



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** April 11, 2014  
**To:** Interested Person  
**From:** Kathleen Stokes, Land Use Services  
503-823-7843 / [Kathleen.Stokes@portlandoregon.gov](mailto:Kathleen.Stokes@portlandoregon.gov)

## **NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

### **CASE FILE NUMBER: LU 14-106188 CU AD**

#### **GENERAL INFORMATION**

**Applicant:** Ben Schonberger, Winterbrook Planning  
310 SW 4th Ave, Ste. 1100 / Portland, OR 97204

**Owner:** School District #40  
1500 SE 130th Ave / Portland, OR 97233-1719

**Site Address:** 13132 SE RAMONA ST

**Legal Description:** LOT 4&9&10 TL 100 SPLIT MAP R201357 (R466201110), LAMARGENT PK NO 2; LOT 4 9&10 TL 5200 SPLIT MAP R201356 (R466201100), LAMARGENT PK NO 2; LOT 4 TL 200, LAMARGENT PK NO 2

**Tax Account No.:** R466201100, R466201110, R466201120

**State ID No.:** 1S2E14CD 00100, 1S2E14CA 05200, 1S2E14CD 00200

**Quarter Section:** 3643

**Neighborhood:** Pleasant Valley, Linda Bauer at 503-761-2941.  
Powellhurst-Gilbert, Mark White at 503-761-0222.

**District Coalition:** East Portland Neighborhood Office, Richard Bixby at 503-823-4550.

**Plan District:** Johnson Creek Basin

**Zoning:** R5a (R5,000, High Density Single-dwelling Residential, with an Alternative Design Density Overlay)

**Case Type:** Conditional Use Review (minor), Adjustment Review

**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**Proposal:** The David Douglas School District is proposing to construct an addition to the existing facility at the Gilbert Park Elementary School and also to make changes to the parking area and improvements to the landscaping on the school site. The proposed addition consists of 4,926 square feet of new building area, that will add four new classrooms to the 1995 “quad building,” which is located immediately to the southwest of the main school building. Demolition of an existing modular classroom building will result in the removal of two classrooms. Upon completion, there will be a total of 55,6436 square feet of floor area on the school campus, which represents a net increase of 3,378 square feet.

The classroom additions, which will be attached with two wings, one on the east and one on the west side of the “quad building,” will result in the reconfiguration of parking spaces in this portion of the site, with a net increase of three parking spaces. In accordance with the requirements of Title 33, perimeter and interior parking area landscaping will be upgraded to current code standards. Pedestrian access to the school will also be improved with new walkways from the public sidewalk on SE Ramona Street to the front entrance of the main building. Because schools are institutional uses in residential zones, the proposed building additions and the increase in the number of parking spaces require approval through a Conditional Use Review. Because the proposed increases in the amount of floor area and the number of parking spaces are less than 10%, the review is conducted through a Type II process.

An adjustment to the standard that requires L3 (high screen) landscaping at the perimeter of the parking areas along the east and the west property lines (Code Section 33.266.130 G.2) has also been requested. In lieu of the L3 requirement, the applicants are proposing five feet of L2 (low screen) landscaping in these areas. The requested Adjustment also is subject to a Type II review process.

**Relevant Approval Criteria:**

Conditional Use - 33.815.105 A-E, Institutional and Other Uses in R Zones.  
Adjustments- Title 33, 33.805.040 A-F.

## ANALYSIS

**Site and Vicinity:** The site is a 5.86-acre property that is comprised of several platted lots that are currently consolidated into two tax lots. The property abuts the south side of SE Ramona Street, between the intersections with short cul-de-sacs for SE 130<sup>th</sup> Place, on the north side of the street, and SE 133<sup>rd</sup> Place, on the south side of the street. Through access to the area exists to the west, at SE 128<sup>th</sup> Avenue, and to the east, at SE 136<sup>th</sup> Avenue. The site is developed as an elementary school, with several structures, including the main school building, an auxiliary classroom building, a small modular classroom building, a gymnasium building, a covered play area and an open playground. Gilbert Park, a public City park, abuts the site on the east/southeast. The northeast quadrant of the site abuts a single-dwelling residential subdivision. To the north, west and south/southwest, there are other residential areas abutting the site, which appear to include both single and multi-dwelling development.

