

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
November 17, 2011

SUBJECT: Conditional Use Permit and Class I Design Review for learning garden, building façade changes, and other improvements at Willamette Primary School, 1403 12th Street. If any parking spaces are eliminated this would also include permit to Enlarge/Alter a Non-Conforming Structure and Class II Variance.

ATTENDEES: Applicants: Tim Woodley, Remo Douglas, Kimi Iboshi Sloop, Norm Dull, Travis Butler

Staff: Tom Soppe (Planning Department), Khoi Le (Engineering)

*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

Willamette Primary School has been at this site in the Willamette neighborhood for over half a century. It is grandfathered in as a conforming conditional use per Community Development Code (CDC) Section 65.030(A)(2), as it existed before the City created the conditional use designation. In recent decades, several conditional use and/or design review permits have been approved allowing additions to the school and modifications to the site. The current proposal would make several exterior changes to the building including ADA ramps and window replacements, and would install a replacement generator and a new trash compactor in the front of the building. Also as part of this proposal, certain adjoining areas on the south side of the site surrounding an existing greenhouse structure will be converted to a “learning garden”. The area west of the greenhouse is currently used for parking, and the area east of the greenhouse is a grassy field. An addition for storage is also proposed to be added to the greenhouse structure.



Parking area along 4th Avenue west of greenhouse



Grassy area east of greenhouse proposed for eastern part of learning garden, including teaching area

The addition to the greenhouse structure is exempt from design review per CDC Section 55.025(B) as it is an accessory structure. It fits the Chapter 2 definition of accessory structure as it is a greenhouse of less than 1,500 square feet that is incidental to the

primary structures and use on site. The same would be the case for any structure holding up the proposed arbor in the northeast part of the proposed learning garden, as shown on the site plan. Per 55.020(N), the proposed ADA ramps are also exempt from design review.



Addition to greenhouse will be in back corner just past large window

If the replacement windows will look any different than the current windows or will be different in size, they fall under the design review requirement in 55.020(D), aesthetic modification of a building. If they will look the same and be the exact same size, they are not required to undergo design review. Per 55.020(D), the “redesign of the exterior canopy” of one of the rear doors of the building, as shown in the applicant’s conceptual plans, is required to undergo design review.



Area on east frontage of building where windows will be replaced and canopy redesigned

The new trash compactor and generator will not be required to undergo design review unless fences or walls are proposed to screen them, or unless they are placed on area that is currently landscaped rather than hardscaped, per 55.020(L) and (O).



On left are areas of the front of the building where windows will be replaced. The area proposed for the new generator and new trash compactor are in the central and rightward areas of the photo.

Due to Section 60.050(B) the City requires a Conditional Use Permit application for any proposed change to a conditional use site that intensifies the site of the site or any section thereof, makes changes to where structures are located or outdoor activities will take place, or introduces greater outdoor activity to an area of the site near other surrounding uses. Much of the learning garden area is within areas currently used for play during play time, and class sessions may occasionally occur outside at Willamette already. However, the formalization of this part of the site as a teaching area with seating, formal landscaping, and structured activity areas constitutes a change in the existing conditional use site plan that formalizes an outdoor area for classroom activity. Therefore while these areas may experience some student use already, the proposed addition of these facilities constitute changes that enable greater class use and that formalize outdoor teaching. Therefore they do trigger the need for a Conditional Use Permit. This permit shall also cover the addition proposed to the greenhouse in this area even though that is exempt from design review as discussed above. The other features and changes proposed as part of the learning garden, like some of the other proposals discussed above, shall be covered under Class I Design Review because they are conditional use changes that are not exempt from design review (see 60.030[B]) and because they involve changes in parking, fences and walls, circulation, and landscaping (see 55.020).

Section 46.090(B)(6) requires a primary school to have 1 parking space per employee plus 1 space for every 1,000 square feet of building space. Even counting the head-in spaces built for the school in the 12th Street right-of-way, the school has just 52 parking

spaces now (32 without 12th Street parking). The required number based on the square footage of the school and the number of employees at the school is 122 spaces (per the staff report from file CUP-07-02/DR-07-07/MISC-07-06/VAR-07-07). The submitted conceptual plan for the pre-application conference would result in the loss of three off-street parking spaces on the south side of the school where the learning garden is proposed. The loss of parking spaces on the already deficient site would require a permit to Enlarge/Alter a Non-Conforming Use per CDC 66.080(B), but it would not meet the main criterion for this permit (Subsection 66.080[B][1][a]) because it would worsen the non-conformity by eliminating existing parking spaces. Therefore a Class II Variance would also be required if the learning garden encompasses this area, and the proposal would have to meet all six criteria of Section 75.060. If the learning garden can be developed without the loss of parking spaces, these two permits would not be necessary.

