To: City Council of the City of Hermiston

NOTICE OF APPEAL

1. Title of the decision to be reviewed:
   Conditional Use Permit Application Approval - 600 S 1st Street

2. Date of decision: September 8, 2021

3. State of Interest of person seeking review and that he/she was a party to initial proceedings:
   Applicant (Hermiston School District) is seeking city council review of the decision.

   Applicant appeared and presented evidence and testimony at the planning commission hearing.

4. Specific grounds for review. State clearly and separately:
   See attached.

Date: September 20, 2021

Signature
Tricia Mooney, Superintendent, HSD #8R
Printed Name
305 SW 11th St., Hermiston, OR 97838
Mailing Address

Telephone Number: 541-667-6000

FILING FEE OF $375 PLUS $30 ADVANCE FOR OUT-OF-POCKET COSTS TO BE PAID ON FILING

$405 filing fee and advance paid 9.20.21 MKP
Date & Initials

*** * * Instructions on Next Page**

The applicant contends that two conditions of approval applied to the project are not supported by findings under the criteria of approval and may be not warranted. The project involves the construction of improvements to Hermiston High School and financial commitments by applicant to improvement of the intersection at Highland and 1st streets. There are two issues at appeal:

(1) Condition of approval No. 7 lacks clarity regarding the Applicant's requirements. It commits the applicant potentially to unlimited other undefined improvements. The phrase "... and related improvements, including but not limited to railroad crossing interconnect if constructed" is broad and general and does not have a specific nexus to the project. The evidence presented in the traffic impact study prepared by the City suggests the possibility of several off-site improvements that may be advisable in the future if traffic conditions warrant. Because of the uncertain potential future financial commitment, and the suggested participation in these projects, the applicant requests certainty and specificity supported by clear justification if it is to commit district taxpayer money to future projects. Additionally, potential financial involvement in future projects will require partnership in order for the applicant to assure fiscal responsibility to its constituents. The Applicant's involvement in these potential projects is unclear. The condition as written does not identify specific future projects, does not justify the need for these projects, and it does not address key aspects such as triggers, timing, and delivery of the projects. Similar, to City capital projects, the Applicant cannot commit public taxpayer monies to future projects without knowing the details.

(2) Condition of approval No. 9 is unnecessary. The Applicant initially proposed a 74-space parking area at a location south of the softball fields. As a result of a feasibility study, it now proposes a 134-space parking area in place of the 74-space parking area, in a slightly different location, north and between the softball fields and the baseball field. As such, compliance with parking requirements is assured and the condition is not needed. See attached, more detailed materials.

CAMERON McCARTHY
LANDSCAPE ARCHITECTURE & PLANNING

Hermiston High School Annex Conditional Use Permit
City of Hermiston

To: Clinton Spencer

From: Colin McArthur, AICP
Kelsey Zlevor

Subject: Conditional Use Permit Application Approval – 600 S 1st Street

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Background

At the September 8, 2021 regular meeting of the City of Hermiston Planning Commission, the Planning Commission reviewed and approved the conditional use permit application for the Hermiston High School Annex, identified as Tax Lot 4N 28 10DD Tax Lot 300. The project includes the construction of an annex building, two greenhouses, and parking improvements, all located on the high school campus. The Planning Commission approved the land use application with nine conditions. This memo seeks to further address condition 9, as excerpted below:

9. *Parking improvements approved as part of the softball field construction in June of 2020 shall be completed as required by the planning commission as part of the softball approval.*

