



CITY OF PORTLAND

Office of City Auditor Mary Hull Caballero

Hearings Office

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DECISION OF THE HEARINGS OFFICER

I. GENERAL INFORMATION

File No.: LU 14-253336 CU AD
(HO 4150007)

**Contact Person/
Consultant:** Mark Person
Mackenzie
1515 SE Water Avenue, Suite 100
Portland, OR 97214

Co-Applicant: Dennis Stoecklin, CFO
Concordia University
2811 NE Holman Street
Portland, OR 97211

Co-Applicant: Erik Gerding, Capital Project Director
Portland Public Schools
P.O. Box 3107
Portland, OR 97208

Property Owners: School District No. 1
P.O. Box 3107
Portland, OR 97208-3107

Concordia University
2811 NE Holman Street
Portland, OR 97211

Hearings Officer: Gregory J. Frank

Bureau of Development Services (BDS) Representative: Mark Walhood

Site Address: 3039 NE Rosa Parks Way

Legal Description: BLOCK A TL 9700, SUNDERLAND AC & PLAT 3; BLOCK A E 77' OF S 100.98' OF LOT 9 & W 60' OF S 100.98' OF LOT 9, SUNDERLAND AC & PLAT 3

Tax Account No.: R809200460, R809201090, R809201090, R809201090, R809201090

State ID No.: 1N1E13BD 09700, 1N1E13BD 09500, 1N1E13BD 09500, 1N1E13BD 09500, 1N1E13BD 09500

Quarter Section: 2333

Neighborhood: Concordia

Business District: North-Northeast Business Association

District Coalition: Northeast Coalition of Neighborhoods

Zoning: **R5ah, IRdh** (Single-Dwelling Residential 5,000 or R5 and Institutional Residential or IR base zones, with 'a' or Alternative Design Density overlya zoning on the R5 portion and 'd' or Design overlay zoning on the IR portion, with 'h' or Aircraft Landing overlya zoning on the entire site)

Land Use Review: Type III, Conditional Use Review (CU)

BDS Staff Recommendation to Hearings Officer: Approval with conditions

Public Hearing: The hearing was opened at 8:31 a.m. on June 15, 2015, in the 3rd floor hearing room, 1900 SW 4th Avenue, Portland, Oregon, and was closed at 9:27 a.m. The record was closed at that time.

Testified at the Hearing:

- Mark Walhood
- Mark Person
- Erik Gerding
- Scott Mansur

Proposal: The co-applicants ("Applicants") in this case are proposing a complete redevelopment of the Faubion Elementary School site (the "Subject Property"). To be operated jointly by Portland Public Schools ("PPS") and Concordia University, the new facility will include early childhood education, K-8 public school functions, the Concordia University College of Education ("Concordia COE"), along with health, wellness and other community programs.

The new PPS K-8 school program will serve approximately 675 K-8 students, up to about 127 0-5 year-olds, as well as administrative staff, support staff and faculty. The new school will comprise

modern assembly facilities such as a new library, flex spaces, a gymnasium, classroom and lab spaces, and a cafeteria.

The new Concordia COE will serve both undergraduate and graduate program students. Approximately 835 students will be enrolled in these programs but the classroom capacity of the COE will limit students at the school at any one time for instruction to approximately 252 students, not including the associated administrative staff, support staff and faculty. The Concordia COE will comprise a new resource library, seminar and studio spaces, flex spaces, conference rooms, and classrooms.

Shared spaces to be used by both PPS and Concordia include the flex spaces outside classrooms, some of the classrooms and labs, as well as a joint staff lounge and staff work room. Community programs and services delivered by partner organizations and local nonprofits are also proposed. These include a Food Club area for distributing food to Faubion and Concordia students and families, a Health and Wellness room to provide basic physical and mental health treatment to Faubion students and families, an Infant and Toddler room for early childhood education (Head Start), afterschool classes and activities for Faubion students and parents (SUN Program), as well as both before and after school daycare.

The existing school building, portables, and both playground and parking areas will be demolished. The new building will be approximately 135,000 square feet and is organized into two- and three-story wings. Oriented to the southern portion of the site, with entries heading both north towards NE Dekum and south towards NE Rosa Parks Way, the school building is placed over 250 feet back from NE Dekum behind a parking lot, separate bus loading zone, and play areas. Additional associated improvements include new utility extensions, retaining wall systems, fencing, and both formal/structured and informal/grassy play areas. A new plaza on a separate parcel at the corner of NE 29th and Rosa Parks, under Concordia ownership, will be developed as an entry plaza to the site through a future, separate Type II Design Review and Impact Mitigation Plan Compliance Review procedure.

The open spaces on the Subject Property are mostly located on the north and east edges. A large open grassy play area will be located east of the school building, to be used for organized sports and community recreation, with no field lighting or amplified sound systems. Covered play areas are located immediately north of the school building. A pre-kindergarten play area is proposed along the south side of the school building, west of the driveway connecting Rosa Parks Way to the southern parking lot. The northern parking lot off Dekum Street is intended for visitors to the site, while the southern parking lot off Rosa Parks Way is for faculty and staff. Parent pick-up and drop-off will occur on the periphery of the north parking lot, which is physically segregated from the bus drop area adjacent to the east. Bike parking is to be provided at both the north and south school entrances (26 short-term, 64 long-term). Service, loading, and garbage/recycling areas will be located at the southeast corner of the building near the south parking area. Exterior materials on the building include brick masonry, metal panels, aluminum windows, horizontal sun shades, and perforated metal screens.

Regulations for both the IR and R5 base zones on the site require a Conditional Use Review for new School or College Uses. Given the size of the new facility, the request is processed through a Type III procedure.

The Adjustment request involves the outdoor pre-kindergarten play area on the south side of the building, directly north of the existing homes at 3007 and 3031 NE Rosa Parks Way. Code regulations for Institutional Uses in the R5 zone require non-illuminated children's playgrounds to be set back at least 25 feet from any abutting R-zoned properties (33.110.245.C.4). As proposed in the final revised landscape plan, most of the hard-surfaced areas in this playground are held back about 20 feet from the abutting lot line to the south, but the adjacent 'educational zone' just south of play area extends another 9 feet towards the R-zoned lot line and adjacent homes. The 'educational zone' cannot be considered a separate use from the playground itself, as originally intended by the applicant, because this area is adjacent and accessory to the outdoor play area itself, with no physical barrier, gate or other separation from the playground. The educational zone has gravel surfacing, raised garden beds, and bench seating mixed among shrub plantings that extend south of the hard-surface playground area. The southernmost 11 feet of the property abutting the adjacent homes, south of the playground and 'educational zone' of the playground, has vegetation and a 7-foot-tall masonry fence to provide screening for the abutting homes.

Therefore, the Applicants have requested a concurrent Adjustment to reduce the setback for non-illuminated outdoor play areas from 25 feet to 11 feet for the pre-kindergarten playground and "educational zone."

Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are found at 33.815.105.A-E, Conditional Use Approval Criteria for Institutional and Other Uses in Residential Zones.

II. ANALYSIS

Hearings Officer's Introductory Comments:

A public hearing was held on June 15, 2015. Testifying at the hearing were Mr. Mark Walhood ("Walhood"), Mr. Mark Person ("Person"), Mr. Eric Gerding ("Gerding") and Mr. Scott Mansur ("Mansur"). Walhood presented the City of Portland BDS staff position. Person, Gerding and Mansur testified on behalf of Applicants. No person appeared at the June 15, 2015, hearing to testify in opposition to the application.

Walhood utilized a PowerPoint presentation (Exhibit H.7) during his testimony. Screen print 44 of Exhibit H.7 included summary of comments which could be characterized either as opposition or expressing concern about the application. The Hearings Officer included the Exhibit H.7, screen print 44, in full below:

“Corinne Atkinson

- Transportation-related concerns, esp. Highway 30/Lombard intersection at 29th Ave. north of the site, cut-through traffic, lack of sidewalks, necessary mitigation measures for additional trips (*PBOT analysis and condition*)
- Concern about large ‘heritage trees’ (*none on site, 4 preserved through COA*)

Garlynn Woodsong, Concordia N.A.

- Seeking north-south bicycle and pedestrian connection through the site, from NE 31st Avenue/east segment of site between school and recreational field, in keeping with neighborhood desire for connectivity through the site as raised through the Applicants’ neighborhood outreach efforts (*PBOT analysis & response, not required or indicated in any adopted City mapping/TSP efforts*)”

The Hearings Officer shall address the Atkinson and Woodsong comments in the findings for the relevant approval criteria below.

The Hearings Officer finds that the BDS staff report (Exhibit 6) appropriately addressed the relevant approval criteria in this case. The Hearings Officer utilized many of the BDS staff report findings in this decision.

Site and Vicinity: The Subject Property, as described in the “Legal Description” and “Tax Account No.” and “State ID No.” sections above, includes two adjacent parcels on just over eight acres of land, situated on the south frontage of NE Dekum Street in the Concordia Neighborhood. The existing school building, constructed in the 1950’s, has an internal- and automobile-oriented focus, with three driveway entries to the site for vehicles, but only two narrow pedestrian-only entry points to the campus. Existing vehicular driveways are located near the southwest, southeast, and northwest corners of the Subject Property, with access to NE 29th Avenue (through the church parking lot) to the west, access to NE Rosa Parks way to the south, and access to NE Dekum Street to the north. The entire frontage along NE Dekum Street, except for the driveway at the western end and the pedestrian entry stair at the far eastern end, is developed with a low retaining wall and chain link fence that prohibits direct access into the Subject Property.

The western portion of the Subject Property is generally paved for outdoor play areas, parking areas, the original brick school building, and several smaller single-story portable classrooms. There are a few trees sprinkled throughout the surface parking lots and playground, and some additional trees and vegetation close to the original school building, but otherwise the school portion of the Subject Property is largely hardscape unrelieved by greenery. In contrast, the eastern portion of the Subject Property is almost entirely an open, grassy field, with one baseball backstop structure in the southwest corner, but no other significant structures or vegetation. There is a small pedestrian-only walkway connection to this open, grassy field on the eastern portion of the Subject Property that connects through to the adjacent NE Liberty Court cul-de-sac. The parcel connecting the Subject Property to NE Rosa Parks Way on the south is currently unimproved, serving as a grassy extension to the yard, complete with perimeter fencing, for the home at 3103 NE Rosa Parks Way.

The surrounding area is dominated by institutional and residential uses. Immediately adjacent to the west is the heart of the Concordia University Campus, as well as the campus of St. Michael Lutheran Church. Residential development abuts the school along the south and east lot lines, where midcentury ranch homes abut the school property. Residential development dominates the character of the surrounding development in all four directions, not including Concordia University and St. Michaels' Lutheran. There are no nearby commercial nodes within several blocks of the Subject Property.

The abutting streets are all improved with paved roadways, curbing, and sidewalks. There are street trees along the entire NE Dekum Street frontage. All abutting streets provide two-way vehicle traffic and on-street parking. The nearest bus service available is the cross-town line #75 (Cesar Chavez/Lombard) with stops in NE Dekum Street, and line #17 (Holgate/Broadway) nearby to the west, running north-south along NE 27th Avenue.

Zoning: The Subject Property is primarily zoned Single-Dwelling Residential 5,000 (R5), with the 'a' or Alternative Design Density overlay zone. A small portion of the southwest corner of the Subject Property, the parcel recently transferred from Concordia University to PPS for this project, has Institutional Residential (IR) base zoning with a 'd' or Design overlay. The entire Subject Property is within the 'h' or Aircraft Landing overlay zone.

