

Oregon City Preschool

Right-of-Way Obstruction Permit Renewal Request

Narrative

About the School:

Oregon City Preschool (<http://www.oregoncitypreschool.com/>) is a not for profit preschool that has operated since 1946. The preschool is a Co-Op, which means it is owned and operated by the parents of the currently enrolled students. The parents employ a qualified teacher, take turns assisting the teacher in the classroom, and serve in various positions such as the Board of Directors, committees, and other defined jobs. Three classes are held at the preschool, 3's, 4's, and Pre-K with class sizes of 16 students each with a teacher/parent helper ratio of 3:1, 5:1, and 6:1 respectively.



Figure 1: Oregon City Preschool

Background of Right-of-Way Obstruction Permits/Resolutions:

2010 Resolution:

The Oregon City Preschool has operated at its current location since 2010. Prior to 2010, the preschool operated next door however an expansion of the Atkinson Memorial Church required the relocation of the preschool and the school's playground. As part of the expansion, the church was going to build a new play area that the preschool planned on using.

When the school moved to its current location at 517 Jefferson Street, the school requested a Right-of-Way Obstruction Permit. The permit was to allow for the construction of a temporary fence located in the public alley right-of-way while the expansion of the Atkinson Memorial Church was taking place. **The purpose of this fence was to provide a safe place for the preschool children to play and to frame in an adequate space for the existing playground to be moved to.**

In 2010, Oregon City Public Works staff determined that the alley was constrained by the existence of a private garage and a utility pole and that the placement of the fencing would not further constrain the public use and accessibility of the alley. Figure 2 shows the alley constrained by the private garage and utility pole.



Figure 2: Google Street View Photo of Alley, August 2007

On September 1st, 2010, Resolution No. 10-23 was adopted, signed, and approved.

Additional Attachments:

- Resolution No. 10-23

2012 Resolution:

During the expansion of the Atkinson Memorial Church, financial constraints prevented the church from building a new play area as planned and the new play area was indefinitely taken off their agenda. In the summer of 2011, the power pole that previously constrained the alley right-of-way was relocated as seen from photos from Google Street View (see Figure 2 and Figure 3) even though this is contrary to discussions with Portland General Electric who indicated that the location did not change when they updated the pole.



Figure 3: Google Street View Photo of Alley, August 2012

Due to the fact that the new playground was not built as part of the church expansion, the preschool requested the renewal of the Right-of-Way Obstruction Permit from 2010. **The purpose of this renewal request was to allow for the continued placement of the fence, thus providing safety for the preschool students while providing adequate spacing for the playground.**

Oregon City Public Works staff determined that the alley was still constrained by the existence of a private garage and that the continued placement of the fencing would not further constrain the public use and accessibility of the alley.

During the commission meeting, it was determined that the utility pole no longer constrained the alley right-of-way. Additionally, the commission requested that language be added to the resolution that the right-of-way was to only be used for the playground for the duration of the permit. With both of those changes made to the resolution, Resolution No. 12-14 was approved, signed, and adopted on June 6th, 2012.

Attachments:

- Resolution No. 12-14
- June 6, 2012 commission package
- Additional materials entered into record during June 6, 2012 commission meeting including photos from city staff

Current Right-of-Way Obstruction Permit Request:

The Oregon City Preschool is requesting a renewal of the 2012 Right-of-Way Obstruction Permit for the continued placement of the fence thus allowing the existing preschool playground to remain while providing a safe and secure environment for the preschool students to play and work on their motor skills. Additionally, the school would like to update the existing fence with new panels and paint it white, better matching the aesthetics of the neighborhood (see permit SP 17-60).

If the Right-of-Way Obstruction Permit renewal would be denied, the school would not have adequate room for the playground physically. Per State of Oregon guidelines, a playground must have 48 inches of clearance from the edge of the climbing ramp to the fence. With the continued approval of the fence location, the school would maintain 50 inches of clearance from edge of ramp to the fence.

Since the passing of the 2012 resolution, conditions at the site have not changed. The right-of-way is still being used for a playground and there is still a private garage on the opposite side. Also, the local fire station has stated that they would not use the alley to access or fight a fire at any one of the structures surrounding the area. Structures on this block include the preschool, the Atkins Memorial Church, and one private residence. The alley is primarily used by individuals using the church parking lot, the residence, and parents of the preschool. Access to the alley would remain unchanged.

In summary, extension of the Right-of-Way Obstruction Permit and the continued placement of the fence are being requested to:

- **Provide a safe and secure place for preschool aged kids (3-5) to play**
- **Provide adequate room for the preschool playground, an integral part to any school, to remain, allowing children to work on their motor skills**
- **Provide adequate room between the fence and playground (48 inches minimum)**

Attachments:

- Permit request SP 17-60
- Photos showing current conditions (June, 2017)