**Zoning:** The site is zoned R5, High-Density Single-Dwelling Residential with an “a” or Alternative Design Density Overlay. This zone is intended to accommodate single-dwelling development, with an average of one unit per 5,000 square feet of site area and a maximum density of one unit per lot (generally 8.7 units per acre.) The “a” Overlay Zone allows opportunities for increased residential density in certain situations. The overlay zone does not apply to this situation.

The site is located within the boundaries of the Johnson Creek Basin Plan District. This plan district provides for the safe, orderly, and efficient development of lands that may be subject to a number of physical constraints, including significant natural resources, steep and hazardous slopes, flood plains, wetlands, and the lack of streets, sewers, and water services. At certain locations, the density of development is limited by applying special regulations to new land

division proposals. In addition, restrictions are placed on all new land uses and activities to reduce stormwater runoff, provide ground water recharge, reduce erosion, enhance water quality, and retain and enhance native vegetation throughout the plan district. At other locations, development is encouraged and mechanisms are included that provide relief from environmental restrictions.

**Land Use History:** City records indicate that prior land use reviews include the following:

LUR 94-00919 CU AD – 1994 approval of a Conditional Use Review to allow construction of a 4,200 square-foot accessory classroom building (the “Quad Building”). The approved proposal also included removing two modular classroom buildings, relocation of the metal play area cover and upgrading the parking lot landscaping to the standards that applied at that time. An Adjustment was also approved to allow the required width of several of the driveway aisles to be reduced from the 24 feet that was required by the Code at that time, to 18 feet. Approval was subject to conditions that included requirements for half-street improvements along the Ramona Street frontage and provision of a pedestrian/bicycle pathway, “from the school to the site’s southern boundary and Gilbert Primary Park”.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **March 6, 2014**. The following Bureaus have responded with no issues or concerns:

- Environmental Services provided information on permit requirements for sanitary service and stormwater management (Exhibit E-1).
- Transportation Engineering provided an analysis of the proposal as it relates to the transportation-related approval criteria (Exhibit E-2). This analysis is also incorporated into the findings for Criteria 33.815.105 D. 1 and 2, below.
- Water Bureau sent a response that described the existing water service for the site and described requirements for any need upgrades to the system (Exhibit E-3).
- Fire Bureau noted that Fire Code requirements must be met at the time of building permit review (Exhibit E-4).
- Life Safety Plan Review Section of BDS provided an overview of life safety building code issues, including accessibility requirements (Exhibit E-5).
- Police Bureau noted that the applicant informed them that the alarm system will be extended to the new additions to the building and that the garbage dumpsters will be lockable, thereby addressing safety priorities raised by the bureau. The bureau also recommended that the school district continue to work with the East Precinct and the School Resource Officers to address any student or site safety/security issues or concerns (Exhibit E-6).
- The Site Development Section of BDS and the Parks-Forestry Division each sent responses of “no concerns” (Exhibit E-7).

**Neighborhood Review:** No written responses have been received from either the Neighborhood Association or notified property owners in response to the notice of this proposal.

## **ZONING CODE APPROVAL CRITERIA**

### **33.815.040 Review Procedures**

The procedure for reviews of conditional uses depends on whether the applicant is proposing a new conditional use, changing to another type of conditional use, or modifying development at an existing conditional use site. The review procedure may also depend upon the type of use that is being proposed. This proposal is for an addition that increases the existing floor area by more than 10% and so requires approval through a Type III Conditional Use Review.

### **33.815.105 Approval Criteria for Institutional And Other Uses In R Zones**

These approval criteria apply to most conditional uses in R zones. The approval criteria allow institutions and other non household living uses in a residential zone which maintain or do not significantly conflict with the appearance and function of residential areas:

**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

**Findings:** The residential area that would be directly impacted by this proposal is the area within the adjacent blocks that would see the most pedestrian and vehicular traffic, or be close enough to experience any increased activity on the site. The applicant reports that this is generally, “a polygon within the boundaries of SE Harold Street to the north, SE 136<sup>th</sup> Avenue to the east, SE Foster Street to the south and SE 128<sup>th</sup> Avenue to the west. Within this impact area, land uses are generally residential, with some exceptions.” These reported exceptions included the Bennett Chapel United Methodist Church, on the opposite side of SE Ramona Street, and the Philadelphia Romanian Pentecostal Church, on SE 128<sup>th</sup> Avenue. The applicant also mentioned several nonresidential uses that are located along SE Foster Road and SE 136<sup>th</sup> Avenue. Most of these were revealed to be businesses that were located in commercial zones. There were also three properties in the R2, Low Density Multi-Dwelling Residential Zone that contained nonresidential uses, including a Portland Fire Station at 13310 SE Foster, a healthcare facility, at 60003 SE 136<sup>th</sup> and the Discovery Christian Center at 6030 SE 136<sup>th</sup>. The inventory confirmed the applicant’s conclusion that the area is predominantly residential in character.

The elementary school is a feature that serves the existing community and the proposed addition to the school will not change the number, site size or location of non-household living uses in the residential area. The main school building was constructed in 1953, so a school has existed at this location for more than 60 years and the park property, to the south and east, buffers a large portion of the residential area. The additions are not intended as a means to increase the capacity of the school, but instead to improve the quality of the facility for the education and development of the elementary school age students who already attend the school. The proposed improvements will serve the neighborhood children, without changing the proportion of nonhousehold uses in the area. The additions to the school building and number of parking spaces will not require expanding the school district property or any change in the location of nonhousehold uses. This criterion is met.

2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.

**Findings:** The proposal to construct 4,926 square-feet of new floor area, in one-story additions to an existing building, and to add three parking spaces will allow better accommodations for the existing facility. The proposed improvements will relieve crowding and improve the ability to serve the children of this portion of the David Douglas School District. Approval of these small additions, which represent an increase of less than 10% in the amount of floor area and the number of parking spaces, will not create a situation that increases the intensity or the scale of this use or alters the interaction of this institutional use with other uses in the area. Therefore, there should not be any noticeable impacts from the intensity or the scale of the use or the development that serves it and this criterion is met.

**B. Physical compatibility.**

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

**Findings:** City-designated scenic resources are protected with an “s” or Scenic Resource Overlay Zone. There are no City-designated scenic resources at the site or adjacent to the site. Therefore, this 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:** The approval criteria require that either 2 or 3 must be met. The architecture of institutional uses is often substantially different from residential architecture, based on characteristics such as site size, building scale and style. In this case, the proposed development addresses these criteria by proposing a structure that is one-story in height and matches the existing school structure and also by maintaining adequate setbacks and open area and landscaped screening, where appropriate. The building additions are well below the allowed height and greatly exceed the institutional building setback requirements, being proposed at a location of the following distances from the property lines of the site: 61 feet from the north, 38.75 feet from the east, 32.8 from the west and 185 feet from the south. Staff finds that the proposed development will be compatible with the character of the existing school, which is a community asset in the area. The building additions and the parking spaces will be adequately buffered from the adjacent residences to mitigate for any differences in appearance or scale. Therefore, these criteria are 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:** No significant adverse impacts related to noise, glare from lights, late-night operations, odors or litter are expected as a direct result from this proposal because there will be no change from previously existing hours and activities. Because the facility serves younger children, school programs and activities generally do not include any late evening hours. The grounds will continue to be well-maintained and litter kept under control by the School District staff. This maintenance will ensure that odors are not a problem. Due to the distance from the residential properties, noise should not create issues for neighbors. No glare from lights will be generated due to this proposal. Therefore, this criterion is met.

2. Privacy and safety issues.

**Findings:** The proposed additions of the “Quad Building” will not impact privacy or safety. The physical separation of the structure from the adjacent residences will ensure that there are no impacts on privacy. The school children and parents will not create any safety issues for the residential neighbors. Safety will be ensured by having secure entrances in the building and maintaining clear lines of sight for staff and security officials, through the use of low landscaping and appropriate window glazing. Therefore, This criterion is met.

**D. Public services.**

1. The proposal is supportive of the street designations of the Transportation Element of the Comprehensive Plan;
2. The transportation system is capable of supporting the proposal 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:** Portland Transportation/Development Review reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services and offered the following analysis:

#### Street Classification

At this location, the City's Transportation System Plan (TSP) classifies SE Ramona Street as a Local Service street for all modes.