The R5 zone is intended to preserve land for housing, and to provide housing opportunities for individual households. Some non-residential uses are allowed, typically through a Conditional Use Review process, but not to such an extent as to sacrifice the overall residential character of the neighborhood. The IR zone is intended to allow the growth and expansion of institutional campuses, but in a way that integrates with surrounding residential areas. The 'a' overlay zone has no impact on the current application, as it provides for additional residential density for residential-only projects. The 'd' overlay zone will impact the area it covers at the southwest corner, and not the remainder of the Subject Property, but development in the IR zone that is proposed or approved through a Conditional Use is exempt from Design Review (33.420.045.K.1). The 'h' overlay limits the height of vegetation and equipment in the vicinity of Portland International Airport, but has no impact on this Subject Property for development within the base zone height limits, as proposed, as those height limits are lower than those imposed by the 'h' overlay zone.

Because the Subject Property is a school site, the applicable Conditional Use triggers are found in Chapter 33.281, Schools and School Sites. The activities on the recreational field are subject to the regulations of Chapter 33.279, Recreational Fields for Organized Sports. Minimum parking requirements for schools and colleges are shown in the parking chapter (33.266) as being "per CU," meaning the Portland Bureau of Transportation ("PBOT") determines the adequacy of parking during the Conditional Use Review process. When reviewing the base zone regulations, it is important to start with the standards that apply to institutional uses, as these supersede many of the usual standards (e.g. setbacks, height, coverage, etc.).

Land Use History: City records indicate prior land use reviews at the Subject Property, including two cases at the original Faubion Elementary School parcel (R279890/3039 NE Rosa Parks Way),

and several more at the smaller parcel at the southwest corner of the Subject Property, which was recently transferred from Concordia University to PPS (R279896/2925-2937 NE Rosa Parks Way).
Faubion Elementary School:

- *CU 108-77*: In 1977, the Hearings Officer approved the construction of a detached covered play structure at the school; and
- *LU 13-127637 CU*: In 2013, staff approved the construction of two portable buildings on the Subject Property, with two classrooms each.

Southwest Corner Parcel:

- *LU 14-161051 IM*: In 2014, staff approved the removal of a portion of the Subject Property from the Concordia University Impact Mitigation Plan, removing this area from the boundaries of that institution, and eliminating any burdens associated with past conditions of approval for Concordia. There are additional, older land use cases related to this Subject Property, all associated with Concordia University, but are not relevant to the current proposal.

Agency Review: A “Request for Response” was mailed March 10, 2015. The Adjustment was added following the original agency review notification process, but the play area setback in question with the Adjustment does not affect the transportation, stormwater, public safety, or other aspects of the proposal for which the agencies are reviewing the project. The following bureaus responded to the original hearing notice involving the Conditional Use Review and overall development plans as shown on the submitted drawings:

The ***Bureau of Environmental Services*** (“BES”) reviewed the proposal and made no objection to the requested Conditional Use review. Comments are included summarizing the stormwater- and sanitary-related service regulations that must be met during the building permit process. Exhibit E.1 contains BES staff contact and additional information.

The ***Development Review Section of PBOT*** reviewed the proposal and responded with information documenting their analysis and recommendations regarding the proposal, including two recommended conditions of approval. This response will be included in the findings for adequate public services in the Conditional Use, later in this document. With the recommended conditions of approval, PBOT supports the requested Conditional Use request. Exhibit E.2 contains PBOT staff contact and additional information.

The ***Water Bureau*** reviewed the proposal and provided extensive comments, as well as one requested condition of approval. There are public water service lines available to the Subject Property in NE Dekum, NE 29th, and NE Rosa Parks Way. The Water Bureau will require a tax lot account consolidation for the two distinct parcels, to ensure that the primary water services do not cross a property line. Tax account consolidation is a simple process and can be done at Multnomah County offices. The Water Bureau evaluation of specific water needs will occur during the building permit process, and separations between water and sanitary sewer lines must be maintained. With

the noted condition of approval regarding the tax account consolidation, and as discussed further below in the findings, the Water Bureau had no objections to the proposal. Exhibit E.3 contains Water Bureau staff contact and additional information.

The *Fire Bureau* reviewed the proposal and responded with standard comments, but no objections or recommendations regarding the requested Conditional Use review. A separate building permit will be required, and the permit must show a project designed to meet all applicable Fire Code requirements. Exhibit E.4 contains Fire Bureau staff contact and additional information.

The *Police Bureau* reviewed the proposal and responded that they are capable of serving the proposed use, but they have also identified concerns and recommendations which will be included, in part, as a condition of approval. Specific details of these concerns as discussed in their written response are contained within the Police-related findings on the approval criteria, later in this document. Exhibits E.5.a and E.5.e contain Police Bureau staff contact and additional information.

The *Site Development Section of BDS* (“Site Development”) reviewed the proposal and provided informational comments about requirements that must be met during the building permit process, but no objections or concerns regarding the requested Conditional Use review. The planned building is considered a “Special Occupancy Structure” by the Oregon Structural Specialty Code. Therefore, the applicant must submit a geotechnical report and site-specific seismic hazard study at the time of building permit plan review. Erosion Control regulations must also be met, and removal of any structure that exceeds 200 square feet in area requires a demolition permit. Exhibit E.6 contains Site Development staff contact and additional information.

The *Urban Forestry Division of Portland Parks and Recreation* (“Parks”) responded without comment or concern (Exhibit E.7).

The *Life Safety Section of BDS* (“Life Safety Section”) reviewed the proposal and provided standard comments that the proposal must be designed to meet all relevant Building Codes and Ordinances. No objections or concerns were raised with regards to the requested Conditional Use or Adjustment Reviews. Exhibit E.8 contains Life Safety Section staff contact and additional information.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on April 2, 2015. A total of two written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

BDS received a comment letter before any notices were mailed, and before the case was made complete. This letter came from a neighborhood resident who lives within one block of the campus, just north of NE Dekum Street. This letter objected to having to come downtown to review the file, instead of having the information available electronically, suggesting that such practices are “unfair and inconsistent with public involvement practices to not have this information available easily” (Exhibit F.1). The letter goes on to suggest a long history of transportation-related concerns in the neighborhood about Concordia University, and states that Concordia has done nothing to improve

traffic problems as promised to the neighborhood and City over the years. Specifically, the letter focuses on traffic problems at the intersection of Highway 30 (which is the same as NE Lombard, the next arterial north of Dekum) and NE 29th Avenue. The letter suggests safety concerns about traffic on NE 29th Avenue, cut-through traffic including school buses, and lack of sidewalks on NE 29th Avenue. The letter requests requiring mitigation measures to address this situation. The first letter then raises a concern about the project having “no consideration for the existing large heritage trees on the Subject Property,” and suggests that tree removal restrictions and/or mitigation measures should be imposed. Finally, the first letter claims that nearby residents are likely to be ignored, that neighbors were not notified of the submission of the Conditional Use application. In closing, the letter claims that PPS ignored their own promises to the neighborhood residents to be put on a mailing list, to supply neighbors with a copy of the traffic report, and states that resident concerns at numerous meetings have been excluded.

The second letter was received, during the public comment period after notices were mailed, from the Concordia Neighborhood Association (“CNA”). The CNA has only one concern outstanding from those which have been communicated to the project team through past meetings and communications: the CNA would like to see a bicycle/pedestrian connection north-south through the Subject Property, continuing north from NE 31st Avenue to NE Dekum Street. The CNA says this connection is an “integral piece of the north/south 20s bikeway in the neighborhood, allowing it to connect north from the 32nd Ave alignment to the 33rd Ave overpass above Hwy 30 & Columbia Boulevard, without requiring bicycle to ride on the portion of 33rd Ave that lacks bicycle lanes.” The CNA uses Couch Park in Northwest Portland as an example of a school/park that integrates good pedestrian/bicycle through connections. The CNA says they have raised this concern repeatedly with the applicants, but that it appears to have “not stayed at the top of the project priority list”, and suggests that the entire site design may need to be reconfigured to more artfully accommodate this need, but that this should be addressed now before a final site layout approval makes it very difficult or expensive to add later.

BDS Staff Response:

“Both the first and second letters were immediately forwarded to the assigned staff person from Portland Transportation for consideration in their analysis against the approval criteria.

The first letter voices expectations regarding public involvement which are inconsistent with how the City processes land use reviews. Notification to neighbors on a Type III case only goes out once the case is complete and a hearing is scheduled, not immediately after application. Eventually we will have an online submittal process and public review potential of materials submitted by the applicant online versus in BDS offices, but that is not until the new software system currently under development has gone live. Until the new system is in place, community members have to come downtown to review files. There is nothing in City Code requiring online availability of all submitted land use review documents, and the Zoning Code procedural chapters are silent on the topic of online access. The City of Portland

does not enforce or monitor the public involvement protocols of PPS. Transportation concerns raised in the first letter above have been considered by Portland Transportation and will be addressed in the findings below.

There are no Heritage Trees on the Subject Property, and no tree protection requirements within the relevant approval criteria. A new Tree Code (Title 11) was adopted by the City on January 1, 2015. Under the new Tree Code adopted this year, tree preservation requirements never mandate the absolute retention of any single tree or trees (a fee-in-lieu can be paid, instead), although preserving trees does reduce the number of new trees that must be planted. At the same time that the new Tree Code went into effect (1/2/15), tree preservation language WAS added to the Conditional Use criteria which would be applied to this project if it came in on or after January 2, 2015, but this project was submitted on December 23, 2014, and therefore legally is only being reviewed under the pre-Tree Code Conditional Use criteria, which are silent on tree preservation. Nevertheless, an analysis of tree preservation requirements under the code, as well as the new trees being planted, was analyzed in this application and a condition approval has been imposed.

The north-south bicycle/pedestrian connection through the Subject Property, raised by the CNA above, has also been considered by Portland Transportation, and will be addressed in the findings below.”

Hearings Officer Comment: Issues related to the approval criteria will be addressed in the findings below.

ZONING CODE APPROVAL CRITERIA

33.815.010 Purpose of Conditional Use Reviews

Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. They are subject to the conditional use regulations because they may, but do not necessarily, have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use review provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose mitigation measures to address identified concerns, or to deny the use if the concerns cannot be resolved.

33.815.105 Institutional and Other Uses in R Zones

These approval criteria apply to all conditional uses in R zones except those specifically listed in sections below. The approval criteria allow institutions and other non-Household Living uses in a residential zone that maintain or do not significantly conflict with the appearance and function of residential areas. The approval criteria are:

A. Proportion of Household Living uses. The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the Household Living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the Household Living category and is specifically based on:

1. The number, size, and location of other uses not in the Household Living category in the residential area; and
2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.

Findings for A.1 and A.2: For the purposes of these criteria, the Hearings Officer describes “residential area” as the residentially-zoned properties near the Subject Property bound by NE 24th Avenue to the west, N. Lombard Street to the north, NE 35th Avenue to the east, and NE Ainsworth to the south. Most of the residentially-zoned properties within this area are developed with residential uses, but there are four non-residential uses. These other uses include Concordia University and St. Michael’s Lutheran Church, directly abutting the Subject Property to the west and southwest. The other uses include a small restaurant several blocks east of the Subject Property, and a Head Start daycare facility a few blocks to the northwest.

Because the existing Subject Property was already developed with a school use prior to this proposal, there is no significant change to the number or location of other non-residential uses in the area.

The size, intensity and scale of the non-residential use at the Subject Property, however, is expanding with the addition of the College of Education aspect of the program. Both of these existing uses, however, are already operating on or near the Subject Property, and the Concordia COE aspect is already occurring directly next door to the Subject Property on the Concordia University campus. The scale and intensity of the early childhood activities on the Subject Property is also expanding as Faubion will become the early childhood education hub for the northeast portion of PPS. The school enrollment at the Subject Property is also slightly increasing to 675 students, an increase of approximately 188 students from the current enrollment. Additional partner programs and activities at the Subject Property are largely in place at the Subject Property today, with the exception of the health center and food distribution club. These partner programs are limited to serving students and family members, and the programs will be internal to the building, operating accessory to the primary school use.