Response

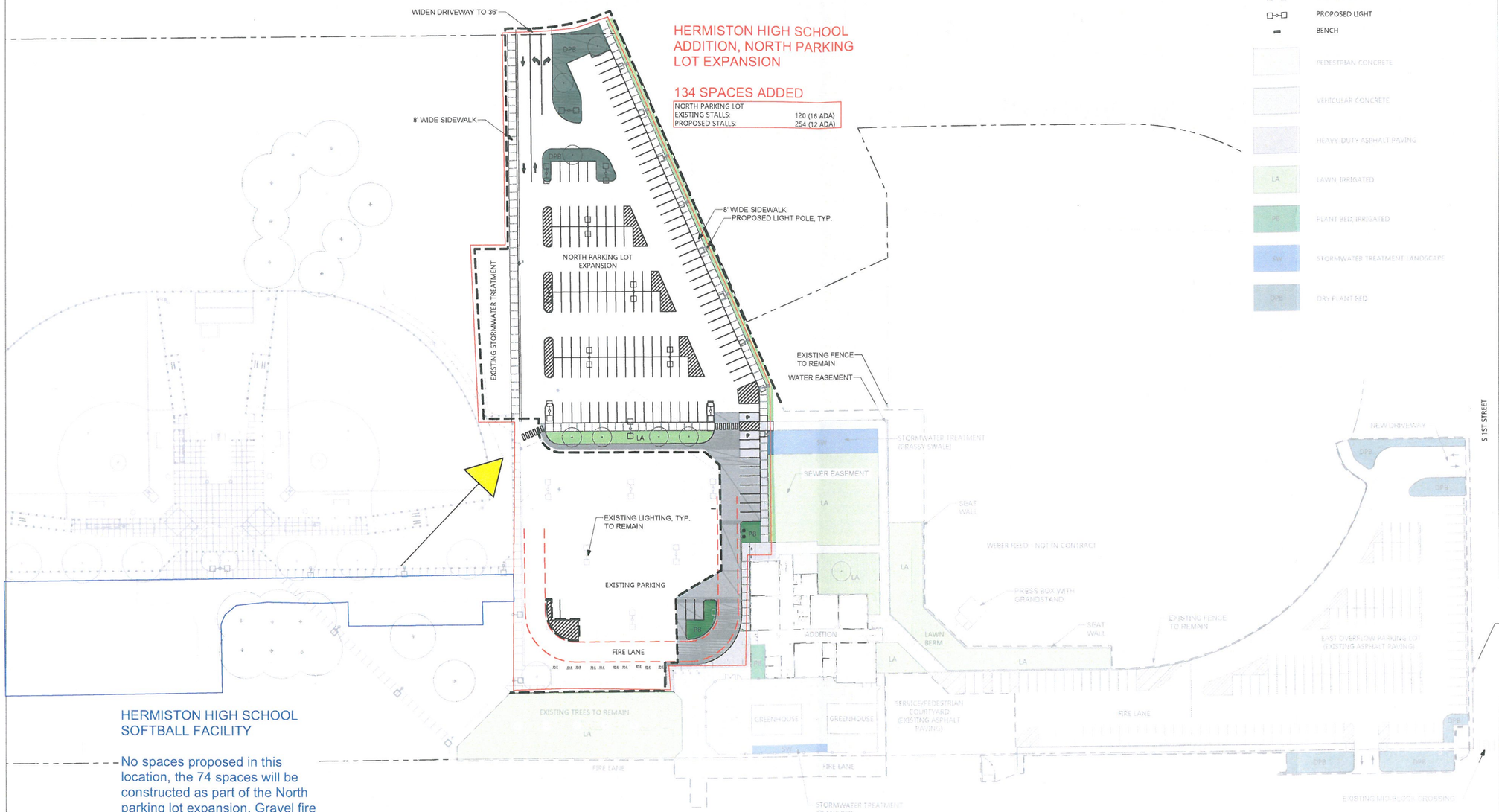
The applicant, the Hermiston School District, seeks to assert that the project can comply with the condition by locating the required parking in the North Lot. The parking shown in the original softball CUP is being relocated to the proposed North lot as part of the annex project. The School District has completed a feasibility study and this north lot is the preferred location for purposes of vehicular and pedestrian circulation. Attached to this memo is an Overall Site Plan Exhibit, a plan further articulating how the project complies with condition of approval #9. As shown, the gravel road to the south of the softball project will continue to be used as a maintenance and fire access road to the softball field and north of Kennison Field. The softball fields have sufficient access from the existing North Lot and its expansion.

The applicant proposes adding 134 spaces through the North Lot expansion. This addition covers the 74 spaces that were originally proposed to be installed south of the softball fields in the original CUP application.