The street classification of SE Ramona Street is noted above. The proposed building addition at Gilbert Park Elementary is supportive of the Local Service street designations of SE 128<sup>th</sup> Avenue and the Neighborhood Collector designation of SE 136<sup>th</sup> Avenue. The TSP states that, "Local Service Traffic Streets are intended to distribute local traffic and provide access to local residences or commercial uses." The TSP states that, "The design of Neighborhood Collectors may vary over their length as the land use character changes from primarily commercial to primarily residential. Some Neighborhood Collectors may have a regional function, either alone or in concert with other nearby parallel collectors." The proposed building addition on the subject site is supportive of the City Walkway, City Bikeway, and Community Transit designations of SE 136<sup>th</sup> Avenue. The site's frontage is improved with curb and sidewalk which supports pedestrian activity within the neighborhood consistent with a Local Service street design. Additional pedestrian connections along SE Ramona will improve pedestrian activity and access to transit on SE 136<sup>th</sup> and will be discussed in more detail below.

#### 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. To adequately address this evaluation factor, an applicant is typically required to submit a Traffic Impact Study (TIS) prepared by a registered traffic engineer in conjunction with the other application materials. The application submittal package for the subject Conditional Use request included a TIS.

Classes start at 9:00am and end at 3:15pm and school offices open at 7:30am and close at 4:30pm. Trip generation estimates show that the school currently generates approximately 299 vehicular trips during the morning peak period, 186 trips during the afternoon school peak hour, and 100 trips during the evening peak hour. The proposed building addition will not affect school enrollment and therefore is not expected to generate additional site trips. There will be no increase in vehicle volumes or trip characteristics as a result of the proposed project.

The applicant submitted data on the current mode split for students indicating that 49% arrive via school bus, 34% via automobile, 16% walk, and 1% arrive via bike. The existing mode split is not anticipated to change as a result of the proposed building addition.

### Access to Arterials

SE Foster Road, a District Collector, is located approximately 0.2 miles to the south of the school and provides east/west connectivity via SE 122<sup>nd</sup>, a Major City Traffic street which is located approximately 0.2 miles west of the school and to SE 136<sup>th</sup> Avenue, a Neighborhood Collector, approximately 0.25 miles east of the school.

While there are several options to access the greater transportation network at this location, the operational characteristics of an elementary school typically include trips that originate/terminate in close proximity to the school. Additionally, no additional changes in trip volumes or characteristics are proposed as a result of the building addition as discussed above.

### Connectivity

The existing development pattern in the area does not necessarily meet the City's connectivity spacing guidelines for public streets or pedestrian connections. Given the orientation of nearby streets and the existing development pattern in the area, traditional spacing connectivity may not be realistic. However, the opportunity does exist for pedestrian connectivity from the school site to Gilbert Primary Park to the southeast via an existing 5-ft wide soft surface pathway within the southern portion of the school site that provides two connection points into the greater park pedestrian system. This pathway on the school's property was developed in concert with the park's pedestrian system as part of an Intergovernmental Agreement between David Douglas School District and the City of Portland Bureau of Parks and Recreation. The applicant will be required to maintain this pedestrian connection consistent with this Intergovernmental Agreement.

### Transit Availability

There are two TriMet bus lines that run within ½ mile of the school site. The closest stop is located approximately 0.25 miles east of the school at the intersection of SE 136<sup>th</sup> Avenue and SE Ramona Street and is served by bus line #10. Additionally, TriMet bus line #71, which has a stop at SE 122<sup>nd</sup> Avenue and SE Ramona Street, is located approximately 0.5 miles to the west of the school site.

The school provides yellow bus pick-up and drop-off service during regular school hours. The typical transit needs of an elementary school are minimal and the proposed building addition is not anticipated to result in any additional transit demand.

### On-street Parking Impacts/ Neighborhood Impacts

The school's existing operation includes a one-way 2-lane school bus pick-up/drop-off loop within the western portion of its frontage along SE Ramona. Additionally, there is a one-way vehicle pick-up/drop-off loop located to the north of the existing parking area within the eastern portion of the school's frontage on SE Ramona.