Because the activities involve only an intensification of non-residential uses on an existing school Subject Property, and because the activities being proposed already operate in the neighborhood, the overall residential appearance and function of the area

will remain intact. While the scale of activity is increasing, the additional activity is largely contained within the existing building, and the additional university students and staff at the Subject Property does not significantly change the impacts or character of the Subject Property, as the property already abuts the university on the west border. The changes to the Subject Property with regards to vehicle trips and potential safety impacts are being considered in more detail with the public services criterion later in this decision, and can be addressed through conditions of approval. Non-residential uses are not expanding onto land that was developed with housing already. Therefore, the Hearings Officer finds these approval criteria are met.

B. Physical compatibility.

1. The proposal will preserve any City-designated scenic resources; and

Findings: There are no City-designated scenic resources on the Subject Property, as indicated by the absence of any Scenic overly zoning (lowercase 's' after the base zone designation). Therefore, the Hearings Officer finds this approval criterion does not apply.

2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, and landscaping; or
3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

Findings for B.2 and B.3: The site size of the Faubion campus is not changing, and the essential plan concept of the current arrangement involving the school building, paved parking areas and paved playground spaces on the west portion of the Subject Property, with an open grassy recreational field on the east portion of the Subject Property, will remain in place. The new three-story building has a terraced or stepped building design, with a central east-west three-story volume and two- or one-story wings projecting from the central mass. The taller three-story portion is more internal to the Subject Property, with the lower-height wings projecting out towards adjacent streets and homes. The scale of the new buildings is similar to the scale of the adjacent church and university buildings, and taller than the existing one-story school building. The style of the building is contemporary and follows current architectural fashions with multiple exterior materials, contrasting masonry with metal panel, projecting sun screens and perforated metal accents, and by a contemporary, rectilinear form with flat roof. Although the new building is considerably larger and taller in scale than the prior school on the Subject Property, it is entirely in keeping with the scale and appearance of the other institutional buildings with a longstanding presence in the neighborhood.

The new building is clustered closest to the south and west lot lines, generally adjacent to the university and church properties directly to the west. Building setbacks to the north and east edges of the Subject Property are both over 250'-0", but the south and west setbacks are in the range of approximately 24'-0" to 32'-0." These setbacks ensure significant separation from residential developments to the north and east, with the church property and university providing further separation from residential uses to the west and southwest.

Along the south lot line, the building does come relatively close to two adjacent homes on NE Rosa Parks Way, on the same block and directly south of the new building. This area will have a tall masonry wall to separate the building and the pre-kindergarten children's play area, as well as a row of trees and other landscape materials on the school side of the fence, to provide additional separation. The west edge of the Subject Property is also well-landscaped with new trees, shrubs and groundcover, but has no impact on nearby residential uses as the adjacent site is developed with a church.

The differences in appearance and scale of the new building are mitigated primarily by hundreds of feet of setbacks and landscaping along the north and east edges of the campus, and by more dense landscaping and masonry wall screening along the south and west edges. The large parking, bus loading, and landscaped play areas along the north edge of the Subject Property are extensively landscaped, with the deepest landscaped area of the entire Subject Property perimeter and densely-planted trees. Trees line the north and east edges of the open grassy recreational field on the eastern portion of the Subject Property. The parking area on the south edge of the recreational field is densely planted both within and along the edges of the parking lot, with considerably larger landscaped islands and more planting materials than required by the Zoning Code.

The south edge of the Subject Property immediately south of the new building, as well as the adjacent open truck loading area west of the parking lot, are screened from the street and immediately adjacent residential yards by a tall masonry wall in addition to plantings, providing visual and aural separation. The east and west edges of the entry driveway from Rosa Parks, where a walkway was moved from the east to west side of the drive to align with an existing striped pedestrian crossing in the street. Both sides of the entry drive include a landscaped strip with tall shrubs and Red Sunset maple trees, providing a green screen between the driveway and adjacent residential yards.

Effective January 1, 2015, Portland adopted a new Tree Code (Title 11). This project has been reviewed for compliance with the Tree Code, which allows for projects going through land use review to impose conditions of approval which supersede the preservation and planting requirements of the new regulations. At the Subject Property, six different large trees are shown on the landscape plans as being retained, including one birch and one fir tree near the northeast corner of the Subject Property,

and four large Sweet Gum trees along the west edge of the Subject Property, abutting the church property. The Tree Code would require 4 of the 12 trees of 12-inches or more in diameter to be preserved. Of the trees to be preserved, the four large Sweet Gum trees along the western edge of the Subject Property are the most significant in terms of visual impacts, scale, and character, as their combined impact all placed together is significant. Sweet Gum/Liquidambar trees are noted for their attractive form, amazing fall foliage colors and easy, disease-resistant culture without need for pruning of mature trees over time. These trees provide some visual separation for the school site from the adjacent church, and line the primary north-south pedestrian pathway through the Subject Property, connecting Dekum to Rosa Parks Way, which is the path through the Subject Property most neighborhood residents can be expected to use.

With a condition of approval that the four Sweet Gum trees along the west edge of the Subject Property be preserved as shown between the new school building and the adjacent church property, the tree preservation requirements of the new Tree Code can be met. The 138 new trees being planted on the Subject Property (70 small, 58 medium, 10 large) almost completely satisfy the requirement for new trees under the Tree Code, achieving a planting area of 68,500 square feet worth of trees when 88,400 square feet are required. Given the density and placement of tree planting proposed for the Subject Property, the only feasible location for additional trees would be within the open grassy recreational field, which occupies about 90,000 square feet of the Subject Property (approximately 250 by 360 feet in plan). There are a few relatively open spaces elsewhere on the Subject Property that will not be under tree cover, but these are within the paved entry plaza areas on both sides of the school, and in the children's playground areas themselves, allowing for access to sunlight and an open, inviting appearance for users of the building. The relatively dense spacing of the trees, especially along the Subject Property perimeter, will ensure that even in the first year after planting, the Subject Property will have extensive canopy cover and a diversity of tree plantings to provide shade, visual screening, canopy cover and aesthetic benefits for the Subject Property. Requiring additional trees would not improve the Subject Property given the intended use as an elementary school and open recreational field, and the submitted landscape plan will ensure that all the benefits of extensive on-site tree plantings will be in place when the school opens and only improve over time as the trees grow.

To memorialize this Tree Code review occurring during the land use review process, and consistent with the above discussion, a condition of approval will allow the project to be exempt from Title 11 of Portland City Code (Tree Code) provided the four Sweet Gum trees along the western property edge are preserved, consistent with the Applicants' planting plans. This condition will also require the installation and ongoing maintenance of the size, number and variety of trees as shown on the approved planting legend and plan sheets (C.16.a-f).

The Hearings Officer finds no “heritage trees” were officially identified to be located on the Subject Property.

With the above noted tree-related condition of approval, the Hearings Officer finds this approval criterion is met.

C. Livability. The proposal will not have significant adverse impacts on the livability of nearby residential zoned lands due to:

1. Noise, glare from lights, late-night operations, odors, and litter; and

Findings: Faubion school hours of operation are generally from 8:30 a.m. to 3:00 p.m. Monday through Friday, and from 10:30 a.m. to 3:00 p.m. one weekday per month. Afterschool program hours vary depending on the activity, typically running from 3:00 p.m. to 6:00 p.m. Youth sporting events generally occur two nights per week between 6:00 p.m. and 8:00 p.m. during the school year with games on Saturdays between 10:00 a.m. and 2:00 p.m. PPS currently has a blanket permit with Portland Parks and Recreation to allow them to program the field between 4:00 p.m. and 8:00 p.m. weekdays, and 8:00 a.m. to 8:00 p.m. on weekends. No public address system is proposed at the Subject Property or in the recreational field. The general public may use the school fields and playground after school hours until 10:00 p.m. These activities are consistent with the hours and activities already in effect at the Subject Property, and the school does not have any history of noise- or other nuisance-related code violations.

Concordia COE operation hours are generally from 7:30 a.m. to 10:00 p.m. Monday through Thursday, and from 7:30 a.m. to 5:00 p.m. on Fridays, and from 7:30 a.m. to 4:00 p.m. on Saturdays. Almost all of Concordia COE’s activities will occur inside the building.

The parking lots, entry walkways and plazas, and building exterior will be illuminated with various light fixtures. No playground or recreational field lighting is proposed. The covered basketball court will have lighting, but this facility is interior to the Subject Property and over 50’-0” from the nearest residential zone. Other exterior lighting will be shielded to minimize any glare or light trespass, with 0-foot candles at all exterior property lines per the Leadership in Energy and Environmental Design (LEED) standards being used to construct the building.

Permanent trash receptacles will be provided throughout the campus. Custodial staff patrols the campus and adjacent residential areas after an event to remove any associated litter. The main covered garbage and recycling area for the campus is south of the building, adjacent to the southern parking lot. This area will be screened from the adjacent residential lots by a 12’-0”-tall masonry screen wall, as well as another

lower masonry wall and hedge screen along the lot line. Garbage and recycling pick-up will occur during school operation hours (8:30 a.m. to 3:00 p.m. weekdays).

For the reasons discussed above, the Hearings Officer does not find significant adverse impacts on livability with regards to noise, glare, late-night operations, odors and litter. Therefore, the Hearings Officer finds this approval criterion is met.

2. Privacy and safety issues.

Findings: All activities on the Subject Property will occur within the property lines, and will not extend out into the surrounding residential area. Significant setbacks and landscape screening separate the Subject Property activities from the adjacent homes to the north and east, with denser plantings and masonry walls used along the south edge where the school building comes closest to the adjacent homes. The west edge of the Subject Property abuts a landscaped side yard of the adjacent church, and does not abut any residential uses.

School staff, parents, and security personnel ensure that the school functions are taking place on-campus, and that the safety of the surrounding area is not impacted. The Police Bureau has reviewed the proposal and found that they are capable of serving the proposed use, and that safety issues have either been resolved, or can be resolved by ongoing coordination with the North Precinct Commander and the Portland Police Bureau's School Resource Officers on an ongoing basis to address any student or site safety/security issues should they arise (Exhibit E.5). With a condition of approval ensuring Faubion and Concordia COE staff work with the police going forward as requested, the Hearings Officer finds this approval criterion can be met.

D. Public services.

1. The proposed use is in conformance with the street designations of the Transportation Element of the Comprehensive Plan;
2. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity, level of service, and other performance measures; access to arterials; connectivity; transit availability; on-street parking impacts; access restrictions; neighborhood impacts; impacts on pedestrian, bicycle, and transit circulation; safety for all modes; and adequate transportation demand management strategies;

Findings for D.1 and D.2: The Development Review Section of PBOT reviewed the proposal and provided a response addressing the above transportation-related issues. PBOT stated, in its response, the following:

“The applicant submitted a professional Traffic Impact Study (TIS), prepared by DKS Associates, to address the evaluation factors of the transportation-related approval criteria. The final version with all exhibits is included in the file as Exhibit A.14.

Street Classifications

At this location, the subject site is surrounded by NE Dekum St, NE 29th Ave, NE 33rd Ave and NE Rosa Parks Way. These streets are classified in the City’s Transportation System Plan (TSP) as follows:

- NE Dekum St: Neighborhood Collector, City Bikeway, City Walkway, and a Local Service Street for all other transportation modes.
- NE 29th Ave: Local Service for all transportation modes.
- NE Rosa Parks Way: Local Service Street for all transportation modes.
- NE 33rd Ave: District Collector, Transit Access Street, City Bikeway, City Walkway, Truck Access, a Major Emergency Response Route, and a Community Corridor.

