

61-F-5

342 Spring St.

Conditional Use Expansion
Ruth Cook Hyde House
Waynflete School

TYLIN INTERNATIONAL

To: Deb Andrews, City of Portland Planning Department

Fax No: 756-8258

From: Tom Errico

Date: February 24, 1997

Subject: Wayneflette Institutional Conditional Use Expansion Project

Copy:

Page 1 of: 1

Job No: 1111.00

From Fax No: (207) 781-4753

FACSIMILE TRANSMITTAL

At your request, I have obtained feedback relative to current traffic and parking conditions in the vicinity of the Wayneflette School. According to Bill Bray, no complaints have been voiced indicating traffic and/or parking problems exist.

Wagnoff's watershed 11/28

Duke Code Hyde house expansion

significant standard: "significant" displacement
of residential uses.

"Consistent w/ our goal of small internal parking lots"

Emergency st lot - generally negative

30-car lot - more topography to deal w/
foundation to be removed (very added)
expensive lot to build

still talking w/ Mason Pratt re: location
of lot

Cyrus
a 10-car lot on a flat lot would be a lot more
reasonable to achieve - it would give back
something in the loop road reconfiguration

DeCoursey - concerned about neighborhood impact

Cyrus - you don't have the \$ to do something

Cole - don't even begin to look residential

Cavall -

Previous acquisition really concerns me
institutional creep

Access drive - ask Henry - if they
lose 10 spaces w/ vial. would they
be required to make them up.

you need to provide more evidence about need.
need much better documentation
until you convince us you've exhausted possibilities
on campus.

not supportive of another cut on Emery St.

don't go out of your current footprint

**CITY OF PORTLAND, MAINE
MEMORANDUM**

TO: Chair Hagge and Members of the Portland Planning Board

FROM: Deborah G. Andrews, Senior Planner

DATE: February 11, 1997

SUBJECT: Conditional Use Expansion Request; Ruth Cook Hyde House, 342 Spring Street;
Waynflete School, Applicant

Waynflete School seeks approval to expand its institutional use within the Ruth Cook Hyde House at 342 Spring Street. The School presently uses the first floor of the residential structure for school purposes, with the second and third floors reserved for residential use. The School now proposes to expand its use to include the entire structure. As an expansion of an institutional use within a residential zone (R-4), the request is subject to conditional use review.

By way of background, the Ruth Cook Hyde House was bequeathed to Waynflete in the mid 1980s. Prior to that time, the building was used as a single-family home, much like the other residential structures that now make up the Waynflete campus. Shortly after Waynflete assumed ownership, they requested conditional use approval from the Planning Board for the first floor of the building, reserving the second and third floor for residential use. It should be noted that at that time the Board gave *temporary* approval for the conditional use, with the stipulation that Waynflete returns to the Board in five years if it wished to make the use permanent. Planning Department files indicate that while the Board recognized that the school already occupied the two buildings flanking Ruth Cook Hyde House and while they were generally supportive of using the first floor for academic purposes, they withheld final approval pending completion of a campus master plan. (As part of its application to expand its use onto the second and third floors, Waynflete is now requesting final conditional use approval for the first floor as well.)

Regarding the requirement of a campus master plan, Waynflete did complete a master plan in 1995. Most Board members will recall that Waynflete officials presented the findings and recommendations of the plan during a workshop session in July 1995 and that the role of the Ruth Cook Hyde House was discussed at that time. Waynflete representatives indicated that their Middle School classrooms are currently spread out in various locations across the campus and that they hoped to relocate the M. S. classrooms currently housed in Hurd House to the Ruth Cook Hyde House. In so doing, all of the Middle School program would then be located in contiguous facilities (Morrill House, which abuts Ruth Cook Hyde to the east, also houses Middle School classrooms.) Long term, Waynflete hopes to build an addition connecting the two structures.

Theoretically, the expansion to the second and third floors of the Ruth Cook Hyde House would generate an additional parking demand of six (6) spaces (1 space per classroom). However, these classrooms are being relocated from another buildings on campus. While programs are being shifted on campus, Waynflete has stated that they will be no increase in program and no additional faculty or staff.