There are currently 58 existing on-site parking spaces at the school and the applicant's parking demand assessment found that all available on-site spaces were observed to be in use during peak demand hours. The proposed renovations to this site will include an additional 3 on-site parking spaces. Additionally, there is space for approximately 25 on-street parking spaces in the immediate vicinity of the school. Only 2 on-street spaces were observed to be used during peak hours. Therefore, the existing/proposed parking supply is adequate to meet the demands of the school.

The applicant's on-site circulation analysis indicated that parent's bringing their children to school generally do not utilize the on-site parking spaces but observe the drop-off/pick-up protocol with school staff assisting in boarding/de-boarding students to help facilitate circulation through the loop. To further reduce conflicting traffic movements, the six parking spaces at the front of the school, adjacent to the car pick-up/drop-off loop, will be restricted to early-arriving faculty/staff who do not need to move their vehicles during arrival/pick-up times. While some vehicle queuing was observed along SE Ramona during the peak pick-up/drop-off times, this generally lasted less than 30 minutes.

Additionally, the analysis found that the 2-lane bus pick-up/drop-off is dedicated exclusively for buses at all times, minimizing conflict with car traffic during pick-up/drop-off times.

The applicant is proposing several upgrades to the internal pedestrian and vehicular circulation system that should provide for more efficient operation of the pick-up/drop-off loops and potentially reducing the amount of queuing along the right-of-way. This includes a new paved pedestrian walkway from the eastern parking area to the school's entrance, installing a new crosswalk across the parking area, and improving the existing pavement markings in the pick-up/drop-off areas to provide an increase in queue storage on-site.

The impacts to on-street parking, as a result of the building addition, are anticipated to be minimal given the proposed improvements to the site are to relieve existing classroom congestion. Additionally, the proposed improvements to the internal parking and pedestrian area should help facilitate vehicular and pedestrian circulation through the site.

#### Access Restrictions

The school's existing access points are adequate to serve the campus and staff finds no reason to modify said access points as a result of the proposed building addition. The applicant has indicated that the outbound driveway located at the northeast corner, currently restricted to right-turn only via an existing sign, will be repainted to include a right-turn arrow as part of the site upgrades to reinforce the existing turning requirement.

#### Impacts on Pedestrian, Bicycle, and Transit Circulation

The school's frontage along SE Ramona is improved with a 20-6-0 sidewalk corridor, however, there are gaps in the public pedestrian network in the surrounding neighborhood. Pedestrian connection from the school site to Gilbert Primary Park is provided through the southeast portion of the site. Staff does not anticipate any additional impacts to pedestrian, bicycle, or transit circulation as a result of the building addition.

The Holgate Ramona sidewalk infill project, a City of Portland Capitol Improvement Project scheduled to begin in the Summer of 2015, will construct sidewalks along the south side of SE Ramona Street from 122<sup>nd</sup> to 136<sup>th</sup>. The project will fill any missing links along this segment of SE Ramona and will connect into the existing sidewalk in front of the school thereby improving pedestrian safety/circulation along SE Ramona Street.

#### Safety for all modes

No negative safety impacts are expected with this proposal on any mode of the transportation system.

#### Adequate Transportation Demand Management Strategies

The goal of a Transportation Demand Management (TDM) plan is to reduce the number of single-occupancy vehicle trips to the site.

As previously stated, the most common mode for students commuting to and from the school is via school bus (49%). The next most common mode is by car (34%) followed by 16% that walk. Driving is the most common mode among faculty and staff, accounting for 93% of the trips.

The applicant's TDM plan identified potential TDM measures several of which focus upon encouraging students to walk to school. As previously stated, there are significant gaps in the existing sidewalk system along SE Ramona and the City is scheduled to begin an infill project in Summer 2015 to improve the pedestrian infrastructure around the school which will make the option of walking to school safer and more appealing. In concert with these improvements the applicant has identified several options to encourage walking including participating in National Walk/Bike to School Days, creating a monthly



bike/walk school day, and coordinating “walking school buses” which consists of a group of students walking to school with one or more adults.

Additional measures included supporting rideshare opportunities by actively matching students and staff with similar travel routes as well as exploring options for incentive programs to make transit more appealing for faculty and staff.

Given that the proposed building addition will not result in increased enrollment or alter travel patterns in any way, the existing TDM strategies appear to be adequate. However, upon completion of the sidewalk infill project in this area, the applicant should adopt a formal transportation demand management plan that encourages active transportation.