The TSP states that Local Service Streets, “provide local circulation for traffic, pedestrians, and bicyclists and (except in special circumstances) should provide on-street parking.”

Neighborhood Collectors are intended to serve as distributors of traffic from Major City Traffic Streets or District Collectors to Local Service Streets and to serve trips that both start and end within areas bounded by major City Traffic Streets and District Collectors.

District Collectors are intended to serve as distributor of traffic from Major City Traffic Streets to streets of the same or lower classification.

City Bikeways are intended to serve the Central City, regional and town centers, station communities, and other employment, commercial, institutional, and recreational destinations. Auto-oriented land uses should be discouraged from locating on City Bikeways that are not also classified as Major City Traffic Streets.

City Walkways are intended to provide safe, convenient, and attractive pedestrian access to activities along major streets and to recreation and institutions; provide connections between neighborhoods; and provide access to transit.

Finding: The site's surrounding streets will accomplish the above referenced goals and the continuation of the site as an institutional use will not impact the classifications of said streets. PBOT finds that the proposed use is supportive of the street designations of the Transportation Element of the Comprehensive Plan.

Street Capacity/Level of service/other performance measures

Per Portland Policy Document TRN-10.27 - Traffic Capacity Analysis for Land Use Review Cases: For traffic impact studies required in the course of land use review or development, the following standards apply:

1. For signalized intersections, adequate level of service is LOS D, based on a weighted average of vehicle delay for the intersection.
2. For stop-controlled intersections, adequate level of service is LOS E, based on individual vehicle movement.

The industry standard is to measure street capacity and level-of-service (LOS) only at intersections during the critical time period, such as AM or PM peak hour. Although capacity is a part of the LOS, the City of Portland's performance standards are defined only by LOS, which is defined by average vehicle delay. The City does not have performance standards for any of the other evaluation factors.

After initial scoping discussions with PBOT staff, the identified intersections that were required to be evaluated with regard to their respective operations and in relation to the proposed modernization of Faubion Elementary are listed below:

- NE Dekum St /NE 29th Ave
- NE Dekum St/Site Access
- NE Dekum St/NE 32nd Ave
- NE 33rd Ave/NE Dekum
- NE 33rd Ave/NE Rosa Parks Way
- NE Rosa Parks Way/Site Access

The data/analysis/findings provided in the submitted TIS indicate that all study area intersections are currently operating well within the City's performance measures. Project traffic impacts were evaluated at the study intersections for the weekday AM/PM peak hours during the 2017 project build year when the school is anticipated to open. Additional traffic was added to the existing roadway network based on trip generation estimates and trip distribution assumptions associated with

the additional 315 students that could be accommodated with the school expansion. As reported in the TIS, all study area intersections, with the exception of NE 33rd/NE Dekum, are expected to meet the City's operation standards for both the AM/PM peak hours with the additional traffic associated with an annual growth rate of 1% to existing traffic volumes in addition to the traffic generated by the proposed project. The intersection of NE 33rd/NE Dekum would fail to meet the City's performance standards during the 2017 background scenario peak hours.

In accordance with Administrative Rule 10.27, one or more transportation improvements or measures must be *proposed* to mitigate the transportation impacts of the land use application in a manner that avoids further degradation to the performance of the facility by the time of any development. The applicant proposed three improvement options to mitigate project impacts to the NE 33rd/NE Dekum intersection and the details of each option are documented within the TIS. Each mitigation option has been evaluated by PBOT staff and ODOT.

The applicant's recommended mitigation option, converting the NE 33rd/NE Dekum intersection to an all-way stop controlled intersection, has been accepted by PBOT as the preferred mitigation option. The submitted TIS documents that the existing vehicle, pedestrian, and bicycle volumes warrant a multi-way stop at NE 33rd/NE Dekum. Further, operations of this intersection under the 2017 background with the addition of anticipated project traffic would meet the City's performance standards with the conversion of NE 33rd/NE Dekum to an all-way stop controlled intersection.

Prior to converting this intersection to an all-way stop controlled intersection, PBOT will require that an additional intersection analysis be conducted by the applicant to document that the mitigation is required based upon actual, versus projected, traffic counts. The required analysis shall be prepared by an Oregon-licensed traffic engineer and shall include the following:

- a. Collection of 24hr entering traffic volumes as well as turning movement counts during the AM and PM peak hours.
- b. Analysis of the AM/PM peak hour Level of Service under the existing 2-way stop control operation and potential all-way stop control operation.
- c. Prepare all-way stop warrants analysis

The applicant will be required to submit this analysis six months after the official school reopening (anticipated to be in September 2017). Based upon the results of the analysis, and as determined by the City Traffic Engineer, the applicant will be required to install the additional signing and striping required to make this change. In relation to the building permits associated with this project and to ensure that this condition is satisfied, a performance guarantee relating to the cost of the TIS and additional signing and striping shall be required.

Finding: Based upon the conclusions reached in the applicant's TIS the operations of the study intersections, with the exception of NE 33rd/NE Dekum, will continue to meet City of Portland performance measures with the inclusion of projected traffic related to the school expansion taken into account. The proposed mitigation will adequately alleviate the transportation impacts to the NE 33rd / NE Dekum intersection in a manner that avoids further degradation to the performance of the facility.

Access to arterials

The site is located within an area that enjoys a well connected local transportation system that provides unrestricted access to several arterial roadways. Students, faculty, staff, and visitors to Faubion Elementary can easily access the greater transportation network via NE Dekum, a Neighborhood Collector, NE 33rd, a District Collector located approximately 960-ft to the east of the site, and NE Lombard, a Regional Trafficway & Major City Traffic Street, located to the north of the site.

Finding: The site is currently well connected to area arterial roadways and this connectivity will not be negatively impacted by the proposed modernization project.

Connectivity

The City's spacing goals for public through streets and public pedestrian connections, typically applied to land division requests, is a maximum of 530-ft and 330-ft, respectively. The area surrounding the subject property is developed with predominately residential uses within an established grid pattern of blocks that generally meet the intent of the City's connectivity goals. This grid pattern is disrupted due to the existing large-scale campus-type developments in the area (Faubion Elementary, Concordia University, St. Michaels Church). While the City's connectivity goals are not met on the blocks containing these uses, it is not typical, nor is it generally required that public connectivity goals are furthered through institutional uses such as the subject elementary school. The proposed

modernization of Faubion Elementary will not impact the existing connectivity of the surrounding neighborhoods.

Finding: No new public connections are required and/or appropriate in relation to the proposed project.

Transit Availability

The study area is served by three TriMet bus routes, including route #75 (Cesar Chavez/Lombard), route #17 (Holgate/Broadway), and route #70 (12th/NE 33rd). The route most accessible to the school is route #75 which has stops along NE Dekum at NE 29th Ave and NE 33rd Ave. These two stops are located 200-ft or less from the driveway on NE Dekum and are accessible via fully improved sidewalks and a marked pedestrian crossing. Route 75 provides frequent service with buses running every 15 minutes or better during the weekday morning and afternoon peak hour periods.

Finding: Transit service is currently available in close proximity to the subject property and said service will not be negatively impacted by the proposed project.

On-street parking impacts

The existing campus includes a staff parking area on the north side of the building accommodating 20 spaces and a general parking area along the south boarder of the site which accommodates 45 spaces for a total of 65 spaces. Currently, the majority of school bus loading activities occur along NE Dekum Street. Parking is prohibited along the south side of NE Dekum for approximately 100-ft along the school's frontage to accommodate loading needs. The current design does not include a dedicated parent drop-off/pick-up space and this activity typically takes place within the drive aisle of the southern parking lot. A review of on-site parking utilization was conducted on May 22, 2014. This analysis revealed that of the total supply of 65 spaces, 47 vehicles were parked during the AM peak period and 63 vehicles were parking during the PM peak period. While available parking capacity may not be entirely utilized, the current design of the parking lot interferes with the ability to find open stalls, leading parents to park in circulation areas near the NE Rosa Parks Way entrance or utilize on-street parking.

The proposed on-site parking meets/exceeds the requirements of the Zoning Code and will include 35 guest/visitor spaces within the northwest portion of the site and 43 dedicated faculty/staff parking spaces within the southern portion of the site for a total of 78 on-site parking spaces. Additional improvements include a revised parent drop-off/pick up

circulation loop and a dedicated bus drop-off/pick-up loop with enough queuing length to accommodate up to 8 buses on-site (the school estimates 5 buses will be needed to accommodate the total estimated enrollment). By eliminating on-street bus loading, an additional 4 on-street parking spaces can be realized. As indicated in the TIS, project trip distribution analysis estimates a worst-case faculty/staff trip rate of 80% or 47 trips and Portland Public Schools estimates between 20-30 visitors (non-student/faculty) to the site per day. Accordingly, the 35 guest/visitor parking spaces within the northern portion of the site can be expected to accommodate any remaining staff/faculty demand that cannot be met within the southern lot.

Additionally, the parking lot for St. Michael's Church, to the west of the campus, currently provides overflow parking as needed for drop-off/pick-up activities and will continue to be available as needed. Based upon the results of the Concordia University Parking Study (discussed below), this lot is typically half-full during typical Faubion school hours with approximately 22 of the total 42 parking spaces occupied.

The on-street parking supply/demand in the vicinity of the site was evaluated as part of the 2013 Annual Parking Study and Survey conducted by Concordia University and the applicant included this information to supplement the parking analysis contained in the TIS. The parking survey documented the total number of on-street parking spaces available in the vicinity and data was collected on the number of open/available spaces at four time periods (10:00am, 2:00pm, 5:00pm, and 8:00pm) during a week (Monday-Friday) in October 2012.

The Study indicated that there were a total of 1,237 on-street parking spaces in the vicinity of the University, of which a maximum of 317 spaces were observed to be used, leaving a total of 920 spaces available. While the parking study for Concordia University included a much broader study area, specific data was collected for the streets in the immediate vicinity of Faubion Elementary the results of which were as follows:

- NE 29th Avenue between NE Rosa Parks Way and NE Dekum: supply of 100 on-street spaces of which a maximum of 32 spaces were observed to be used.
- NE Rosa Parks Way between NE 29th and NE 31st: supply of 80 on-street spaces of which a maximum of 27 spaces were observed to be used.

- NE Dekum between NE 29th to 200-ft east: supply of 28 on-street spaces of which zero spaces were occupied during the observation period.
- NE 29th from NE Dekum 200-ft north: supply of 28 on-street spaces of which zero spaces were occupied during the observation period.

While special events such as parent/teacher conferences, promotion ceremonies, and sporting events may be higher traffic and parking generators on limited occasions, the applicant's parking survey indicates there is ample on-street parking in the vicinity to accommodate existing and proposed uses.

Finding: The proposed site design changes will improve on-site parking opportunities and enable bus loading and parent drop-off/pick-up activities to occur on-site rather than within the public ROW. Based upon these operational improvements as well as the results of the on-street parking survey supplied by the applicant, there is ample on-street parking to accommodate existing uses in the area in addition to the demand generated by the proposed development.

Access restrictions

The project includes a reconfiguration of on-site parking and vehicle access points. Three site access points are proposed, with two located on NE Dekum and one on Rosa Parks Way. The westernmost driveway on NE Dekum will serve as the primary access to visitor parking and the parent drop-off/pick-up area. A second access point, approximately 140-ft to the east will serve the bus loading area. The existing driveway on NE Rosa Parks Way will provide access to staff/faculty parking area and loading areas.

Finding: There are no access restrictions in the immediate vicinity of the school site, nor are any proposed restrictions called for as a result of the planned improvements.

Neighborhood impacts

Project related impacts resulting from increased trip generation, drop-off/pick-up activity, and increased demand for on street parking translate directly to transportation-related neighborhood impacts.