In summary:

- Softball CUP Site plan (74 proposed parking spaces)
- Softball Building Permit Plan (no proposed parking spaces at softball)
- Annex CUP Site Plan (134 new spaces proposed at the North Parking lot expansion, 0 proposed at softball)

In conclusion, this memo and additional sheet demonstrates the project can comply with the condition by locating the required parking in the North Lot.



LEGEND

- LIMIT OF WORK
- PROPERTY LINE
- STEEL PANEL FENCE 4 FT HEIGHT
- BLACK VINYL-CLAD CHAIN LINK FENCE 6 FT HEIGHT
- FIRE LANE 20 FT WIDTH
- EXISTING TREES Protect to remain.
- PROPOSED TREE
- REMOVABLE BOLLARD
- EXISTING LIGHT
- PROPOSED LIGHT
- BENCH
- PEDESTRIAN CONCRETE
- VEHICULAR CONCRETE
- HEAVY-DUTY ASPHALT PAVING
- LA — LAWN, IRRIGATED
- PB — PLANT BED, IRRIGATED
- SW — STORMWATER TREATMENT LANDSCAPE
- DPB — DRY PLANT BED

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NOT FOR CONSTRUCTION

HERMISTON SCHOOL DISTRICT
HERMISTON HIGH SCHOOL ADDITION

600 S 1st St
Hermiston, OR 97838

No.	Description	Date

Project Number 2007.2
Date ~~8.11.2021~~ 9.14.2021

SCHEMATIC DESIGN

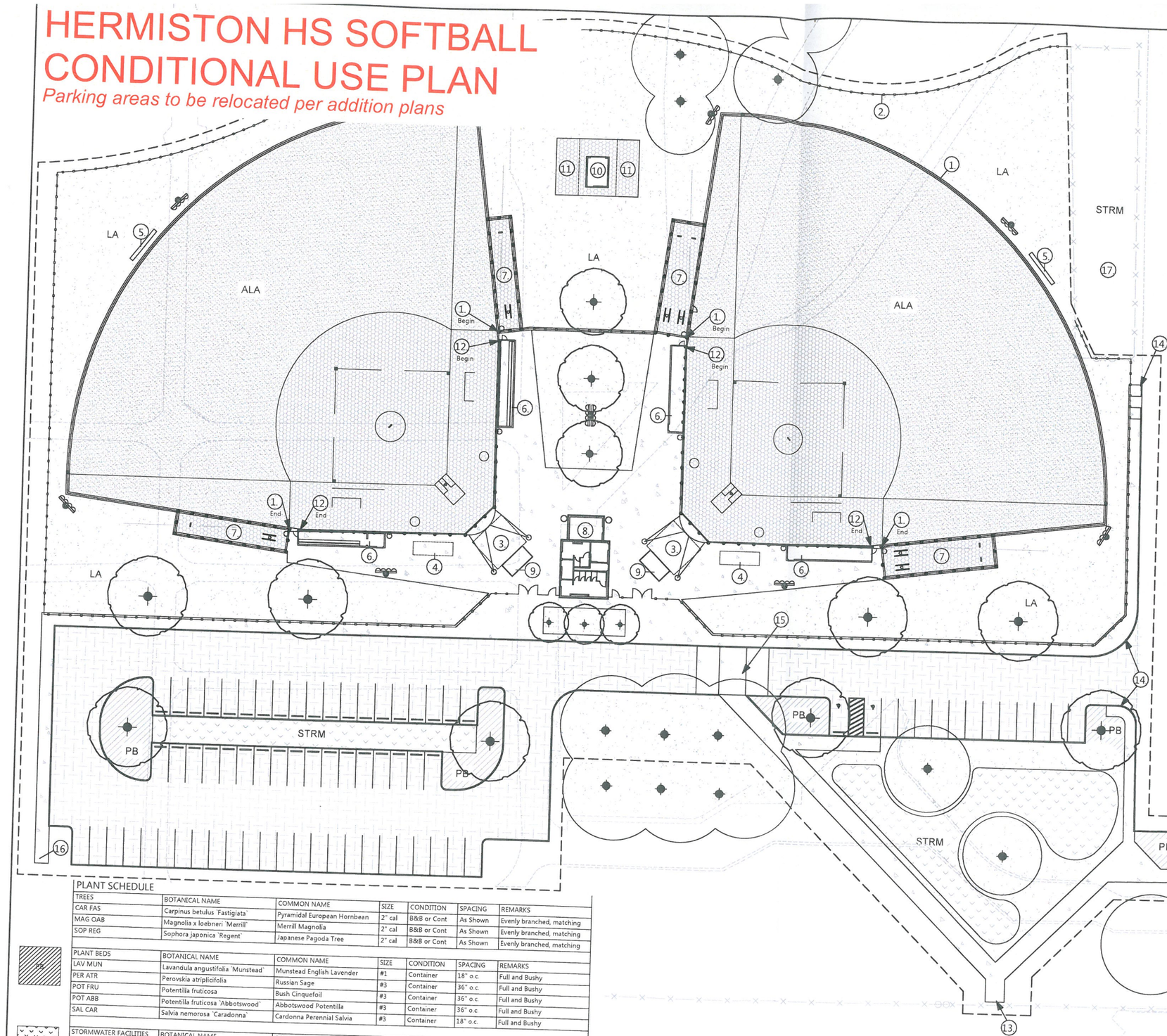
OVERALL SITE PLAN

Exhibit

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HERMISTON HS SOFTBALL CONDITIONAL USE PLAN

Parking areas to be relocated per addition plans



KEY NOTES

1. ATHLETIC FENCE (6' HT.)
2. PERIMETER FENCE (6' HT.)
3. LARGER BLEACHER: 10 ROW ALUMINUM BLEACHER, 19'-5"X21' WITH 113 PERSON CAPACITY, ADA COMPLIANT WITH CENTER AISLE, HANDRAIL, AND SIDE PICKETS.