In summary, Portland Transportation has no objection to approval of the proposed Conditional Use subject to the following conditions of approval:

- A 5-ft wide soft surface pedestrian pathway shall be provided linking the school to Gilbert Primary Park located to the east. The pathway shall provide connections from the school to the two existing pedestrian paths within the park that currently stub-out at the school’s eastern boundary.
- The existing sidewalk corridor along SE Ramona Street shall be maintained in accordance with the approved Public Walkway Easement (95-50472).

BDS staff concurs with the analysis of the PBOT staff and finds that these criteria have been 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 proposal is not expected to create any noticeable change in the burden on the City’s services. The City’s service agencies evaluated this proposal and responded to indicate that public services are adequate to serve the proposed use. Therefore, this criterion is met.

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

**Findings:** This site is located within the plan boundaries of the Powellhurst-Gilbert Neighborhood Plan, the Pleasant Valley Neighborhood Plan and the Outer Southeast Community Plan. While none of the policies or objectives of these plans were found to be specifically applicable to this proposal, the proposal will serve to generally upgrade the existing site and to provide enhanced educational facilities for the youth of these neighborhoods. This proposal is therefore consistent with the goals of the adopted area plans to foster development that improves the livability of the area for the residents and this criterion is met.

Summary: All of the Conditional Use approval criteria have been met for the proposed additions and the increase to the number of parking spaces for the Gilbert Park Elementary School.

### **33.805.010 Purpose of Adjustments**

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 to

allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide 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. stated below have been met.

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

**Findings:** The applicants are requesting approval of an Adjustment to Code Section 33.266.130 G. 2, in order to allow L2 (low screen) landscaping along the perimeter of portions of the parking areas, instead of the required L3 (high screen) standard. The purpose for this regulation is as follows:

*The landscaping requirements are intended to*

- *Improve and soften the appearance of parking areas;*
- *Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;*
- *Direct traffic in parking areas;*
- *Shade and cool parking areas;*
- *Reduce the amount and rate of stormwater runoff from vehicle areas;*
- *Reduce pollution and temperature of stormwater runoff from vehicle areas; and*
- *Decrease airborne and waterborne pollution.*

The Code requires upgrades to nonconforming development, as a part of this project. Currently, the site has the required five-foot wide perimeter landscaping along the edges of the parking areas and driveways, but the landscaping in these perimeter areas does not meet the L3 (high screen) standard that the Code dictates. The L3 standard calls for trees and ground cover and a continuous row of shrubs, 90% opaque year-round, that will be six feet tall at maturity. The applicants do not wish to have this type of shrubbery, in part due to safety and security concerns, and so have requested to use the L2 (low screen) standard in these areas. The L2 standard differs from L3 standard only in that it calls for shrubs that are three feet tall at maturity.

The Parking areas are already screened and buffered from adjacent residential properties on the west side by an existing row of trees, which will be supplemented by the addition of shrubs and ground cover and any additional trees that may be needed to meet the L2 standard. A long driveway and a laurel hedge that is approximately 25 feet tall are located on the residential property that abuts the school on this side so there is an existing buffer that is provided by these neighbors. On the east side, the residential properties are buffered by an existing row of trees on the school side and also by opaque wood fencing which is located next to the school's chain link fence. Requiring the planting of a sight-obscuring row of shrubs along the western perimeter would create a tunnel that would likely become an unsightly area that attracts litter or vandalism or worse. On the east side, the tunnel effect would not be created, but the shrubs would still back up to the fence and so the tall shrubs would have few positive effects, if any. Even if the screening on the adjacent properties, from the laurel hedge on the west and fence on the east, were to be removed, the proposed landscaping would still meet the purposes of the landscaping regulation. The low screen landscaping will allow visual surveillance, while still serving to improve and soften the appearance of the parking area, to shade and cool the parking area, to reduce the amount and rate of stormwater runoff, to reduce pollution and the temperature of stormwater runoff and to decrease airborne and waterborne pollution. Therefore, the purposes of the regulation are equally addressed and this 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:** Approval of the proposed exception to the level of landscaping along the boundary of the parking areas will allow the upgrades to landscaping that will increase the attractiveness of these portions of the site. Allowing the low screen (L2) standard to be used, instead of the high screen (L3) standard which would require a continuous row of six-foot tall shrubs, will ensure that these beautification efforts, which also have positive environmental effects, can be instituted without creating situations that might detract from livability through impacts on the safety and security of the site. This is of particularly vital importance at a community facility that serves young children, such as this elementary school which abuts a public park. Therefore, because approval of the requested Adjustment will not significantly detract from the appearance of the livability of the residential area, this 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 is being requested. Therefore, this criterion does not apply.

