

Appeal of Land Use Decision (SMC 17.12.110)
Land use File #3-02/21
Santiam Heritage Foundation- Site Plan

We are appealing some of the conditions of approval in the above referenced decision, based on our belief that some interpretations the decision authority made are inaccurate. The findings we believe are inaccurate include:

1. Since the category “Events Center” is not listed in table 17.20.060.7.b “Commercial and Industrial Parking Requirements,” under Section 17.20.060.7.c the City Planner shall prescribe the number of off-street parking spaces. The City Planner cited, “Auditorium, Theater, Stadium, Churches, Club or Lodge and Funeral Home” as comparable uses. We believe that any of these uses is not comparable to our definition and capacity as an “Event Center.”
2. Pursuant to SMC 17.12.220.5 the decision authority may approve a site plan for a property on the National Register of Historic Places that does not meet all of the development and improvement standards of Chapter 17.20 and the access spacing standards of Chapter 17.26, provided the decision authority finds that improvements proposed are in conformance with Secretary of the Interior’s Standards for Treatment of Historic Properties, the site will provide safe ingress and egress to the public street system, and that adequate stormwater management will be provided. We do not believe that High Street must be paved, curbed, guttered and have a sidewalk to be used as an on-street parking site as prescribed by the Planner’s decision.
3. Section 17.12.220.5c does not require dedicating additional right-of-way on First Avenue PLUS requiring a half-street improvement in W. High St. as roughly proportional to the impact of the change of use.

It is notable that much of our application and this appeal is based on Section 17.12.220.5.o which allows discretion on the part of the decision authority to approve a site plan for a property on the National Register of Historic Places that does not meet all of the development and improvement standards of Chapter 17.20. We have had continued discussions with the City Planner over the past 3 years exploring various options for meeting the requirements for Change of Use that meets the following criteria:

- Has a minimal impact in changing the historic character of the property on which the building is located
- Is within the financial constraints of our nonprofit corporation (501(c)3), including being unable to find any grant monies available for this type of change
- Takes advantage of existing resources rather than expending more resources (paving, etc) whenever possible

Under these criteria, we also do not believe that the conditions of approval are workable, and further justify this appeal.

Our arguments for alternative findings are as follows:

#1 Calculating the number of required parking spaces for the proposed use.

Based on the square footage of our building, and our experience using the house for events (both SHF sponsored and public rentals) over the past 8 years, we believe that our calculation of required

parking spaces is more applicable. There will be a total of 4 offices with a combined square footage of 783 sq.ft. There are 3 remaining rooms that will be used for meetings/ presentations/gatherings that have a total square footage of 680 sq.ft. We argue that it is the size of these actual rooms that determine the capacity (and thus parking requirements) and the ancillary space (such as hallways, bathrooms, kitchen, and closets) are pass-thru areas temporarily used by the occupants of the other rooms. Therefore, our actual measurements are more accurate than the overall measurement of each floor when being used for occupancy purposes.

The ordinance specifies 3.5 parking spaces for <1000 sq ft of office space and 3.5 parking spaces for < 1000 sq ft Library/ Museum space. We believe we best fit the definition of a “Library and/or Museum,” in that we both have artifacts that people come to view and research, we both have office spaces, and we both have meeting rooms that are available to the public. While a few people are usually in the building much of the time (in offices or doing research), it is only occasionally that the meeting space is fully occupied.

While our application indicates a total capacity as defined by the Fire Chief of 150, this is the figure if all persons are standing. If they are in table and chairs, this capacity becomes 75 in practice. For the type of events that have been held in the house over the years, approximately 60 has been the maximum on the first floor, and the offices would limit their occupancy to 3-4 people each according to their size. This maximum capacity makes our use more in line with “Office Space and Library/ Museum” than “Auditorium, Theater, Stadium, or Churches,” as cited by the Planner.

