

Ex. M-2



City of
OLYMPIA

Attachment 6

Community Planning & Development, 837 7th Avenue, SE, P.O. Box 1967, Olympia, WA 98507-1967
Telephone (360) 753-8314 - Fax (360) 753-8087

Ingersoll Stadium Remodel

Notice of Land Use Decision
April 5, 2004

SUMMARY of DECISION

Project Description:	INGERSOLL STADIUM REMODEL – Including paving and landscaping of parking lot, additions to locker rooms and press box, replacement of fencing, lighting and sound systems, replacement of track and field surfaces, and associated grading and utility system improvements. (See file 03-2397)
Decision:	Conditionally Approved by Site Plan Review Committee – see attached decision for conditions of approval.
Specific Project:	As described in that application submitted on January 14, 2004, and in that plan set of 16 pages submitted on February 13, 2004, as revised by that submittal of February 19, 2004.
Location of Proposal:	1302 North Street SE, Olympia, WA
Applicant/Proponent:	Olympia School District No. 111, 1113 Legion Way SE, Olympia, WA. 98501
Representative (if any):	Bob Wolpert, Facilities Director; (360) 596-8560
SEPA Determination:	MDNS issued by Olympia School District on January 16, 2004.
Lead City Staff:	Todd Stamm, Senior Planner
Decision Issued:	April 5, 2004
Appeal Deadline:	5:00 p.m., Monday, April 19, 2004



FINDINGS, CONCLUSIONS, AND DECISION

In response to an application received on January 14, 2004, from the Olympia School District, on March 31, 2004, the Olympia Site Plan Review Committee (hereafter, City staff) granted land use approval for the project described in that application, as summarized above, and more specifically described below. This decision is subject to appeal as set forth below.

In making this decision the Committee concluded that, if subject to and limited by the conditions described below, the proposed project is consistent with the standards and provisions in the adopted plans and ordinances of the City. This decision is based on the more specific findings and conclusions set forth below. This decision includes the requirements and conditions that must be fulfilled as indicated below. For more information regarding particular conditions please contact Todd Stamm, Senior Planner, at 753-8597, or Chuck Dower, Engineering Plans Examiner, at 753-8254.

SEPA Threshold Determination: As lead SEPA agency for this proposal, the Olympia School District issued a mitigated determination of non-significance on January 16, 2004. Although initially appealed, that appeal has been withdrawn. Accordingly, the District's SEPA determination is final and cannot be reconsidered or appealed by means of the Olympia Site Plan Review Committee's land use decision.

Revision of Conditional Use Permit Not Required: The Olympia High School campus, including the spectator seating area, athletic field, and parking area that are the subject of this project, were initially approved in 1958. At that time schools apparently were a "special use" pursuant to the zoning code. Ingersoll Stadium, with a seating capacity of 3000, was approved in 1968. The applicant's proposal would not increase the number of parking spaces, stadium seating, number of athletic fields, or other primary measures of this facility. Accordingly, the City staff has concluded that this project, although it may result in the District being able to utilize the facility on more occasions, does not constitute an "expansion" of the approved use as that term is used in Olympia Municipal Code 18.48.020 and related City standards and, therefore, a public hearing is not required prior to a decision. This land use approval is not intended to grant approval of any use beyond that previously authorized by the City and relates only to remodeling of the subject facilities.

Land Use Approval Required: In January of 2002, the Director of the Olympia Community Planning and Development Department indicated to the District staff that field "renovation," when viewed in isolation, would not constitute an expansion, change of use, or substantial revision of the campus site plan requiring land use approval. District staff later met with City staff to discuss the project with additional elements as described above. The City staff concluded that other elements of this project, and particularly the parking lot reconstruction, would require approval from the Site Plan Review Committee prior to issuance of construction permits. The application that is the subject of this decision resulted. Due to the independent, and arguably land-use-review-exempt, nature of the various elements of this project and the surrounding controversy, the City staff has elected to issue this decision with severable parts as described below.

linked to starter
systems

32 to 22 caliper

~~1 day/yr~~ 1 day/yr

every 3 years Friday
P.M.