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

**Findings:** There are no City-designated scenic or historic resources on this site. Therefore, this criterion does not apply.

- E.** Any impacts resulting from the adjustment are mitigated to the extent practical.

**Findings:** There are no impacts that are expected to occur from approval of the requested Adjustment. Therefore, this criterion does not apply.

- 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:** The site is not located with an environmental zone. Therefore, this criterion does not apply.

## **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.

Portland Transportation provided the following information for the applicant regarding requirements for permit review:

### **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.

### **Street Configuration and Public Improvement/dedication Requirements**

According to City GIS, at this location SE Ramona Street is improved with a 20-6-0 sidewalk corridor.

The City's Pedestrian Design Guide recommends that for a site zoned R5a and located along a Local Service street, the sidewalk corridor be 11-ft wide comprised of a 0.5-ft curb, 4-ft wide furnishing zone, 6-ft wide pedestrian zone, and a 0.5-ft frontage zone.

The existing 20-6-0 sidewalk configuration was developed as part of the original Conditional Use Permit for the school and was constructed south of the right-of-way line on the applicant's property pursuant to a Public Walkway Easement which granted perpetual use by the public over and across the school's property (95-50472). The existing 6-ft wide sidewalk is consistent with the recommended 6-ft pedestrian corridor and no additional frontage improvements are required. The existing Public Walkway Easement will continue to apply to this property.

## CONCLUSIONS

All of the relevant approval criteria have been met for the requested Conditional Use Review for the proposed additions to the building and the reconfigured parking area. The approval criteria for the Adjustment to the landscaping standards for the parking area areas are also met. The proposal can be approved, subject to compliance with the proposed site plans and elevation drawings and the with the stated conditions of approval.

## ADMINISTRATIVE DECISION

Approval of a Conditional Use review to add 4,926 square feet of floor area in the proposed additions to the Quad Building, and to add a net increase of three parking spaces, and also, approval of an Adjustment to Code Section 33.266.130 G. 2, in order to allow L2 (low screen) landscaping along the perimeter of portions of the parking areas, instead of the required L3 (high screen) standard, in general compliance with the approved site plans and elevation drawings, Exhibits C-1 through C-3, signed and dated April 9, 2014. Conditional Use approval is also subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) 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 14-106188 CU AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. A 5-ft wide soft surface pedestrian pathway shall be provided linking the school to Gilbert Primary Park located to the east. The pathway shall provide connections from the school to the two existing pedestrian paths within the park that currently stub-out at the school's eastern boundary.
- C. The existing sidewalk corridor along SE Ramona Street shall be maintained in accordance with the approved Public Walkway Easement (95-50472).

**Staff Planner: Kathleen Stokes**

**Decision rendered by:** \_\_\_\_\_ **on April 9, 2014.**

By authority of the Director of the Bureau of Development Services

**Decision mailed: April 11, 2014**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on January 16, 2014, and was determined to be complete on March 3, 2014.

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on January 16, 2014.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: July 2, 2014.**

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, 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.

**Appealing this decision.** This decision may be appealed to the Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on April 25, 2014** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**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.

- *Unless appealed*, The final decision may be recorded on or after **April 28, 2014**.
- 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.
- **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.