If there is 500 or more square feet of new impervious area, stormwater treatment for new impervious area will be required. While the applicant is encouraged to propose a sidewalk along 4th Avenue, the only frontage of the site without one, this will not be required as part of the application since the proposal does not increase the number of students, staff, or trips to and from the school (see further comments on this below under Engineering Notes).

Engineering Notes

Based upon the review of the code languages indicating in Chapter 55 Design Review under sections 55.100(I)(1) Streets and 55.100(K) – Provisions for Persons with Disabilities, I highly recommend that School District provide sidewalk connection between the intersection of 4th Avenue and 11th Street and the intersection of 4th Avenue and 12th Street.

Although this particular school has sidewalks available for the public and disabled pedestrians on the other 3 frontages, the lack of sidewalk on 4th Avenue will make it completely difficult for a disabled person who utilizes the school site at any location on 4th Avenue to commute from one end of the block at 11th Street to the other end of the block at 12th Street.

Process

Conditional Use Permit and Class I Design Review are required. A permit to Enlarge/Alter a Non-Conforming Structure and Class II Variance are required if any parking spaces are eliminated. This will be a Planning Commission decision.

A neighborhood meeting is required per 60.060(C). Contact Beth Smolens, President of the Willamette Neighborhood Association, at (503) 503-722-1531 or willametteneighborhood@gmail.com. The applicant is required to provide the

neighborhood association with conceptual plans and other material at least 10 days prior to the meeting.

The criteria of 60.050, and 55.090 shall be responded to individually in a narrative (66.080[B] and 75.060 also, if parking spaces are lost). Per 55.090(A)(3) Planning can require additional sections of the approval criteria of 55.100 to be responded to, in addition to the particular criteria of 55.100 that require response by other sections of 55.090. Therefore the applicant shall also respond to the following criteria that relate to changes proposed at the site:

- 55.100(A)(5) Clear vision areas
- 55.100(A)(6) Fences
- 55.100(A)(7) Parking (if spaces are lost)
- 55.100(A)(8) Access and circulation (if spaces lost or if gate installed)
- 55.100(A)(10) Landscaping
- 55.100(C) Compatibility, buffering, and screening
- 55.100(D)(3) Noise
- 55.100(G) Demarcation of public, semi-public, and private spaces
- 55.100(I)(5) Solid waste facilities
- 55.100(J)(3) Solid waste facilities

Prepare the application and submit to the Planning Department with a signed application form. The deposit for Conditional Use Permit is \$4,500. The deposit for Class I Design Review is \$1,050. The deposit for a permit to Enlarge/Alter a Non-Conforming Structure is \$1,200. The deposit for a Class II Variance is \$1,800. Therefore the total initial deposit at the time of the application will be \$8,550, or \$5,550 if the final two permits are not needed. **PLEASE NOTE that this is an initial deposit, and staff time is charged against the deposit account. It is common for there to be more staff time spent on development applications than deposits cover, and therefore additional billing may be likely to occur.**

Follow 60.060 and 55.070 (and 75.050 if appropriate) strictly and completely regarding submittal requirements (including plans, maps, etc.) that should accompany the narrative and the application form.

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. Since the applicant is another City department, the Planning Department plans to waive application fees.

Once the submittal is deemed complete, the staff will schedule a hearing with the Planning Commission and will send out public notice of the hearing at least 20 days

before it occurs. The Planning Commission's decision may be appealed to City Council by the applicant or anyone with standing.

The CDC is online at <http://westlinnoregon.gov/planning/community-development-code-cdc>.

Alternately, the applicant can apply separately and not concurrently for all of the changes that do not require the Conditional Use Permit, permit to Enlarge/Alter a Non-Conforming Structure, or Variance. This would include all of the proposed changes except those in the learning garden area. This would allow these changes to be reviewed at the Planning Director level, and the separate application would take only the learning garden area changes to the Planning Commission level.

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.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

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.