As documented previously in this response, all but one of the intersections that were analyzed in the submitted TIS currently operate within the City's performance measures and will continue to do so after the proposed project is constructed and a proposed mitigation option has been

accepted by PBOT to adequately mitigate the impacts to the NE 33rd/NE Dekum (failing) intersection. Similarly, as identified in this response, there is ample on-street parking supply to meet the current and expected demand once the project is completed.

When a school is located within a residential area such as is the case with Faubion Elementary, drop-off/pick-up activities, occurring twice a day around school start and end times, have the potential to impact the surrounding neighborhood due to increased congestion on the local transportation network as well as a brief but substantial increase in on-street parking during the peak drop-off/pick-up periods.

With the current configuration of the school, drop-off/pick-up activities occur at both the north and south sides of the school. Parents who use the north entrances typically park along NE Dekum and walk children to the school. However, the majority of the parent drop-off/pick-up activities currently occur on the south side of the school. School bus loading also currently occurs on both the north and south sides of the school. On the south side, two special needs school buses use the south parking lot for early drop-off/pick-up. However, the main school bus loading and unloading occurs on the north side of the school along NE Dekum Street.

With the proposed campus improvements, all bus drop-off/pick-up activities will now occur on-site via a dedicated bus-only loading area that has sufficient space to accommodate 8 buses. Additionally, parent drop-off/pick-up activities will now primarily take place on-site within the north parking lot that has been redesigned to include improved queuing lanes that allow for on-site curbside drop-off/pick-up and direct walkway connections to the building. Thus, with the proposed improvements, the majority of the drop-off/pick-up activities will now take place on-site thereby reducing the impacts these activities could have upon the surrounding neighborhood. Additionally, primary vehicle access and loading activities will now be accommodated via two new driveways on NE Dekum, a Neighborhood Collector. This will remove a significant amount of school-related activity from NE Rosa Parks Way, a Local Service Street.

Finding: The proposed changes will move bus loading activities on-site and improve parent drop-off/pick-up circulation through the site thereby minimizing the impacts these activities could have upon the surrounding neighborhood.

Impacts on pedestrian, bicycle, and transit circulation/safety for all modes

The submitted TIS included three years of collision records (2010-2012) for the study area intersections that were obtained from the ODOT collision database. During this three year period, 13 collisions were reported at all intersections within the study area and there were no fatalities. *Of significance to Faubion Elementary, there were no pedestrian or bicycle involved collisions during the three year time period.*

Collision rates at study intersections were calculated to identify problem areas in need of safety improvements. The total number of crashes experienced at an intersection is typically proportional to the number of vehicles entering it. Therefore, a crash rate describing the frequency of crashes per million entering vehicles (MEV) is used to evaluate the intersection. All of the study intersections have collision rates below 1.0 collisions per million entering vehicles, a common threshold used, indicating that safety mitigation measures are not warranted. The intersections of NE 32nd Avenue/NE Dekum Street and Rosa Parks Way/Site Access experienced no crashes during the three year period analyzed.

Pedestrian circulation is accommodated via existing sidewalk corridors surround the entire school site which provide connectivity to the surrounding residential neighborhood. A marked crosswalk is in place crossing NE Dekum immediately east of NE 29th Ave as well as crossing NE Rosa Parks Way at the project entrance to the west of NE 31st. Additionally, as a condition of the building permit, the applicant will be required to construct curb extensions into NE Dekum for the school crosswalk on Dekum at NE 29th. These curb extensions will shorten the crossing distance and enhance visibility at the crossings.

There are nearby identified bicycle facilities (City's Bike/Walk Map) that can benefit bicyclists including those throughout the neighborhood, as well as students, faculty and staff who chose to commute by bicycle. NE Dekum, NE Rosa Parks Way, NE 30th, and NE 29th are identified as a Shared Roadway (lower traffic street). Additionally, NE Holman to the south is identified as a Neighborhood Greenway.

PBOT is aware that the neighborhood has expressed a desire for a public north/south bicycle/pedestrian connection through the subject site. The Portland Bicycle Plan for 2030 identifies a recommended north/south bikeway network for this area. Specifically, NE 33rd has been identified as a future separated in-roadway bikeway, NE 27th is identified as a funded

bicycle boulevard and NE 29th is identified as a future bike boulevard. These streets were identified, in part, as they further one of the key strategies of the Bicycle Plan to create a cohesive network of bicycle facilities with direct routes to connect into the greater transportation system.

Portland Public Schools typically does not incorporate public accessways in their campus design as said connection would create the potential for interference with school operations and student safety. Additionally, PBOT would prefer not to have a general public connection across the campus and finds that the existing pedestrian system in the area provides sufficient pedestrian circulation opportunities and that the streets identified in the Portland Bicycle Plan for 2030 provide the more appropriate location for future bikeway connectivity.

Finding: The proposed project will not result in negative impacts to pedestrian, bicycle, or transit circulation in the vicinity.

Adequate transportation demand management strategies

Transportation demand management strategies are intended to reduce the number of single occupancy vehicle trips to a site in favor of modes less taxing to the transportation system. The submitted TIS included a draft Transportation Demand Management Plan (TDMP) that includes measures and procedures to promote students, parents, and staff to use alternative methods of transportation to and from Faubion Elementary. Such measures include promoting alternative modes of travel (walking, biking, transit), encouraging parents that drive students to school to carpool/rideshare with other parents, and providing information to staff and faculty regarding transit options. The TDMP also states that Faubion will annually designate a Transportation Coordinator to serve as the primary contact for neighbors who have traffic or transportation concerns. Additionally, Faubion has been a collaborative partner in PBOT's Safe Routes to School Program (SR2S).

Finding: Adequate transportation demand strategies have been provided in the Transportation Demand Management Plan included within the applicant's TIS.

TITLE 17 REQUIREMENTS

Street Configurations and Public Improvement Requirements

At this location, the City's Transportation System Plan classifies NE Dekum as a Neighborhood Collector, City Bikeway, City Walkway, and a Local

Service Street for all other transportation modes. NE Rosa Parks Way is classified as a Local Service Street for all transportation modes

According to City database sources, NE Dekum is improved with a 38-ft wide paved roadway and a 4-5-2 pedestrian corridor within a 60-ft wide ROW. NE Rosa Parks Way is improved with a 30-ft wide paved roadway and an 8-5-2 pedestrian corridor.

The existing frontage improvements along NE Dekum and NE Rosa Parks Way meet the conditions of Administrative Rule 1.22 "Infill Development on Streets with an Existing Sidewalk Corridor". The sidewalks are built to no less than 1-ft of the pedestrian through zone standard as required by the Pedestrian Design Guide and the configuration is the same the full length of the block and can be accepted as the standard sidewalk for the blocks length. The applicant will be responsible for repairing any portion of the sidewalk corridor that is damaged during construction and replanting any necessary street trees.

NOTE: In relation to the Building Permit for the proposed project (not in relation to the conditional use request), the following will be required:

Curb extensions into NE Dekum shall be required at the marked crosswalk on NE Dekum at NE 29th. Curb extensions must be constructed under a Public Works Permit, which is separate from the Building Permit that will be necessary for construction of the proposed project.

A performance guarantee relating to the cost of the required TIS and additional signing and striping shall be required and can be included under the Public Works Permit for the aforementioned curb extensions.

Any proposed gate for the bus loading area will be required to be setback 40-ft to provide adequate bus queuing area.

Any proposed gate for the staff/faculty parking area will be required to be setback 20-ft to provide adequate vehicle queuing area.

The applicant has proposed several traffic calming measures for NE 29th Avenue in order to provide a seamless pedestrian crossing between Concordia University and the new entry plaza that will provide access to Faubion Elementary. A Public Works Permit will be required for improvements to NE 29th. Specifics on the type of traffic calming

measures appropriate for this segment of NE 29th will be evaluated during the permitting process and are not required nor have they been evaluated as part of this Conditional Use request.

Transportation System Development Charges (Chapter 17.15)

System Development Charges (SDCs) may be assessed for this development. The applicant can receive an estimate of the SDC amount prior to submission of building permits by contacting Rich Eisenhauer at 503-823-6108.

Driveways and Curb Cuts (Section 17.28)

Curb cuts and driveway construction must meet the requirements in Title 17. The Title 17 driveway requirements will be enforced during the review of building permits.

A Driveway Design Exception (TR 15-170356) has been approved for the for the westerly driveway on NE Dekum which permits a maximum driveway width of 36-ft.

PBOT has no objections to the proposed conditional use subject to the following conditions:

1. The applicant shall maintain a current and active Transportation Demand Management Plan.
2. The applicant shall submit a limited-scope Traffic Impact Study, prepared by an Oregon-licensed traffic engineer, focused on the intersection of NE 33rd/NE Dekum for review by PBOT 6 months after the school has reopened. If the City Engineer determines that the intersection should be converted to all-way stop control, the applicant will be required to install the additional signing and striping necessary to make this change."

The Hearings Officer finds PBOT and the Applicants' TIS did not specifically address street capacity/level of service and other performance measures related to the intersection of NE 29th Avenue and NE Lombard Street. The Hearings Officer finds the operations of nearby intersections was considered by PBOT and the Applicants' traffic engineer and six intersections were selected as being the most impacted by this proposal. The intersections selected by PBOT and the Applicants' traffic engineer are: NE Dekum/NE 29th, NE Dekum/Site Access, NE Dekum/NE 32nd, NE 33/NE Dekum, NE 33rd/NE Rosa Parks Way and NE Rosa Parks Way/Site access.

The Hearings Officer agrees with PBOT and the Applicants' traffic engineer that the selected intersections are the intersections most significantly impacted by this proposal.

The Applicants' traffic engineer, during testimony at the hearing, stated that in his professional opinion, Atkinson's "cut-through" traffic concern (See neighborhood Comment Slide #44, Exhibit H.10) was not correct. The Applicants' traffic engineer stated the most direct and convenient access between NE Lombard and the Subject Property was via NE 27th. The traffic engineer noted that there is a traffic light at NE Lombard and NE 27th and NE 27th is a direct connection to NE Dekum Street.

Woodsong, on behalf of CAN, expressed desire for a north-south bicycle and pedestrian connection through the Subject Property along the east end of the Subject Property. PBOT responded that there are other locations, in close proximity to the Subject Property, that provide pedestrian and bicycle connectivity. PPS representative Gerding stated that the school district has a policy restricting public access, during school hours, to school property. Gerding stated this policy is directed to student safety. The Hearings Officer agrees with the PBOT, the Applicants' traffic engineer and Portland Public School representative comments related to CAN's request for a condition of approval requiring a bicycle and pedestrian access to be located on the east end of the Subject Property. The Hearings Officer finds adequate alternative locations, in close proximity to the Subject Property, exist that provide bicycle and pedestrian connectivity.

The Hearings Officer finds that with the two conditions of approval requested by PBOT, this approval criterion is met.

3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.

Findings: The Water Bureau reviewed the proposal and provided extensive comments, as well as one requested condition of approval (Exhibit E.3). There are public water service lines available to the Subject Property in NE Dekum, NE 29th, and NE Rosa Parks Way. The Water Bureau will require a tax lot account consolidation for the two distinct parcels, to ensure that the primary water services do not cross a property line. Tax account consolidation is a simple process and can be done at Multnomah County offices. The Water Bureau evaluation of specific water needs will occur during the building permit process, and separations between water and sanitary sewer lines must be maintained. With the noted condition of approval regarding the tax account consolidation, and as discussed further below in the findings, the Water Bureau has no objections to the proposal.

The Fire Bureau reviewed the proposal and responded with standard comments, but no objections or recommendations regarding the requested Conditional Use review (Exhibit E.4). A separate building permit is required, and the permit must show a project designed to meet all applicable Fire Code requirements.