4. SMALL BLEACHER: 4 ROW ALUMINUM BLEACHER, 7'X21' WITH 50 PERSON CAPACITY; ADA COMPLIANT.
5. SCOREBOARD
6. DUGOUT: PER ARCHITECTURE
7. BULLPEN: PER ARCHITECTURE
8. CONCESSION/RESTROOMS: PER ARCHITECTURE
9. PRESSBOX: PER ARCHITECTURE
10. STORAGE: PER ARCHITECTURE
11. BATTING CAGE
12. BACKSTOP FENCE/NETTING
13. CONNECT PATH TO EXISTING PAVING
14. CONCRETE CURB RAMP
15. RAISED CONCRETE PEDESTRIAN CROSSING.
16. PROPOSED SIDEWALK EXTENDED TO THIS APPROXIMATE LOCATION.
17. EXISTING STORMWATER FACILITY TO REMAIN.

LEGEND

- LIMIT OF WORK
- PERIMETER FENCE
- ATHLETIC FENCE
- ASPHALT PAVING SEE CIVIL FOR PROFILE
- CONCRETE PAVING - STANDARD SEE CIVIL FOR PROFILE
- PLANT BED WITH BARK MULCH
- STORMWATER FACILITY
- LAWN SEE SPECIFICATIONS FOR SOIL PLACEMENT
- ATHLETIC TURF
- FIELD LIGHTING SEE ELECTRICAL
- TRASH RECEPTACLE IN ENCLOSURE
- EXISTING TREE
- PROPOSED TREE

SITE DATA TABLE

TOTAL SITE AREA	25.36 AC (TL 100/300)
PROJECT AREA	230,864 SF
PROPOSED BUILDINGS	2,705 SF
PROPOSED LANDSCAPE	156,788 SF
PROPOSED IMPERVIOUS	71,371 SF

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
ALA	ATHLETIC TURF	55,626 sf
	CLAY INFIELD	28,032 sf
	AC PAVING	37,101 sf
	CONCRETE PAVING	34,270 sf
STRM	STORMWATER FACILITY	7,944 sf
PB	PLANT BED	3,491 sf
LA	LAWN	61,695 sf

ALL LANDSCAPE AREAS NOTED ABOVE TO BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.

*QUANTITIES PROVIDED FOR REFERENCE ONLY AND SHOULD BE VERIFIED.