Parallel parking spaces are typically cited as being approximately 9ft wide by 20 ft long. Our West High Street Frontage alone (216 feet) would allow for 7 parallel parking spaces, including leaving the required 10 feet from the driveway and 20 feet from First Avenue. We, like the other residents of High Street, have been living with the condition of the street for many years. On the rare occasion when there would be more than the usual traffic for an event, experience has shown that Public Parking available in front of and behind the Library and on adjacent streets is sufficient to handle this traffic increase, especially since events are usually held on weekdays after 5pm or on weekends when other businesses are closed. Additionally, SCTC has given us permission to use their parking lot at N. First Ave. & E. Marion St. as overflow parking. See attachment # 6 of our original application. We request that the 7 parking spaces available on the northside of High Street is allowed to meet our parking requirements.

#2 Need for improvement of High Street when used as parking.

We all agree that High Street is a mostly gravel street, in poor condition, and lacks sidewalks, and gutters. There is a curb present on High Street along our south frontage. This has been the case since long before 2001, when we took possession of the Brown House Property. We do have concrete sidewalks that lead both from the First Avenue sidewalk to the front porch and from High Street to the south entry of the house. While we frequently hear complaints about driving on High Street, we have never heard of passengers having difficulty navigating to the house.

Section 17.12.220.5.o which allows discretion on the part of the decision authority to approve a site plan for a property on the National Register of Historic Places that does not meet all of the development and improvement standards of Chapter 17.20, has allowed the City Planner to permit

gravel for the driveway and turnaround we have proposed (and would also do so if we wanted on-site parking). We maintain that the same standard should apply to his decision to allow our parking to be on-street. Therefore, the gravel that is currently in place for our proposed on-street parking should not require paving.

#3 Street Improvements roughly proportional to the impact of development

We agree with IV. ORDER #1 in that we shall submit to the Planning and Development Director a revised site plan that shows dedication of right of way in order to create a 30-foot half right of way on the west side of N First Ave with a 10-foot public utility easement and a 10-foot sidewalk easement behind the new right of way line. Given that we expect the offices to be occupied by a maximum of 10-15 people weekdays, and the meeting rooms to be occupied by 40-50 people 4-5 weekend days per month, we believe that the granting of a 20+ foot easement dedicating right of way on N. First Avenue is roughly proportional to the impact of the development and the additional traffic generated by the new uses as required in Section 17.12.220.5c. We believe that to additionally require the half-street paving of W. High St. would far exceed what is proportional to the impact of the development and the additional traffic generated by the new uses.

We also agree to submit plans that shall indicate the surfacing material for all driveways and loading/turn-around areas. Due to the listing of the subject property on the National Register of Historic Places, the surfacing material need not be asphalt or Portland cement concrete (PCC). However, any driveway or loading/turn-around area that is not comprised of asphalt concrete pavement or PCC, shall be comprised of an all-weather stable surfacing approved by the Public Works Director that is easily distinguishable from the surrounding area and is capable of supporting standard H-20 vehicle wheel loading.

#4 ADA Parking is not required by County Standards if there is no on-site parking.

If our requests are granted, the requirement for an ADA compliant parking spot will not apply.

From the very beginning of the Santiam Heritage Foundation, in 2000, when the restoration of the historic Charles and Martha Brown House was undertaken, this project has been supported by the community and the City of Stayton, and cooperation has been what has made things work. The Foundation has always intended to restore this historic structure to allow for “adaptive reuse” of it. This is a term of art defined as, “the process of reusing an old site or building for a purpose other than which it was built or designed for to allow a new use of the structure in order to generate revenue to offset the cost of maintaining and preserving the historic structure.” We had a tremendous amount of help from the entire community and from the City, as well, with more than \$500,000 and over 25,000 volunteer hours being lovingly devoted to the restoration of this elegant building. Now, however, we need the City’s help, again, to open the Brown House Event Center to the entire community. We need help working toward solutions which will allow the required Change of Use application to be approved and allow us to become self-sufficient and available for the community to hold art and cultural

events, as well as private rentals, for many years to come. A Feasibility Study using grant monies done in 2018 showed there is a need for such a facility in the area.

If this Appeal is granted under our proposed terms, it is our understanding that IV. ORDER #2 is not applicable.

Respectfully Submitted,



Wendy Stone, President

Santiam Heritage Foundation