The Police Bureau reviewed the proposal and found that they are capable of serving the proposed use, and that safety issues have either been resolved, or can be resolved by

ongoing coordination with the North Precinct Commander and the Portland Police Bureau's School Resource Officers to address any student or site safety/security issues should they arise (Exhibit E.5). With a condition of approval ensuring Faubion and Concordia COE staff work with the police going forward as requested, the Hearings Officer finds this approval criterion can be met.

BES reviewed the proposal and made no objection to the requested Conditional Use review (Exhibit E.1). Comments are included summarizing the stormwater- and sanitary-related service regulations that must be met during the building permit process.

The Hearings Officer finds that with the recommended conditions of approval that address Police- and Water-related service issues, this approval criterion is met.

- E. Area plans.** The proposal is consistent with any area plans adopted by the City Council as part of the Comprehensive Plan, such as neighborhood or community plans.

Findings: The Subject Property is within the boundaries of both the Albina Community Plan and the Concordia Neighborhood Plan. In their final revised narrative addressing the Conditional Use criteria, the Applicants have provided a narrative showing how the project addresses, and is consistent with, the relevant goals and policies in these plans, including issues regarding transportation, education, family services, community institutions, and landscaping (pp. 41-46, Exhibit A.6). With incorporation by reference of this written narrative into this finding, the Hearings Officer finds this approval criterion is met.

33.805.010 Purpose of Adjustment Reviews

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue providing certainty and rapid processing for land use applications.

33.805.040 Adjustment Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. below have been met.

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

Findings: The purpose statement for the institutional outdoor play area setbacks, as found at 33.110.245.A, is to “maintain compatibility with and limit the negative impacts on surrounding residential areas.” The Adjustment request is necessary for the courtyard-like outdoor play area for the pre-kindergarten classrooms, on the south side of the school, and abutting the two residential properties closest to the school building just south of the Subject Property along NE Rosa Parks Way. The outdoor play area in question is bound on the east, west and north edges by the new building itself, except at the southeast corner of the space where a walkway leads out to the southern driveway and parking/loading area immediately to the east. The active play areas of the space are kept back approximately 11 feet from the south lot line and adjacent homes with a dense planted buffer of Honey Locust trees, Pieris shrubs, and both David Viburnum and Oregon Grape groundcover plantings. The landscaping ensures that actual play activity will encroach no closer than 11 feet from the south lot line abutting adjacent homes, and the primary play area is setback another 9 feet, approximately 20’-0” from the south lot line. A 7’-0”-tall solid masonry fence along this lot line will provide additional visual and aural separation from the adjacent homes, further reducing potential negative impacts to the adjacent homes. Another row of Oregon Grape groundcover is provided on the south side of the fence, providing some landscape screening for the wall itself when viewed from adjacent homes. The maximum hours of operation for the pre-kindergarten play area are limited to 8:00 a.m. to 3:00 p.m. weekdays, although the outdoor space is used only infrequently during the day, and less so during the colder winter months.

Based on the above considerations, and with approval granted based on the approved plans and drawings showing physical separation, a wall, and dense landscaping along the south edge of the play area, the reduced setback will be compatible with the surrounding area and limit potential negative impacts for the abutting homes. Therefore, the Hearings Officer finds this approval criterion is met.

- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

Findings: Based on the discussion above under criterion A, and with approval granted based on the approved plans and drawings, the reduced play area setback along the south central property line of the Subject Property will not significantly detract from the livability or appearance of the residential area. The Hearings Officer finds this approval criterion is met.

- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

Findings: Only one Adjustment has been requested. Therefore, the Hearings Officer finds this approval criterion does not apply.

D. City-designated scenic resources and historic resources are preserved; and

Findings: City designated scenic resources are shown on the zoning map by the 's' overlay; historic resources are designated by a large dot, and by historic and conservation districts. There are no such resources present on the Subject Property. Therefore, the Hearings Officer finds this approval criterion is not applicable.

E. Any impacts resulting from the adjustment are mitigated to the extent practical; and

Findings: Any impacts associated with the requested Adjustments have been mitigated to the extent practical by the site and landscape plan for the space itself, which includes a tall masonry wall, landscape plantings, and physical distance to separate and buffer the play area from the adjacent home sites. With approval granted based on the approved plans and drawings, the Hearings Officer finds this approval criterion is met.

F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;

Findings: Environmental overlay zones are designated on the Official Zoning Maps with either a lowercase "p" (Environmental Protection overlay zone) or a "c" (Environmental Conservation overlay zone). As the Subject Property is not within an environmental zone, the Hearings Officer finds this approval criterion is not applicable.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

Other City Codes and Ordinances as necessary must be met during the building permit review process. These include Fire Codes, Building Codes, Stormwater Management Manual standards, geotechnical engineering requirements, and erosion control standards, among others.

III. CONCLUSIONS

The Applicants proposed the construction of a new elementary school at the Faubion School Subject Property, incorporating a College of Education facility for Concordia University into the building. The complete redevelopment of the Subject Property will result in a modern, attractive, well-landscaped facility that will enhance the surrounding residential neighborhood, as well as provide a facility for the growth and expansion of established neighborhood community uses at the Subject Property. Conditions of approval are necessary to address water, safety, tree and transportation

issues. With the conditions of approval, the request is able to meet the applicable criteria and should be approved.

IV. DECISION

Approval of a Conditional Use Review for the construction of a new Faubion Elementary School and Concordia College of Education facility, with hours of operation and accessory programs and facilities as indicated in the revised Conditional Use submittal Exhibit A.6, and with site improvements, structures and landscaping as indicated on the approved drawings, Exhibits C.1 through C.29, and subject to conditions of approval A through F, below.

Approval of an Adjustment to reduce the setback for a non-illuminated children's playground from 25 feet to 11 feet, based on the approved plans and drawings, Exhibits C.1 through C.29.

- A. As part of the building permit application submittal, the following development-related conditions (B through F) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 14-253336 CU AD."
- B. The project is exempt from the preservation and planting standards of Title 11 of Portland City Code (Tree Code), and instead replaced by the provisions of this condition of approval. The four large Sweet Gum/Liquidambar trees on the western edge of the site, between the new school building and St. Michael's Lutheran Church, must be preserved. Also, the Applicants must install, and maintain over time, the minimum size, number and variety of trees as shown on the approved planting legend and plan sheets (C.16.a-f). This includes a minimum of 70 new small trees, 58 new medium trees and 10 new large trees, with at least three evergreen and eight deciduous species.
- C. Administration and security personnel at the facility will engage in ongoing coordination with the Portland Police Bureau's North Precinct Commander and School Resource Officers to address any student or site safety/security issues should they arise,
- D. A tax lot consolidation of the site parcels with Multnomah County Deeds and Records must be completed prior to the Water Bureau signing off on any permits or selling any water services to this development, per City Title 21.12.010 and 21.12.070 requirements.
- E. The Applicants shall maintain a current and active Transportation Demand Management Plan.

- F. The Applicants shall submit a limited-scope Traffic Impact Study, prepared by an Oregon-licensed traffic engineer, focused on the intersection of NE 33rd/NE Dekum for review by PBOT 6 months after the school has reopened. If the City Engineer determines that the intersection should be converted to all-way stop control, the Applicants will be required to install the additional signing and striping necessary to make this change.



Gregory J. Frank, Hearings Officer

6/29/15

Date

Application Determined Complete:	March 4, 2015
Report to Hearings Officer:	June 5, 2015
Decision Mailed:	June 29, 2015
Last Date to Appeal:	4:30 p.m., July 13, 2015
Effective Date (if no appeal):	July 14, 2015 Decision may be recorded on this date.

Conditions of Approval. This project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appeal of the decision. ANY APPEAL OF THE HEARINGS OFFICER'S DECISION MUST BE FILED AT 1900 SW 4TH AVENUE, PORTLAND, OR 97201 (503-823-7526). Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th floor. **An appeal fee of \$ 5,000 will be charged (one-half of the application fee for this case, up to a maximum of \$5,000).** Information and assistance in filing an appeal can be obtained from the Bureau of Development Services at the Development Services Center.

Who can appeal: You may appeal the decision only if you wrote a letter which is received before the close of the record on hearing or if you testified at the hearing, or if you are the property owner or applicant. If you or anyone else appeals the decision of the Hearings Officer, only evidence previously presented to the Hearings Officer will be considered by the City Council.

Appeal Fee Waivers: Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope; **OR**
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS
NOT ATTACHED UNLESS INDICATED

- A. Applicants' Statements
 - 1. Original submittal cover memo
 - 2. Original bound full narrative with exhibits
 - 3. Original plan set
 - 4. Cover memo submitted with additional copies of materials, rec'd 1/5/15
 - 5. Cover memo provided addressing issues in incomplete letter, rec'd 2/27/15
 - 6. Revised Conditional Use narrative, rec'd 2/27/15
 - 7. Revised Stormwater Infiltration Report, rec'd 2/27/15
 - 8. Revised Preliminary Stormwater Report, rec'd 2/27/15
 - 9. Revised Transportation Impact Analysis, rec'd 2/27/15
 - 10. Cover memo provided with small and simplified copies of site plans, rec'd 3/4/15
 - 11. Applicant preliminary e-mail response to staff issues, rec'd early April, 2015
 - 12. Formal applicant response to staff issues, rec'd 4/15/15
 - 13. Supplemental memorandum addressing transportation mitigation options, rec'd 5/13/15
 - 14. Final Transportation Impact Analysis, rec'd 5/28/15
 - 15. Initial hearing reschedule and 120-day extension form, rec'd 4/9/15
 - 16. Second hearing reschedule and 120-day extension form, rec'd 4/30/15
 - 17. Cover memo submitted with revised landscape drawings, rec'd 5/27/15
 - 18. Old, outdated planting plan sheets, replaced by updated 5/27/15 drawings C.16.a-f
- B. Zoning Map (**attached**)
- C. Plans and Drawings
 - 1. Color rendering of South Entry
 - 2. Color rendering of North Entry
 - 3. Views of Architectural Model
 - 4. Simplified Site Plan with Notes (**attached**)
 - 5. Partial Elevations (**attached**)
 - 6. Color renderings of North and South Entries
 - 7. Sheet Index
 - 8. Existing Conditions Plan
 - 9. Site Plan with Right-of-Way Alterations
 - 10. Composite Utility Plan
 - 11. Grading Plan
 - 12. Site Plan
 - 13. Site Plan Notes and Legend
 - 14. Landscape Plan
 - 15. Landscape Plan Notes and Legend
 - 16. 5/27/15 updated planting plan sheets
 - a. Planting Legend and Notes
 - b. Planting Plan Sector 1 – Pre-K Play Area (**attached**)
 - c. Planting Plan Sector 2 – North Parking and Play Areas