SCALE 1" = 20'-0"

0' 10' 20' 40' NORTH

PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	SPACING	REMARKS
CAR FAS	Carpinus betulus 'Fastigiata'	Pyramidal European Hornbean	2" cal	B&B or Cont	As Shown	Evenly branched, matching
MAG OAB	Magnolia x loebneri 'Merrill'	Merrill Magnolia	2" cal	B&B or Cont	As Shown	Evenly branched, matching
SOP REG	Sophora japonica 'Regent'	Japanese Pagoda Tree	2" cal	B&B or Cont	As Shown	Evenly branched, matching
PLANT BEDS	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONDITION**	**SPACING**	**REMARKS**
LAV MUN	Lavandula angustifolia 'Munstead'	Munstead English Lavender	#1	Container	18" o.c.	Full and Bushy
PER ATR	Perovskia atriplicifolia	Russian Sage	#3	Container	36" o.c.	Full and Bushy
POT FRU	Potentilla fruticosa	Bush Cinquefoil	#3	Container	36" o.c.	Full and Bushy
POT ABB	Potentilla fruticosa 'Abbotswood'	Abbotswood Potentilla	#3	Container	36" o.c.	Full and Bushy
SAL CAR	Salvia nemorosa 'Caradonna'	Cardonna Perennial Salvia	#3	Container	18" o.c.	Full and Bushy
STORMWATER FACILITIES	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**CONDITION**	**SPACING**	**REMARKS**
CAR OBN	Carex obnupta	Slough Sedge	#1	Container	18" o.c.	Full and Bushy
CAR PRA	Carex testacea 'Prairie Fire'	Prairie Fire Sedge	#1	Container	24" o.c.	Full and Bushy
HEL SEM	Helictotrichon sempervirens	Blue Oat Grass	#1	Container	18" o.c.	Full and Bushy
JUN TEN	Juncus tenuis	Slender Rush	#1	Container	24" o.c.	Full and Bushy
LUP POL	Lupinus polyphyllus	Large-leaved Lupine	#1	Container	24" o.c.	Full and Bushy