Cancelled

~~Capital City Rock Band~~

Sound System

Public Works Standards: This project must conform with Olympia's Development Guidelines and Public Works Standards, with 2000 Amendments (Standards) and Drainage Design and Erosion Control Manual, 1994 Edition (Manual). The City has capacity for this development's domestic water system and fire suppression system requirements. City water mains exist on the site of this development. The proposed project will utilize an existing on-site water meter to serve the stadium facility. The proposed project will utilize the existing on-site gravity sewer for the proposed development. Previous projects on the Olympia High School site have installed full frontage improvements in accordance to the Development Guidelines. The Ingersoll Stadium project is proposing to utilize two existing driveway approaches to the site for access. The use of the existing driveway approaches is acceptable to the City.

Stormwater Systems: This project must conform with Olympia's Drainage Design and Erosion Control Manual, 1994 Edition (Manual). The District must provide for the treatment, storage, and disposal of surface drainage through a storm drainage system designed to the current Drainage Design and Erosion Control Manual for Olympia (Manual) and Chapter 5 of the Development Guidelines and Public Works Standards. The standards established by this chapter are intended to represent the minimum standards for the design and construction of storm drainage facilities. The Manual sets forth the minimum drainage and erosion control requirements as supplemented. The District is proposing to place pervious asphalt pavement and base section on the current gravel parking lot. Pavement and base sections are designed to accommodate stormwater flows. The District is also proposing to install a permeable synthetic turf field and some building additions below the stadium seating structure. The plan is conceptually approved subject to the conditions set forth below.

Parking: The District proposes to resurface the existing gravel parking lot, and landscape and stripe the lot, all in accordance with current City standards, and install a stormwater system conforming to the Olympia Drainage Manual. Approximately 158 parking spaces will result. The City staff concludes that this number of spaces will approximate the number of vehicles that the existing unstriped lot can accommodate and accordingly the number of spaces constitutes a continuing nonconformity with regard to the number of parking spaces available relative to the amount of seating in the stadium, that the proposed number of accessible spaces (6) conforms with City standards, and given that motor vehicle parking is being brought in conformance with current standards, conforming bicycle parking must be provided in proportion to the proposed 158 motor vehicle spaces. The parking layout and associated landscaping plan are conceptually approved, but subject to possible changes to ensure adequate emergency access to the field.

Lighting: Lighting systems must be constructed and used so as not to "unduly illuminate surrounding properties." See OMC 18.40.060(D). The applicant has submitted a detailed evaluation of the proposed field lighting system. The staff concludes that as proposed the lighting system will not result in more illumination of surrounding properties than the existing lights. However, recognizing that late-night lighting is particularly intrusive, this decision includes a condition requiring that such field lights be turned off after 10 p.m. Parking lot lighting shielding is proposed in accordance with City standards.

Traffic: Citizens have expressed concerns regarding increased traffic resulting from this project. Pursuant to adopted policies of the City, the staff reviews projects with regard to traffic impacts resulting between 4 p.m. and 6 p.m. on weekdays, also known as "peak" hours. The City staff has no reason to believe that this project will result in significant traffic increases during those time periods. However, to mitigate impacts of accessory uses, i.e., non-district events, the District should and, pursuant to the condition below, must endeavor to ensure that users of the facility impose no unnecessary impacts upon the neighborhood.

But is there auth. to cond. L.U. app. to mitig. effect on neighb.