In reviewing Waynflete's conditional use request, the Board shall consider the general conditional use standards in Sec. 14-474, as well as the specific conditional use standards which apply in all the residential zones (see Sec. 14-103 (2)). Under these standards, the Board must find that "the proposed use will not cause 'significant' displacement or conversion of residential uses existing as of June 1, 1983." In this case it is staff's understanding that one dwelling unit will be displaced. The Board must also find that the expansion will not cause "significant physical encroachment into established residential areas".

Attachments:

1. Letter from Applicant
2. Site Plan of Waynflete Campus

2 THOMAS STREET
PORTLAND, MAINE
04102

Joseph E. Gray, Jr.
Director of Planning & Urban Development
City Hall
Portland, Me.

February 11, 1997

Dear Mr. Gray:

I am writing to you to express my concerns regarding Waynflete's application for a conditional use permit for 342 Spring Street.

Quoting from the Portland Code Section 14-101:

"The purpose of the R-4 residential zone is - to preserve the unique character of the Western Promenade area of the city by controlling residential conversions..."

In 1987 the school was granted a conditional use permit allowing it to convert the 1st floor of this residence to institutional use. It would now like to extend this useage to include the 2nd floor.

Having lived on Thomas Street over 25 yrs. and never having seen any of Waynflete's requests denied, I am resigned that a permit will be allowed, and I foresee that this former home will eventually be issued a 3rd conditional use permit for the remaining floor. This will in effect remove it from the tax rolls as well as put it at odds with the purpose of R-4 zoning.

At that point, I will be able to look out my window across Spring Street and note that 3 consecutive former residences, having been converted to institutional use, will be pitch black at night.

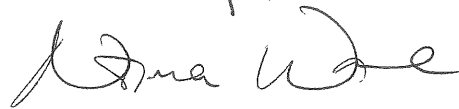
2 THOMAS STREET
PORTLAND, MAINE
04102

look abandoned on nights and week-ends, and further diminish the nature of my neighborhood.

My question is: shouldn't greater restrictions be placed on Conditional use permits so that they do not supercede the original intent of the R-4 zone? Theoretically, unrestricted numbers of such permits could eradicate a whole residential area.

These 3 residences are gone and it's unlikely they will ever be returned to residential use. Isn't it time to re-examine the application of conditional use in a residential zone?

Sincerely,



(NORMA WARE)

City of Portland Planning Department

City Hall
389 Congress Street, 4th Floor
Portland, Maine 04101
FAX NUMBER: 756-8258

FAX TRANSMISSION COVER SHEET

To:

SCOTT SIMONS

From:

DEB ANDREWS

Fax #:

828-4650

of Pages:

2 + cover

Date:

RE:

Staff memo on Ruth Cook
Hyde conditional
use request

If you do not receive all of the pages, please call 874-8721.

2 1-behavior
and
would
be
a plan

**REQUEST FOR CONDITIONAL USE EXPANSION
RUTH COOK HYDE HOUSE, 342 SPRING STREET
WAYNFLETE SCHOOL, APPLICANT**

Submitted to:

Portland Planning Board
Portland, Maine

February 25, 1997

I. INTRODUCTION

Waynflete School seeks approval to expand its institutional use within the Ruth Cook Hyde House at 342 Spring Street. In 1987, Waynflete received temporary conditional use approval to use the first floor of the former residential structure for school purposes, with the second and third floors reserved for residential use. The School now requests approval to make permanent its institutional use of the first floor and to expand its use to include the entire structure. As an expansion of an institutional use within a residential zone (R-4), the request is subject to conditional use review.

II. BACKGROUND

The Ruth Cook Hyde House was bequeathed to Waynflete in the mid 1980's. Prior to that time, the building was a single-family home, much like the other residential structures that now make up the Waynflete campus. In 1987, shortly after Waynflete assumed ownership, they requested institutional conditional use approval from the Planning Board for the first floor of the building, reserving the second and third floor for residential use. It should be noted that at that time the Board gave *temporary* approval for the conditional use, with the stipulation that Waynflete return to the Board in five years if it wished to make the use permanent. Planning Department files indicate that while the Board recognized that the school already occupied the two buildings flanking Ruth Cook Hyde House and while they were generally supportive of using the first floor for academic purposes, they withheld final approval pending completion of a campus master plan.