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REGISTERED 285 LARRY K. GILBERT OREGON LANDSCAPE ARCHITECT

HERMISTON SCHOOL DISTRICT
HERMISTON HIGH SCHOOL SOFTBALL FIELDS

600 S 1ST ST
HERMISTON, OR 97838

No.	Description	Date

Project Number 2007
Date 5/13/2020

50% DD

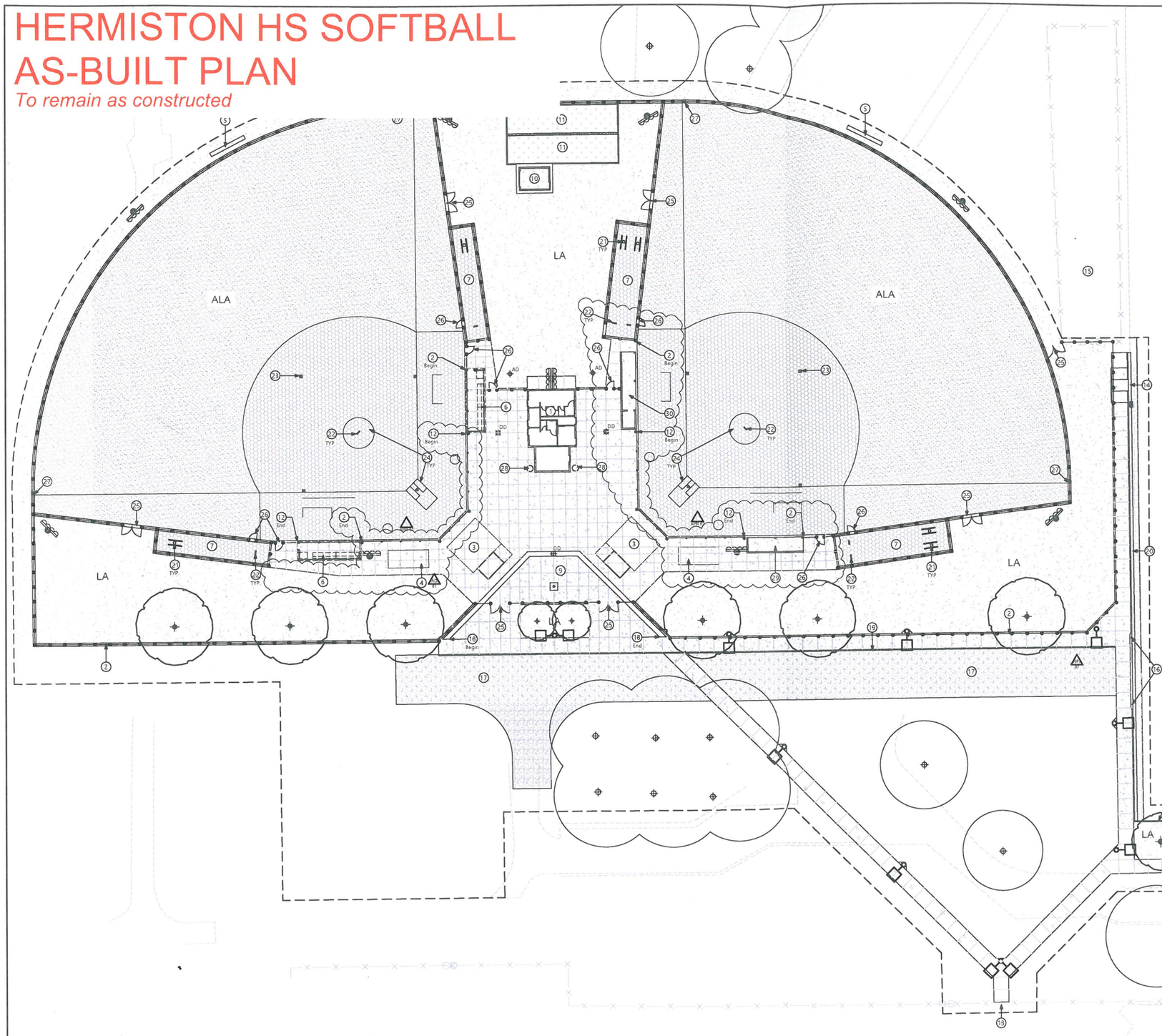
SITE PLAN

L200

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HERMISTON HS SOFTBALL AS-BUILT PLAN

To remain as constructed



KEYNOTES

1. CONCESSION/RESTROOM BUILDING, PER ARCHITECTURE
2. 6' HEIGHT CHAINLINK FENCE (3 / L706)
3. GRANDSTAND WITH PRESS BOX. CONCRETE PAVING SHEETS SURFACE DRAINAGE TOWARDS AREA DRAIN UNDER GRANDSTAND. IN ORDER TO MAINTAIN LEVEL A LEVEL PLANE FOR GRANDSTAND, CONTRACTOR TO INSTALL OR FABRICATE EDGING TO PROVIDE A FLAT SURFACE FOR GRANDSTAND. PER SPECIFICATIONS
4. 50 PERSON ALUMINUM BLEACHER, PER SPECIFICATIONS
5. SCOREBOARD, OFCI
6. JV DUGOUT, REFER TO CONTRACTOR SHOP DRAWINGS. (APR 16)
7. FENCED BULLPEN WITH INFIELD SURFACING
8. FOUL BALL POLE (10 / L704)
9. FLAG POLE (1 / L704)
10. STORAGE BUILDING: PER ARCHITECTURE
11. BATTING CAGE WITH IN GROUND SLEEVES, PER SPECIFICATIONS
12. BACKSTOP (3 / L706) (APR 16)
13. CONNECT PATH TO EXISTING PAVING
14. CONCRETE CURB RAMP (7 / L703)
15. EXISTING STORMWATER FACILITY TO REMAIN. ADJUST EXISTING FENCING AS REQUIRED TO PROVIDE ENCLOSED PERIMETER TO SOFTBALL FIELD AND GATE.
16. PROPOSED MOUNTABLE CURB (3 / L701)
17. GRAVEL PAVING (9 / L703)
18. CONCRETE VALLEY GUTTER (12 / L703)
19. STANDARD CONCRETE CURB (4 / L701)
20. CURB AND GUTTER (5 / L703)
21. HOME PLATE (QTY AS SHOWN) (6 / L704)
22. PITCHING RUBBER (QTY AS SHOWN) (5 / L704)
23. ANCHORED BASES (8 / L704)
24. CLAY REINFORCEMENT AT PITCHERS MOUND AND BATTERS BOX (7 / L704)
25. DOUBLE SWING GATE, 6' HEIGHT (1 / L706)
26. SINGLE SWING GATE, 6' HEIGHT (2 / L706)
27. FOUL BALL POLE IN LINE WITH FENCING (10 / L704)
28. TRASH ENCLOSURE, PER SPECIFICATIONS
29. AWAY TEAM DUGOUT (5 / L704) (APR 93)
30. HOME TEAM DUGOUT (4 / L705) (APR 93)