Operation and Maintenance: Members of the public have expressed concerns that the proposed improvements, and particularly those proposed for the field and for lighting and sound systems, will result in increased use of this facility and greater impacts to the neighborhood. In the City staff's opinion these concerns relate to whether the proposed improvements will be lawfully operated, and not whether the improvements themselves conform to City standards. It is the City staff's opinion that the City staff is without authority to impose noise limitations on District-authorized uses of this facility, as the noise code of Olympia (OMC 18.40.080(B)) incorporates by reference that exemption set forth at WAC 173-60-050(4)(h) for "sounds originating from officially sanctioned parades and other public events." Note that this interpretation is separately appealable as set forth below and applies only to this section of the Olympia Municipal Code and not to the authority of any other agency or to other regulations limiting noise, if any.

The approval of this field and related spectator seating granted by the City in 1958 and subsequent approvals authorized the use of this facility by the District for all purposes in conformance with those approvals, including uses accessory to the principal use. Any self-imposed limits to minimize maintenance costs did not forego the District's option for additional activities at a later date or after making improvements. Therefore, within the limits of those prior approvals, the District's use of this facility is a matter appropriately determined by District staff and the School District Board, and not by City staff.

Prior approvals

The District has adopted specific operating procedures for Ingersoll Stadium. In the City staff's opinion, such self-imposed limitations are an appropriate means of ensuring that a District facility does not unduly impact its neighborhood. However, the City staff also recognizes that despite apparent good faith efforts by all parties, some residents of the area continue to have significant concerns about future operation of this facility. The City staff strongly encourages the District and these concerned citizens to consider the Thurston Dispute Resolution Center as an alternative forum for resolving matters related to the operation of this facility.

CONDITIONS OF APPROVAL

The following conditions are hereby incorporated into this decision and, unless appealed, the applicant shall construct and operate the facility in accordance with these conditions:

1. The applicant shall install at least two "class one" bicycle parking spaces and at least eight "class two" parking spaces. The "Cora" bike rack proposed is acceptable. The formerly proposed "ribbon" rack shall not be used.

2. In addition to the parking lot at the stadium, this facility is served by two major lots at Olympia High School. To ensure that users not familiar with these parking opportunities can locate these parking areas, the District shall require that any non-district user group whose anticipated use exceeds 1000 people shall provide to the District and shall implement a Traffic and Parking Management Plan, the primary purpose of which shall be to minimize traffic congestion and parking outside District property boundaries. (These are the same circumstances for which Board Policy 4260c would require a "Crowd Control Plan.")
3. To minimize lighting of surrounding properties, except as necessary to ensure safe exiting or respond to emergencies, stadium field lighting shall be turned off at or before 10 p.m. All parking lot lighting shall include appropriate shielding as proposed.
4. To ensure that accessory use impacts are minimized, neither the stadium sound system nor any portable or secondary sound system shall be used to amplify music for accessory, i.e., "non-district," uses.
5. To provide City staff and concerned citizens with a means of monitoring and reviewing use of the facility, the District shall maintain a record of authorized facility use, including user's name and that of any representative, date and hours of use, and description of the use including an estimated number users.
6. Site Civil Improvements shall be constructed according to the Standards, as conceptually shown on the Ingersoll Stadium Plan set.
7. Storm Drainage Improvements shall be constructed according to the Standards, as conceptually shown on the plan set with the following conditions:
 - A. The District's engineer shall provide a pavement design meeting standard details 4-6A & B for the City's review on the proposed pavement sections. The entire parking lot surface will be required to meet the standards for local access street standards for both emergency vehicles and cleaning equipment.
 - B. Re-evaluate the synthetic field pre- and post-installation hydrologic model. It mixes analysis methods which is unacceptable and the SBUH method is inappropriate for use when subsurface flows are being explicitly modeled.
 - C. The roughly 2-acre field area is subject to a minimum infiltration requirement (Drainage Manual Appendix D). Using CN 81 for pre-development and CN 98 for post-development (field is basically a fully effective impervious surface, the required infiltration volume (100-year event) is about 14,000 cubic feet. One acceptable alternative is this volume could be infiltrated in a newly designed and constructed drainage gallery under the playfield located offsite to the east.