- d. Planting Plan Sector 3 – South Parking Lot
 - e. Planting Plan Sector 4 – Recreational Sports Field
 - f. Planting Plan Sector 5 – Southwest Entry Plaza and west site edge (attached)
17. *No exhibit this sheet, was replaced by 5/27/15 updated sheets at C.16.a-f*
 18. *No exhibit this sheet, was replaced by 5/27/15 updated sheets at C.16.a-f*
 19. *No exhibit this sheet, was replaced by 5/27/15 updated sheets at C.16.a-f*
 20. Pre-K Play Area Landscape Buffer Details
 21. Exterior Elevations 1/2
 22. Exterior Elevations 2/2
 23. Overall Building Sections
 24. Interior 3D Representations
 25. First Floor Plan – Color
 26. Second Floor Plan – Color
 27. Third Floor Plan – Color
 28. Roof Plan
 29. Large, Scalable Plan Set, matching drawings C.6 through C.28 above (25 pages total)
- D. Notification information
1. Request for response
 2. Posting information and notice as sent to applicant
 3. Applicants' statement certifying posting
 4. Mailing list
 5. Mailed hearing notice
 6. First revised hearing notice sent 4/20/15 – mailing list
 7. First revised hearing notice sent 4/20/15 – mailed notice
 8. Optional, updated posting notices as provided to applicant, sent 5/6/15
 9. Second revised hearing notice sent 5/8/15 – mailing list
 10. Second revised hearing notice sent 5/8/15 – mailed notice
- E. Agency Responses
1. Bureau of Environmental Services
 2. Development Review Section of Portland Transportation
 3. Water Bureau
 4. Fire Bureau
 5. Police Bureau Review Documents
 - a. Formal Police response letter
 - b. E-mail with background questions asked of applicant by police, dated 4/1/15
 - c. Staff and applicant e-mail dialogue regarding Health and Wellness Center access controls and lockdown, etc., dated 4/9/15
 - d. E-mail from staff to police with clarification questions, sent 5/20/15
 - e. Response e-mail from police regarding staff questions, rec'd.
 6. Site Development Section of Bureau of Development Services
 7. Urban Forestry Division of Portland Parks & Recreation
 8. Life Safety Section of the Bureau of Development Services
- F. Letters

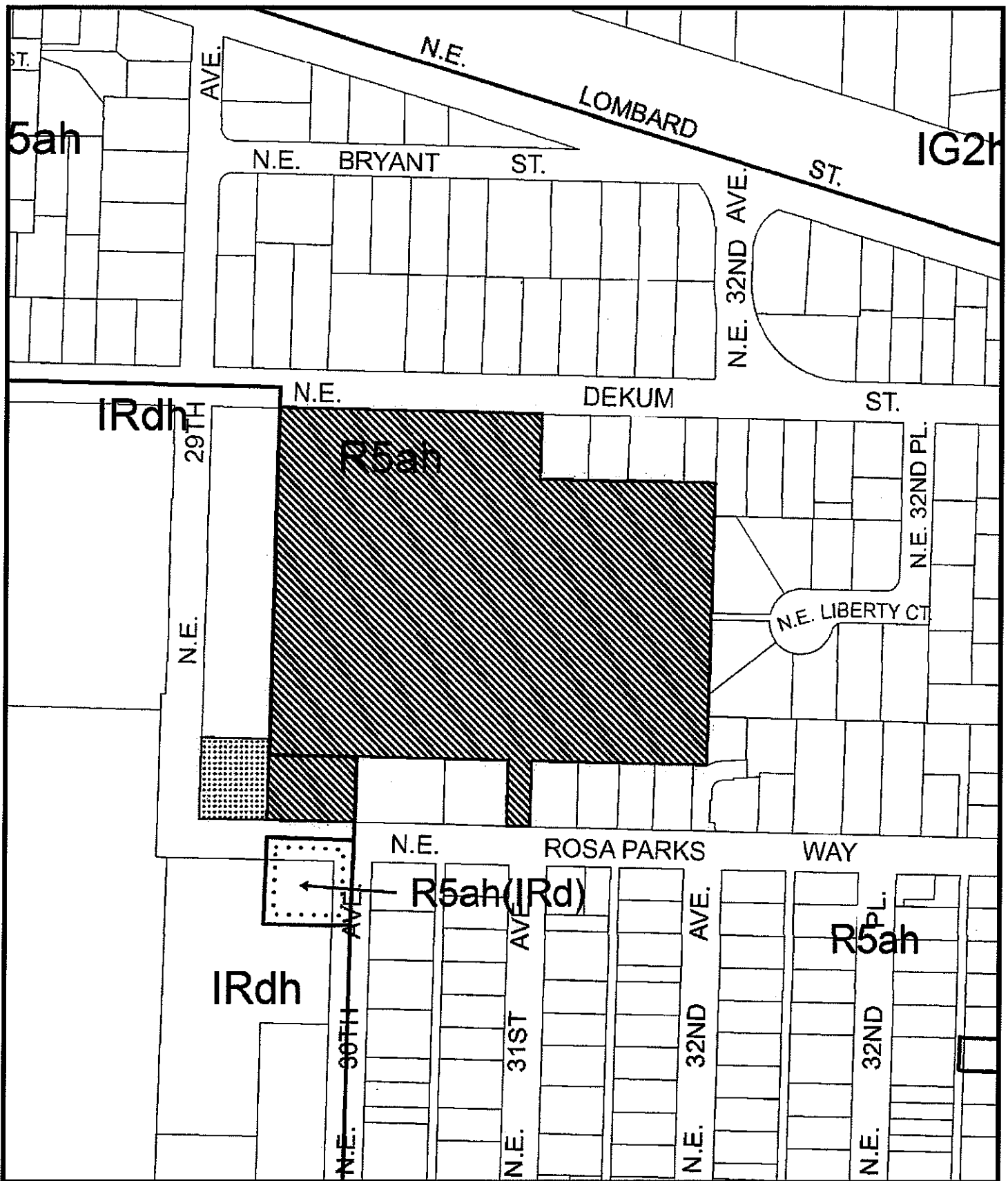
1. E-mail with comments from Corinne Atkinson, received prior to case being made complete, rec'd 1/26/15
2. E-mail comment letter from Garlynn Woodson, Concordia Neighborhood Association Land Use & Transportation Committee Chair, rec'd 4/6/15

G. Other

1. Original LUR Application form and receipt
2. Incomplete letter from staff to applicant, sent 1/22/15
3. PBOT Staff e-mail to applicant requesting additional information as sent 1/23/15, with attached Request for Completeness documents and responses from PBOT and BES
4. Staff e-mail to applicant encouraging submittal of a tree plan, sent 1/27/15
5. E-mail from staff to applicant regarding additional information requested by the Oregon Department of Transportation, sent 3/24/15
6. Pre-Application Conference Summary Notes – EA 14-152292 PC
7. Routing Slip for updated/completeness documents to agency staff, sent 3/4/15
8. Correspondence between city and ODOT staff regarding relevant criteria, sent 1/29/15
9. Clarification e-mail from ODOT to city staff regarding scope of ODOT review, rec'd 2/9/15
10. Request from PBOT staff to applicant for final supplemental analysis, rec'd 4/29/15

H. Received in Hearings Office

1. Notice of Public Hearing - Walhood, Mark
2. Request to reschedule - Walhood, Mark
3. Notice of Rescheduled Hearing - Walhood, Mark
4. Request to Reschedule - Walhood, Mark
5. Notice of Second Rescheduling of Hearing Walhood, Mark
6. Staff Report Walhood, Mark
7. PowerPoint Presentation - Walhood, Mark
8. Record Closing Information - Hearings Office



ZONING

-  Site
-  Also Owned



File No. LU 14-253336 CU AD

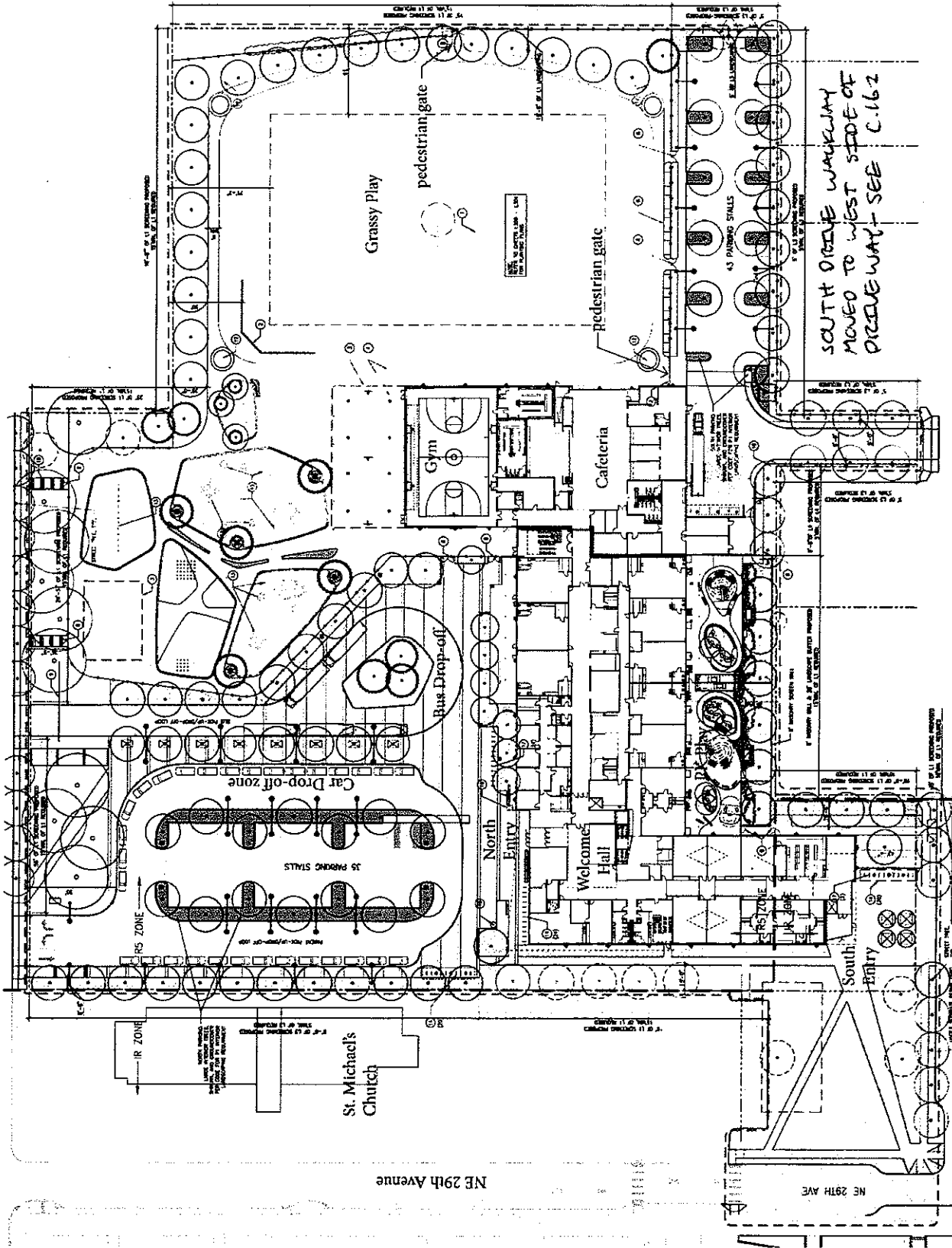
1/4 Section 2333,2433

Scale 1 inch = 200 feet

State Id 1N1E13BD 9700

Prohibit R (Apr 16 2015)