LEGEND

- LIMIT OF WORK
- CHAINLINK FENCE
- ASPHALT PAVING REFER TO GEOTECHNICAL REPORT FOR PROFILE
- CONCRETE PAVING - STANDARD (1 / L703)
- VEHICLE RATED CONCRETE (2 / L703)
- SYNTHETIC TURF @ BATTING CAGES (11 / L703)
- SEEDED LAWN (3 / L702)
- ATHLETIC LAWN (1 / L702)
- CLAY INFIELD (2 / L702)
- GRAVEL PAVING (9 / L703)
- FIELD LIGHTING SEE ELECTRICAL (4 / L704)
- AD CB CB DD — AREA DRAIN, CATCH BASIN, DECK DRAIN
- TRASH RECEPTACLE IN ENCLOSURE
- PEDESTRIAN LIGHT POLE
- EXISTING TREE
- PROPOSED TREE

SCALE 1" = 20'-0"

0' 10' 20' 40' NORTH

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HERMISTON SCHOOL DISTRICT
HERMISTON HIGH SCHOOL SOFTBALL FIELDS

425 & 435 WEST ORCHARD AVENUE
HERMISTON, OR 97838

No.	Description	Date
01	ADDENDUM 2	9/3/20
02	RFI #007	12/22/20
03	APR 02R1	3/5/21