- D. The proposed project appears to meet retrofit requirements pursuant to the Drainage Manual Section 2.1. The stormwater retrofit area would include the stadium, the field (including the track, and D areas), and parking lot. All of these areas must be included in the analysis for infiltration. The areas currently draining to the kettle would be excluded. The water currently flowing in the pipe easterly under the playfield would need to be infiltrated. The size of the gallery noted above would be required to be increased for the added surfaces to be infiltrated.
8. Before construction begins the District shall submit a complete set of detailed construction drawings to the Community Planning and Development Department for review and approval. Construction drawings shall be prepared according to the Development Guidelines and Public Works Standards, and shall include a detailed landscaping plan including proposed planting and irrigation details. Applicable General Facility Charges for city utilities (Water, Sanitary Sewer, Stormwater, and Solid Waste) and the LOTT sanitary sewer Capacity Development Charge will be assessed at the time construction permits are issued.

Severability of this Decision: Due to the unusual nature of this proposal, this decision is issued in four parts and each is severable and separately appealable for purposes of Olympia Municipal Code 18.60.040. This separation is for clarity of issues, and shall not be interpreted to require payment of more than one appeal fee by one party. The four parts are:

1. Land Use Approval of the proposed paving and landscaping of the parking lot and the associated stormwater system.
2. Land Use Approval of structural changes to Ingersoll Stadium, including locker rooms and press box additions.
3. Land Use Approval of replacement of the surfaces of the track and the field and replacement of lighting, fencing, and sound systems.
4. Administrative Interpretations set forth above, including the conclusion that uses of this facility authorized by the Olympia School District are exempt from those noise standards set forth at Olympia Municipal Code 18.40.080(B), that uses of the facility are limited only by previous approvals (i.e., uses must be of a type customarily incidental and subordinate to the principal use of this facility by the Olympia School District), and that this remodel does not constitute an expansion and does not require conditional use permit approval.

Appeal Procedure: This Land Use Decision by the Site Plan Review Committee is final unless an appeal is filed along with the appeal fee prior to 5:00 p.m. April 19, 2004. Pursuant to Olympia Municipal Code 18.75.020.C, Site Plan Review Committee decisions may be appealed by any aggrieved or affected parties. The filing fee for such appeals to the Hearing Examiner is

\$200. Any appeal must be submitted in writing to the Community Planning and Development Department on forms provided by the Department. Any appeal should state clearly the grounds for the appeal, the relief sought, and which of the four parts described above is being appealed.

Period of Approval: Unless exercised by complete application for necessary construction permits, this land use approval will expire and be null and void on April 19, 2005. This land use approval will automatically be extended one additional year if a complete building or other construction permit application for the project is submitted prior to expiration of the land use approval. Absent such application, upon finding that there has been no substantial change in relevant circumstances, the Site Plan Review Committee may extend this land use approval one additional year if a written request is submitted prior to expiration of land use approval. If such written request for extension is not received by the Department prior to expiration, such extension must be denied.

Issued on behalf of the Site Plan Review Committee by:



TODD STAMM

Senior Planner

DISCLOSURE STATEMENT: Please note that in 2002 in my role as a City Planner, I, Todd Stamm, served as a member of the ad hoc citizens' advisory committee of the District that recommended improvements to this facility and others of the District. My primary role on that committee was to assist in preparing enrollment projections for facility planning. I had no direct role in assessment of Ingersoll Stadium or associated improvements that are the subject of this approval, and accordingly I believe I have no conflict of interest or bias. However, to ensure that the Committee's decision was fairly made, my review has been done under the direct and active supervision of Steve Friddle, Principal Planner.

cc:

Cathie Butler, Communications Manager

Don Cole, Building Official

George Ziesemer, Fire Marshall

Chuck Dower, Engineering Plans Examiner

Steve Friddle, Principal Planner

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Governor Stevens Neighborhood Association
Carlyon North Neighborhood Association
Cain Road Neighborhood Association
Wildwood Neighborhood Association
Nottingham Neighborhood Association
Holiday Hills Neighborhood Association