NE Dekum



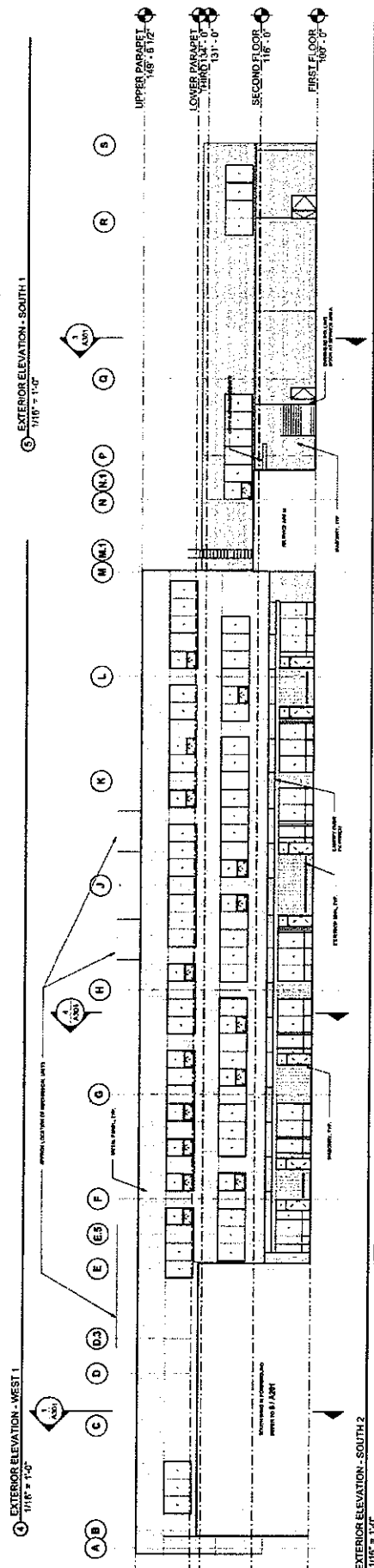
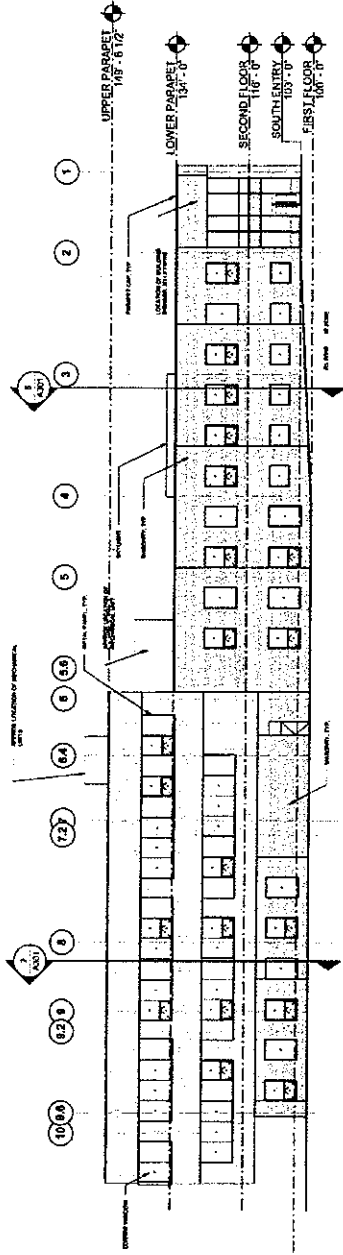
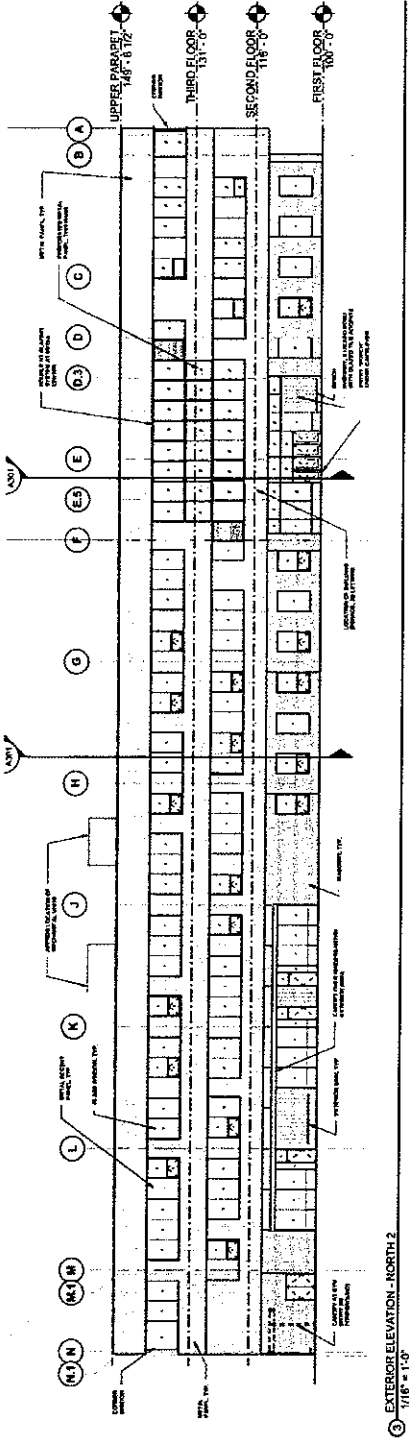
NE Rosa Parks

New PPS Faubion PK-8 with Concordia University COE
 Conditional Use, February 2015
 Site Plan



WALKER MACY
boora

CU 14-
 Concordia University
 253336 CU
 Exhibit C.4



LU 14-253336 W
 WALKER | MACO
 boora
 EXH. C.5



New PPS Faubion PK-8 with Concordia University COE
 Conditional Use, February 2015
 Exterior Elevations

5/16/15 UPDATE

boora

Boora Architects Inc.
1000 NE Oregon Street, Suite 100
Portland, Oregon 97232
T. WALKER 503.251.7429
F. 503.251.7429
www.boora.com

WALKER | MACY

11100 NE Multnomah Street
Portland, Oregon 97220
503.251.7429

ISSUED FOR
INFORMATIONAL
PURPOSES ONLY

NOT FOR
CONSTRUCTION



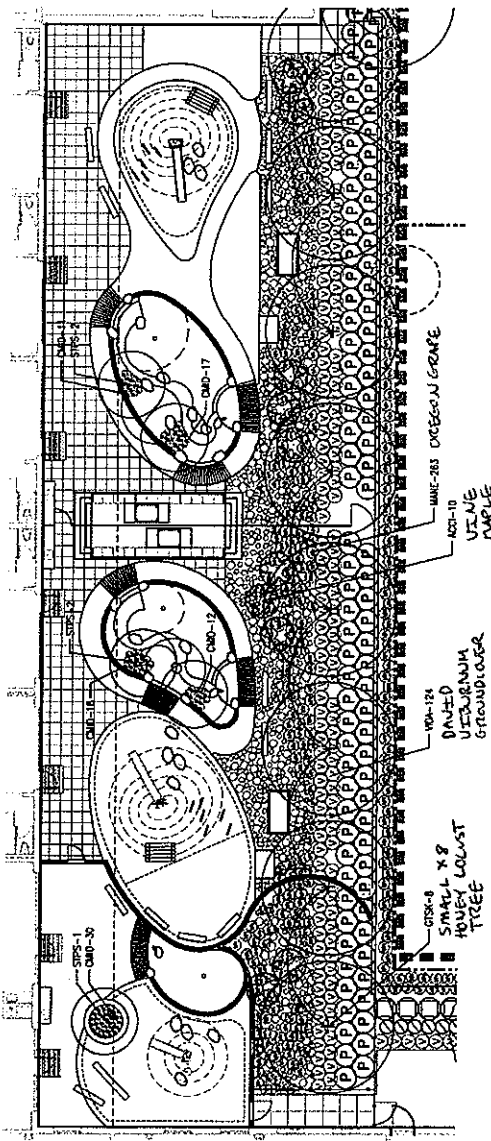
New PPS Faubion PK-8 School
with Concordia University COE
3039 NE Rosa Parks Way
Portland, Oregon 97211

REVISION DATE DESCRIPTION
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Scale: 1" = 10'



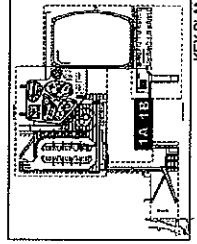
Contract
Project Number: 10000
100% DESIGN
DEVELOPMENT
PLANTING PLAN
SECTOR 1

L301



AREA OF ADJUSTMENT
REVIEW

PRE-K PLAY AREA



KEY PLAN

1/27/15 UPDATE

boora

Boora Architects Inc.
705 SW Washington Blvd 400
Portland, OR 97205
T. 503.251.1215 F. 503.241.7429
www.boora.com

WALKER | MACY
111 SW 5th Avenue, Suite 100
Portland, OR 97204
503.222.1111

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CONSTRUCTION



New PPS Faution PK-8 School
With Concordia University COE
3039 NE Rosa Parks Way
Portland, Oregon 97211

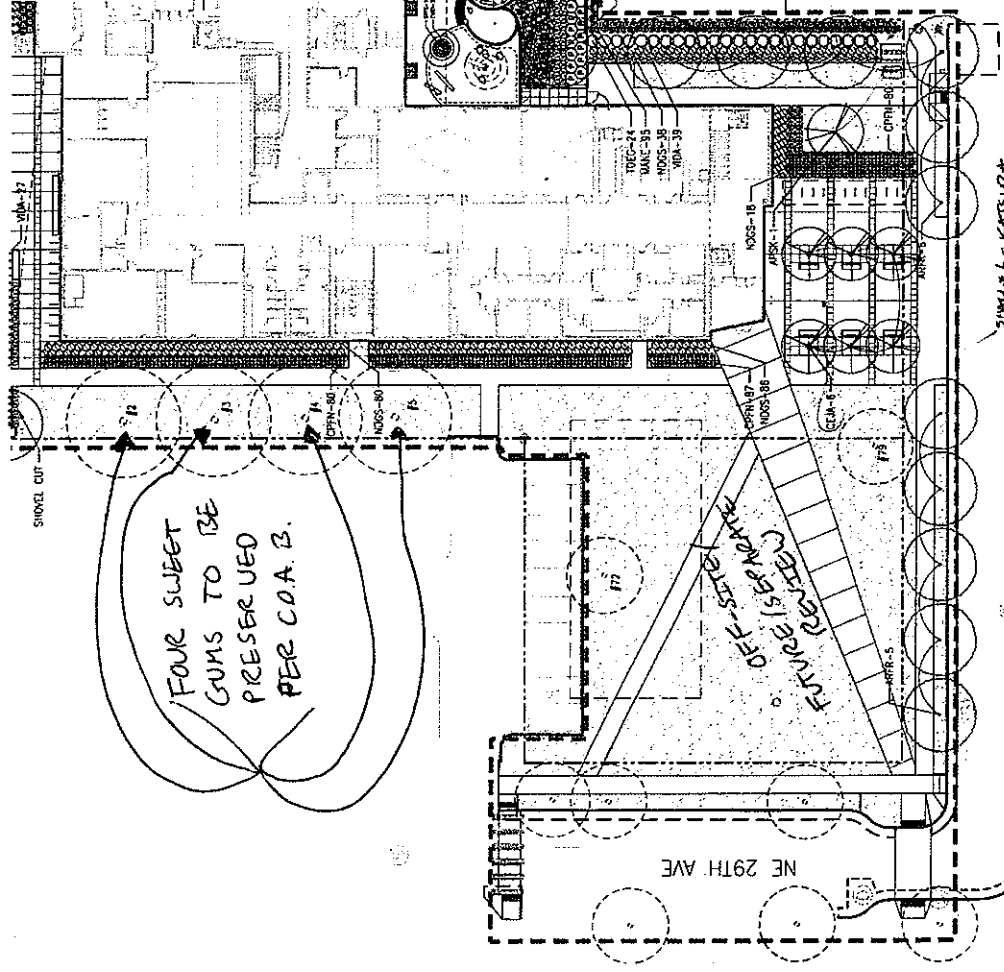
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SUNSET MAPLE
SIMPLE # 1 - CORAL
DANCE MAPLE

REVISION DATE DESCRIPTION
Issue: MAY 1, 2015
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100% DESIGN
DEVELOPMENT
PLANTING PLAN
SECTOR 5

L305

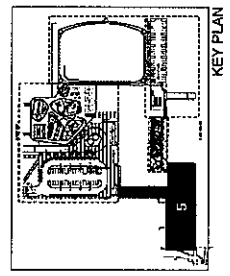


FOUR SWEET
GUMS TO BE
PRESERVED
PER C.O.A. B.

NE 29TH AVE

OFF-SET TREE
FUTURE (SEPARATE)
REVIEW

← NE ROSA PARKS WAY →
SIMPLE # 6 - WATERBURY



Exh. C.16F