Project Number 2007
Date 10/09/2020

CONFORMANCE SET

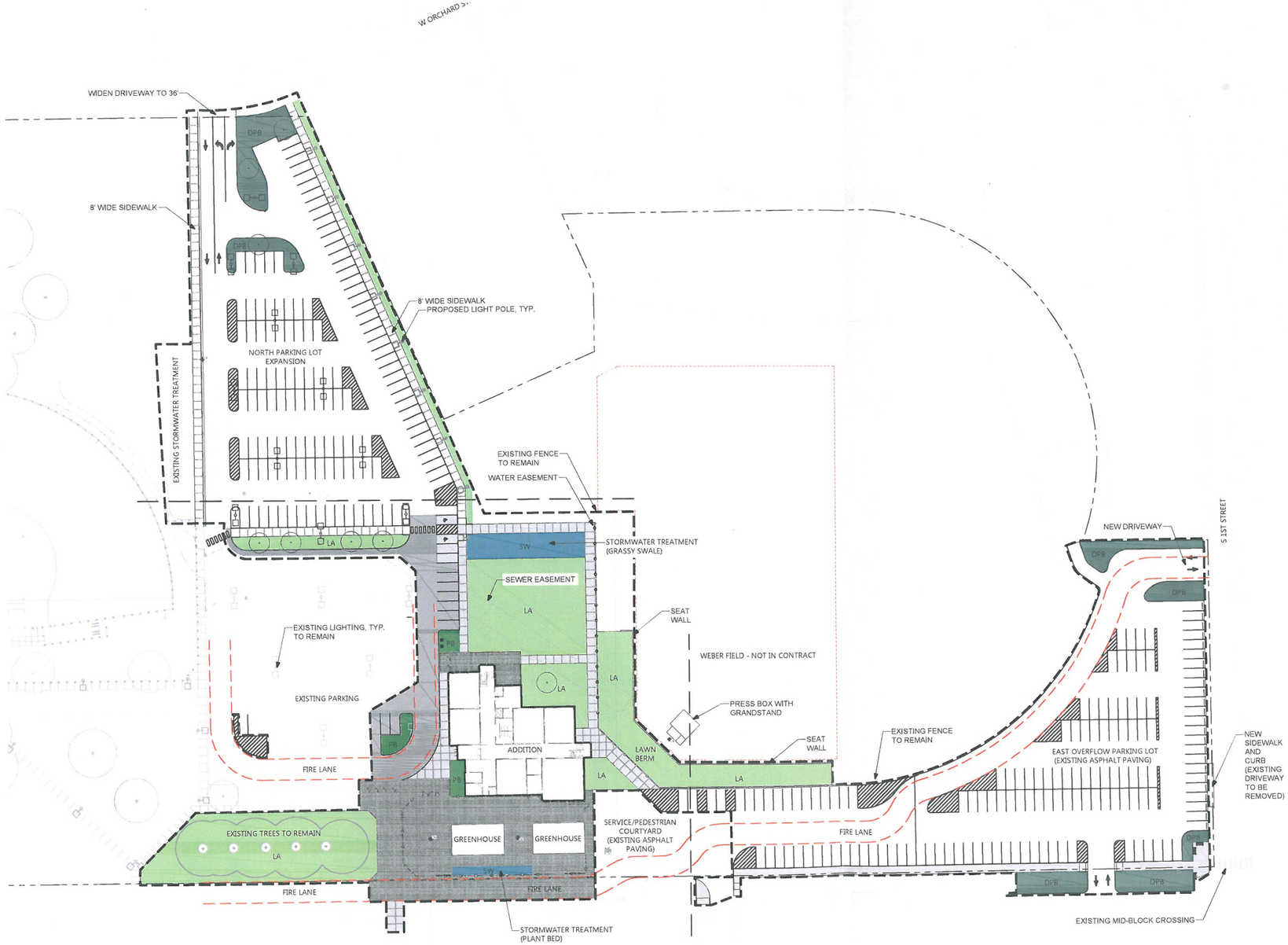
SITE PLAN

L200

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HERMISTON HS ADDITION
CONDITIONAL USE PLAN

Current proposal for construction



LEGEND

- LIMIT OF WORK
- PROPERTY LINE
- STEEL PANEL FENCE 4 FT HEIGHT
- BLACK VINYL-CLAD CHAIN LINK FENCE 6 FT HEIGHT
- FIRE LANE 20 FT WIDTH
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- VEHICULAR CONCRETE
- HEAVY-DUTY ASPHALT PAVING
- LA — LAWN, IRRIGATED
- PB — PLANT BED, IRRIGATED
- SW — STORMWATER TREATMENT LANDSCAPE
- DPB — DRY PLANT BED

SITE DATA TABLE

DEVELOPMENT AREA	267,684 SF (6.14 AC)
TOTAL SITE AREA	1,478,426 SF (33.94 AC)
PROPOSED BUILDING FOOTPRINT	12,078 SF
PROPOSED BUILDING GROSS AREA	22,800 SF
PROPOSED LANDSCAPE	53,989 SF
NORTH PARKING LOT	
EXISTING STALLS:	120 (16 ADA)
PROPOSED STALLS:	254 (12 ADA)
EAST OVERFLOW PARKING LOT	
EXISTING STALLS:	187 (6 ADA)
PROPOSED STALLS:	145 (5 ADA)

*DEVELOPMENT AREA WITHIN TAXLOTS 00300 AND 00400. TOTAL SITE AREA OF TAXLOTS 00300 AND 00400 IS 1,478,426 SF (33.94 AC).

0' 20' 40' 80'

1" = 40'-0"

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NOT FOR CONSTRUCTION

HERMISTON SCHOOL DISTRICT
HERMISTON HIGH SCHOOL ADDITION

600 S 1st St
Hermiston, OR 97838

No.	Description	Date

Project Number 2007.2
Date 8.11.2021

SCHEMATIC DESIGN

OVERALL SITE PLAN

L2.00

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