

CITY OF PORTLAND

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NOTICE OF FINAL DECISION

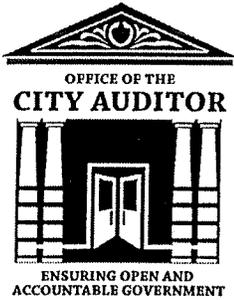
TO: All Interested Persons
DATE: October 11, 2011
RE: LU 11-115222 CU MS AD

Appeal of Buckman Community Association against Hearings Officer's decision to approve with conditions the application of Central Catholic High School for a conditional use master plan with adjustments to expand and renovate their existing facility at 2401 SE Stark Street (Hearing; LU 11-115222 CU MS AD)

Enclosed is a copy of the Order of Council on LU 11-115222 CU MS AD denying the appeal of Buckman Community Association against Hearings Officer's decision to approve with conditions the application of Central Catholic High School for a conditional use master plan with adjustments to expand and renovate their existing facility at 2401 SE Stark Street. If you wish to obtain a copy of the City Council's findings and conclusions, please contact Karla Moore-Love, Council Clerk at (503) 823-4086 or by email at: Karla.Moore-Love@portlandoregon.gov

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. The Board's address is: Public Utility Commission Building, 550 Capitol Street NE, Suite 235, Salem, OR 97310-2552. You may call the Land Use Board of Appeals at 1-503-373-1265 for further information on filing an appeal.

Encl.



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October 11, 2011

John Harrington, President
Central Catholic High School
2401 SE Stark Street
Portland, OR 97214

RE: LU 11-115222 CU MS AD

Appeal of Buckman Community Association against Hearings Officer's decision to approve with conditions the application of Central Catholic High School for a conditional use master plan with adjustments to expand and renovate their existing facility at 2401 SE Stark Street (Hearing; LU 11-115222 CU MS AD)

To Whom It May Concern:

Enclosed is a copy of the Order of Council on LU 11-115222 CU MS AD. This Order must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. **Please send a check for \$51.00 made payable to the Multnomah County Recorder, indicating the file number on your check and Send to: The City of Portland, Office of the City Auditor, 1221 SE 4th Ave. Room 140, Portland, OR 97204-1900**

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. The Board's address is: Public Utility Commission Building, 550 Capitol Street NE, Suite 235, Salem, OR 97310-2552. You may call the Land Use Board of Appeals at 1-503-373-1265 for further information on filing an appeal.

Yours sincerely,

LaVonne Griffin-Valade
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Encl.

Cc: Abby Dacey, Boora Architects

**ORDER OF COUNCIL ON APPEAL OF
BUCKMAN COMMUNITY ASSOCIATION AGAINST HEARINGS OFFICER'S DECISION TO
APPROVE WITH CONDITIONS THE APPLICATION OF CENTRAL CATHOLIC HIGH
SCHOOL FOR A CONDITIONAL USE MASTER PLAN WITH ADJUSTMENTS TO EXPAND
AND RENOVATE THEIR EXISTING FACILITY AT 2401 SE STARK STREET (HEARING; LU
11-115222 CU MS AD)**

Applicant: John Harrington, President
Central Catholic High School
2401 SE Stark Street
Portland, OR 97214

Applicants

Representatives: Abby Dacey
Boora Architects
720 SW Washington Street, Suite 800
Portland OR 97205

Site Address: 2401 SE Stark Street

Legal Description: BLOCK 1 LOT 1, DALTONS ADD; BLOCK 1 LOT 10, DALTONS ADD; TL
10600 5.35 ACRES, SECTION 36 1N 1E

Plan District: None

Land Use Review: Conditional Use Master Plan with Adjustments (CU MS AD)

Procedure: Type III, with a public hearing before the Hearings Officer. The decision of the Hearings Officer can be appealed to City Council.

Proposal

Central Catholic High School requests approval of a Type III Conditional Use Master Plan to expand and renovate their existing facility. The proposal will add a total of 48,000 square feet of floor area, and renovate approximately 47,000 square feet of the existing building in three separate phases:

Phase I

- 29,000 square foot, three-story addition on the east side of the existing courtyard; one of the stories will be below-grade.
- 15-space parking lot located at the northwest corner of SE Stark Street and SE 24th Avenue.