Regarding the requirement of a campus master plan, Waynflete did complete a master plan in 1995. Waynflete officials presented the findings and recommendations of the plan during a workshop session in July 1995 and at that time the role of the Ruth Cook Hyde House was discussed in some detail. Waynflete representatives indicated that their Middle School classrooms are currently spread out in various locations across the campus and that they hoped to relocate the M.S. classrooms currently housed in Hurd House to the Ruth Cook Hyde House. In so doing, all of the Middle School programs would then be located in contiguous facilities (Morrill House, which abuts Ruth Cook Hyde to the east, also houses Middle School classrooms.) Long term, Waynflete hopes to build an addition connecting the two structures.

III. QUESTIONS RAISED DURING WORKSHOP REVIEW

During the Planning Board's most recent workshop on Waynflete's conditional use request, Board members questioned whether the assumptions and recommendations outlined in the 1995 master plan were still valid and whether the school envisioned the acquisition of additional buildings in the neighborhood in the future. Waynflete representatives acknowledged that the school had recently acquired the single family home at 305 Danforth (an acquisition which was not addressed in the master plan), but stated that it was being used as the headmaster's house, a residential use which would not be considered a conditional use of the property. At the Board's request, the applicant has provided an updated master site plan showing all of Waynflete's current and proposed facilities. Waynflete has also submitted a letter from its Board of Trustees confirming that it has no plans at this time for further property acquisitions in the Western Promenade neighborhood.

The question of the school's traffic and parking management efforts was also raised at the workshop.

Because the school's traffic impact on the Western Promenade neighborhood had been a major factor in the Board's original request for a master plan and an important consideration in any institutional use expansion request, the Board expressed concern as to whether in fact the traffic management measures outlined in Waynflete's 1995 master plan had been put into practice and whether they were having a positive impact on the neighborhood. Waynflete representatives stated that while the school had not yet come to a final design for redirecting bus and car deliveries, it had put other parking management policies into effect and that they seemed to be effective.

Regarding the issue of parking, theoretically the expansion to the second and third floors of the Ruth Cook Hyde House would generate an additional parking demand of six spaces (1 space per classroom). However, these classrooms are being relocated from another building on campus. While programs are being shifted on campus, Waynflete has stated that there will be no increase in program and no additional faculty or staff.

IV. CONDITIONAL USE ANALYSIS

As a request to expand an institutional conditional use within a residential zone, the application must be found to meet the general conditional use standards of Sec. 14-474 as well as the specific standards for institutions in residential zones (Sec. 14-103(2)). An analysis of the proposal's compliance with each set of standards follows:

Sec. 14-474:

- a. There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- b. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; *and*
- c. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

The use is entirely consistent with the uses of flanking building's on the south side of Spring Street, between Storer and Fletcher, where the core of Waynflete's campus is located.

It should be noted that as the first floor of the building was converted to institutional use in 1987, there has been ample opportunity to observe any unique or uncharacteristic effects associated with the use. No such effects have been reported.

Sec. 14-103(2):

- i. In the case of expansion of existing such uses onto land other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; *and*

- ii. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter; *and*
- iii. In the case of a use or use expansion which constitutes a combination of the above-listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative.

The proposed expansion will not cross the boundaries of the existing Waynflete campus, which is contained principally by the block bounded by Storer, Spring, Fletcher and Danforth Street. The Ruth Cook Hyde is flanked by other Waynflete facilities, which were also originally single family homes.

The proposed expansion to occupy the second and third floors will displace two residential apartments. Since the house was bequeathed to Waynflete in the mid 1980's, Waynflete has rented these apartments, at a below-market rate to staff or faculty members.

In weighing the impact of displacing residential units, the Board should also consider the merits of Waynflete optimizing the use of its current structures. By efficient and full use of its existing buildings, there will be less pressure to expand beyond the confines of its present campus.

It should be noted that the school has submitted, at the Board's request, a letter stating that it does not anticipate the acquisition of other properties in the Western Promenade neighborhood.

V. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and information included in Planning Report #7-97, the Board finds:

- i. That the request to make permanent the use of the first floor of the Ruth Cook Hyde House for instructional, office and other related academic uses and the request to expand such use to include the second and third floors **is/is not** in conformance with the applicable conditional use standards of the Land Use Code.

get language in statute extend approval of entire bldg for 5 years

Attachments:

1. Letter from Applicant
2. Letter from Waynflete Board of Trustees re: future expansion plans
3. Updated campus site plan

*Janice would like Blair amendment:
 temporary approval of conditional use application pending completion of vehicular circulation improvements, 5 yrs.
 granted permanent conditional use conditioned upon
 would become permanent upon compliance*

February 7, 1997

To: Cyrus Hagge, President
Portland Planning Board

From: Lynn Shaffer, Chair
Waynflete Campus Master Plan Committee

Re: Conditional use of Ruth Cook Hyde building

Since it has been over a year since Waynflete presented its Master Plan to the Planning Board, Deb Andrews suggested that we write to you, putting our request for conditional use of Ruth Cook Hyde as academic space into the context of the Master Plan. We realize that there are new members of the Board who have not seen our Master Plan presentation.

The Master Plan accepts the Waynflete Board's direction that the school will not grow beyond the current maximum enrollment of 550 students. The school is, however, still dealing with growth that took place in the past. The Master Plan identifies space needs in all areas of the school, leading to recommendations for developing additional space. In order to minimize the need for new built space, the Plan seeks to identify existing space available for reuse.

Ruth Cook Hyde, of all campus buildings, has the greatest area not currently used for academic or administrative purposes. The school currently uses the first floor of Ruth Cook Hyde building for administrative space, but use of the second and third floors is restricted to residential use. The school would like to develop the second and third floors as academic space, relieving pressures on the Middle School and Art Department.

We hope the Planning Board will approve such use. Reuse of existing space not only reduces the need for new construction, but provides more immediate solutions to urgent space needs.

Thank you for your consideration.

WAYNFLETE SCHOOL

360 Spring Street • Portland, Maine 04102
(207)774-5721 • Fax (207)772-4782

February 20, 1997

FEB 20 1997

Attachment 2

Mr. Cyrus Hagge, Chair
Portland Planning Board
Portland City Hall
389 Congress Street
Portland, ME 04101

Dear Mr. Hagge:

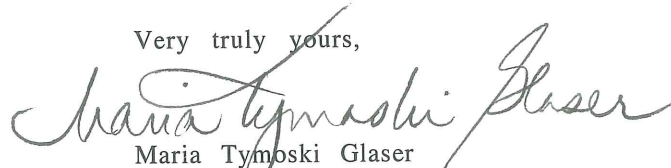
I am writing in response to the Planning Board's request for information about the Waynflete School Campus Master Plan. The Waynflete Board of Trustees is grateful for the continued opportunity to work with members of the Planning Board regarding our ongoing plans. We were pleased to add to the process of informing new Planning Board members about our master plan.

After extensive research and careful study, we created the Campus Master Plan to develop a vision for the development and use of Waynflete's facilities for the next ten years. As you probably already know, the Plan was formulated over several years. A guideline for both campus site development and improvement of individual buildings and programs, it assumes that the School will not grow beyond the current maximum of 550 students. The Campus Master Plan addresses general campus needs, as well as specific requirements for each level and department of the School. In addition, it takes into account criteria for maintenance and compliance with all applicable codes. The final draft of the Campus Master Plan was presented to the Waynflete Board of Trustees in June of 1994 and accepted the following fall.

The School has continually worked in collaboration with members of the neighborhood on suggestions for improving safety, landscaping, and parking. We are delighted to be residential neighbors in the West End following our purchase last year of 305 Danforth Street as our Headmaster's residence. He and his family enjoy living in the city and we, as a school, are pleased to have him on campus.

The Waynflete Board will continue to be guided by the assumptions and recommendations of the Campus Master Plan as we proceed in our work of governance. The trustees are pleased with the careful work that went into the formulation of the Master Plan and believe that we are fortunate in having the benefit of such a document for the years ahead.

Very truly yours,



Maria Tymoski Glaser
President, Board of Trustees