states that parking in the public right-of-way shall not count towards the parking requirements of any use except parks and open spaces. That yields a deficit of 92 spaces if CDC Section 46.080(E) is



respected. However, those parking spaces on 12th Street have been in active and ongoing use for over 25 years, and thus, should be considered “grandfathered in.” Even with that interpretation, the school is 72 spaces shy of meeting the requirement. Another consideration is that, unlike the high school that has a large number of students who drive to school and park in its environs, this is a primary school, and the only people parking here all day are staff members and teachers aids/parent volunteers.

Staff has reviewed the applicability of CDC Chapter 66 and in particular the language of 66.080:

- B. An enlargement or alteration to a non-conforming structure containing a conforming use may be permitted subject to the following:***
- 1. If the enlargement, in and of itself, meets all provisions of this Code, the enlargement will be permitted. This exception does not preclude design review or other applicable provisions of this Code.***
 - 2. If the enlargement, in and of itself, does not meet all provisions of the Code, review and approval by the Planning Director for single-family structures, and by the Planning Commission for non-single-family structures under the provisions of Section 99.060(B) is required subject to the following standards.***
 - a. The enlargement or alteration will not change the non-conformity; and***
 - b. All other applicable ordinance provisions will be met.***

Staff finds that the proposed changes are permitted given that there is no enlargement of the structure (school). The various changes in the school yard, as proposed by the applicant, in no way trigger the need for additional parking. Therefore a permit under this chapter is not required.

Physical additions to schools require a Conditional Use Permit (CUP), but since the changes are external and involve no addition to the school then no CUP is required.

Engineering Comments

Following are comments for street and utility improvements that are required for the Willamette Elementary School Renovation:

STREET IMPROVEMENTS

None is required.



STORM DRAINAGE IMPROVEMENTS

Collect and provide treatment for additional storm drainage run-off generated from new impervious area of more than 500 square feet.

Collect and provide detention for additional storm drainage run-off generated from new impervious area of more than 5,000 square feet.

SANITARY SEWER AND WATER IMPROVEMENTS

None is required unless capacity increases due to the renovation.

Process

The required permit is a Class I Design Review which has the Planning Director as the decision making/approval body.

No neighborhood meeting is required per CDC 99.038.

The Class I Design Review will require a full and complete response to the submittal requirements per CDC 55.070(D) and approval criteria of CDC 55.090.

Submittal requirements may be waived but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Director and must identify the specific grounds for that waiver. The waiver may or may not be granted by the Planning Director.

For the approval criteria (CDC 55.090), the site is already developed so 55.090(A)(1) does not apply except for a brief description of the status of the oak trees. CDC 55.090(A)(2) does not apply since there are no exterior architectural changes. Therefore the Planning Director has determined that the applicant must meet the following criteria:

- 55.100(A)(1) Storm...
- 55.100(A)(8) Access...
- 55.100(A)(10) Landscaping...
- 55.100(G) Demarcation of Public Spaces...
- 55.100(J) Crime Prevention...
- 55.100(K) Provisions for persons with disabilities..
- 55.100(B) Significant Trees...discuss the oak trees and possible mitigation
- Submittal of TVFR comments re: emergency access

N/A is not an acceptable response to the approval criteria. Prepare the application and submit to the Planning Department with deposit fees and signed application form.

The deposit is 850 dollars. Any cost overruns will result in additional billings.

Once the submittal is deemed complete, the Planning Director will send out public notice of the pending decision then render a decision in three to four weeks.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. Thus, there is no “shelf life” for pre-apps.