Phase II

- Interior remodel of East and North Wings.
- 2,000 square foot, second-story addition over a portion of the east wing, fronting SE Stark Street.
- A one-story, back-stage addition (approximately 600 square feet) at the east end of the East Wing.
- Rebuild the Oak Street entrance façade on the North Wing.

Phase III

- 17,000 square foot, second story addition over portions of the North and East Wings, near the intersection of SE Stark Street and SE 24th Avenue.

The additions, in combination with interior renovations of existing space, are intended to provide both learning and support space, and bring the school up to modern high school standards. The changes will accommodate such facilities as larger classrooms, new language labs, larger visual arts spaces, larger band and choir room, a multi-purpose commons space, an academic support center, reconfigured administrative offices, and a student counseling center. As some of these facilities will replace existing classrooms, the changes will result in a net increase of only one classroom, with the student enrollment maintained at the current 800-850 level.

Improvements to adjacent streets are also proposed, including a four foot widening of the SE 24th Avenue roadway (between SE Stark and SE Pine Streets), and curb extensions to facilitate pedestrian crossings at SE Stark Street and SE 26th Avenue, and SE Stark Street and SE 24th Avenue.

The applicant has provided a listing of existing activities and special events that occur at the high school, and indicated there will be no increase in the number of events, or the type of events, that occur on-campus.

The proposal will require the following Adjustments:

- increase the maximum allowed floor area ratio on the site from 0.56:1 to 0.68:1;
- reduce the minimum building setback for the second story addition on SE Stark Street from 12 feet to 0 feet (replicating the existing setback of the first story);
- reduce the minimum building setback along SE 24th Street from 15 feet to 6 feet, 6 inches for portions of the existing building walls along this frontage; with the exception of a modified trash enclosure proposed along this frontage, the reduced setback is not the result of new construction but the result of widening SE 24th Avenue, which will move the property line seven feet closer to the existing building walls;
- reduce the depth of the minimum required landscaped buffer along SE 24th Avenue from 15 feet to 6 feet, 6 inches resulting from the widening of SE 24th Avenue; and
- reduce the minimum landscaped area (for the entire site) from 10 percent to 8.5 percent.

The appeal hearing before the City Council was opened in the Council Chambers, 1221 SW 4th Avenue on September 15, 2011 at approximately 2:00 p.m. At the conclusion of the public hearing and after hearing public testimony, Council voted 4-0 to tentatively deny the appeal of the Buckman Community Association and uphold the Hearings Officer's decision with modifications, including adding additional conditions of approval. Council directed staff to prepare findings for October 5, 2011 at 11:00 a.m. On October 5, 2011, Council voted 4-0 to deny the appeal of Buckman Community Association; uphold the Hearings Officer's decision with conditions and adopted modified findings and conclusions.

DECISION

Based on evidence in the record and adoption of the Council's Findings and Decision in Case File LU 11-115222 CU MS AD and by this reference made a part of this Order, **it is the decision of the City Council to deny the appeal of the Buckman Community Association. With this decision, the City Council affirms the Hearings Officer's decision approving the application of Central Catholic High School for a conditional use master plan with adjustments, modifies the Hearings Officer's Condition E, and includes a new Condition M. Specifically, the Council:**

Approves a Conditional Use Master Plan for Central Catholic High School to expand and renovate their existing facility at 2401 SE Stark Street; and

Approves the following Adjustments:

- increase the maximum allowed floor area ratio on the site from 0.56:1 to 0.68:1
- reduce the minimum building setback for a portion of the second story addition on SE Stark Street from 12 feet to 0 feet; reduce the minimum building setback for a portion of the building wall on SE 24th Street from 15 feet to 6 feet, 6 inches;
- reduce the depth of the minimum required landscaped buffer along portions of SE 24th Avenue from 15 feet to 6 feet, 6-inches ; and
- reduce the minimum landscaped area (for the entire site) from 10 percent to 8.5 percent;

all subject to conformance with the approved site plan (Exhibit C.2) and building elevations (Exhibit C.3);

and subject to the conditions below; except as noted below, conditions from previous land use reviews on this site are superseded by the following conditions:

- A. Central Catholic High School shall continue to implement the 1987 Traffic and Parking Management Plan (Exhibit G.4) adopted as part of the approval granted in CU 99-85 Condition A and CU 112-90 Conditions A and B, except as it may be inconsistent with this approval or the 2002 Implementation Plan (see Condition B, below).
- B. Central Catholic High School shall continue to implement the 2002 Implementation Plan (Exhibit G.5), adopted as part of the approval granted in LU 02-131397 CU AD, Condition C, and signed by Central Catholic High School, the Buckman Community Association, and the immediate neighbors of Central Catholic High School. The obligation to implement the Plan is the responsibility of Central Catholic High School, the Buckman Community Association, and the immediate neighbors of Central Catholic High School. Non-compliance with the Implementation Plan is subject to enforcement by the City.
- C. Central Catholic High School shall implement the 2011 Traffic and Parking Mitigation Measures, included in Exhibit A.7.
- D. Central Catholic High School shall apply for a Public Works permit to request approval to widen SE 24th Avenue along the school's frontage by four feet, and must complete the widening prior to the beginning of the fall 2012 school year. The widening of SE 24th Avenue will also require a seven-foot dedication along the school's frontage on the east side, and a three-foot dedication along the school's frontage on the west side to provide sidewalk corridors that meet current 11-foot City standards. The dedications and a financial guarantee will be conditions of building permit approval.
- E. Central Catholic High School shall construct the 15-space parking lot at the northwest corner of SE 24th Avenue and SE Stark Street prior to the loss of any existing on-site parking. During school hours, the parking lot must be reserved for bus parking and carpool use, with carpool vehicles having a minimum of three passengers. The parking lot shall be secured from 11 pm until 6 am. If Central Catholic High School needs the parking lot during those hours, the lot shall be secured immediately following Central Catholic's use of the lot
- F. Central Catholic High School shall apply for a Public Works permit to request approval for curb extensions on the north and south side of SE Stark Street at SE 26th Avenue, and on

the north side of SE Stark Street at SE 24th Avenue; the construction of these curb extensions must be completed prior to the beginning of the fall 2012 school year.

- G. The loading and unloading of buses used for school events shall be limited to the drive aisle in the 15-space parking lot at the northwest corner of SE 24th Avenue and SE Stark Street. Buses are not allowed to idle, and engines shall not be turned on until all students are loaded.
- H. Central Catholic High School shall apply for a Public Works permit to request permission to widen the sidewalk on the west side of SE 26th Avenue (between SE Stark Street and SE Morrison Street) and construct angled parking along this frontage. If approved by PBOT, the sidewalk widening and angled parking must be completed prior to the beginning of the fall 2012 school year.
- I. Prior to building permit approval for any project approved under this Master Plan, Central Catholic High School shall submit to the Portland Bureau of Transportation a separate updated Transportation Demand Management document that includes the items related to strengthening the carpool program, engaging with the City of Portland's Smart Trips program, and increasing on-site bike parking to more than the minimum required 128 spaces.
- J. With the exception of a fully-sight-obscuring access gate (meeting the F2 screening standard), the trash enclosure located on the SE 24th Avenue frontage shall be clad in a brick material that replicates that used on the adjacent building facade.
- K. This Conditional Use Master Plan shall expire 10 years from the date of the final decision.
- L. Within three months from the date of the final decision, the applicant shall provide to the Bureau of Development Services three copies of the approved Conditional Use Master Plan that includes the conditions of approval listed above, and all changes that have been made to the Master Plan since it was originally submitted on February 22, 2011.
- M. Prior to the issuance of any building permits for any project approved under this Master Plan, Central Catholic High School shall record a restrictive covenant that prohibits the three properties currently owned by Central Catholic High School and occupied by residential uses (legally described as Daltons Add, Block 1, Lot 2; Daltons Add, Block 1, Lot 3; and Daltons Add, Block 1, Lot 9) to be used for any use other than primary and accessory uses that are "allowed" or "limited" in the R5 zone, as provided in PCC 33.110.100(A), PCC 33.110.100(B), PCC 33.110.110 and Table 110-1 (including future amendments). The City shall be the beneficiary of the covenant, the covenant shall run with the land, and the covenant shall comply with PCC 33.700.060.

IT IS SO ORDERED:

OCT 11 2011

Date



Mayor Sam Adams
Presiding Officer at Hearing of
October 5, 2011
9:30 a.m. Session

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131/140 Gayla
131/140 Toni

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LU 11-115222 CU MS AD
Order Mailed 10/11/2011

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