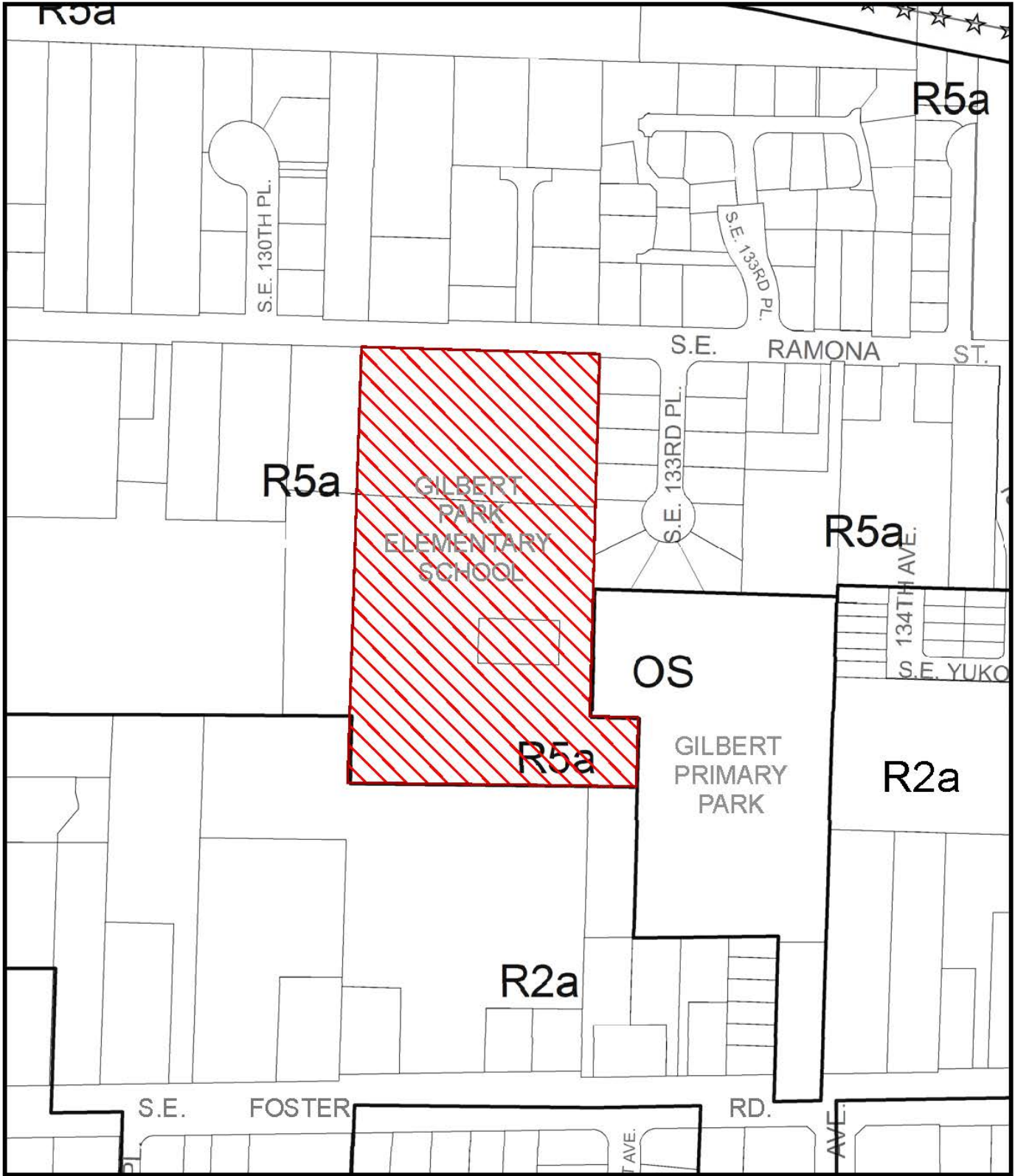
**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  1. Application and original plans, traffic study and narrative
  2. Supplemental information, dated February 10, 2014
  3. Supplemental information, dated February 26, 2014
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan (attached)
  2. Partial Landscape Plan (attached)
  3. Elevation Drawings ( detail of proposed additions, attached)

4. Elevation Drawings ( existing building with proposed additions, attached)
- D. Notification information:
1. Mailing list
  2. Mailed notice
- E. Agency Responses:
1. Bureau of Environmental Services
  2. Bureau of Transportation Engineering and Development Review
  3. Water Bureau
  4. Fire Bureau
  5. Life Safety Plan Review Section of BDS
  6. Police Bureau
  7. Bureau of Parks, Forestry Division
- F. Correspondence: (none received)
- G. Other:
1. Letter from Kathleen Stokes to Ben Schonberger, January 30, 2014

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



# ZONING

 Site

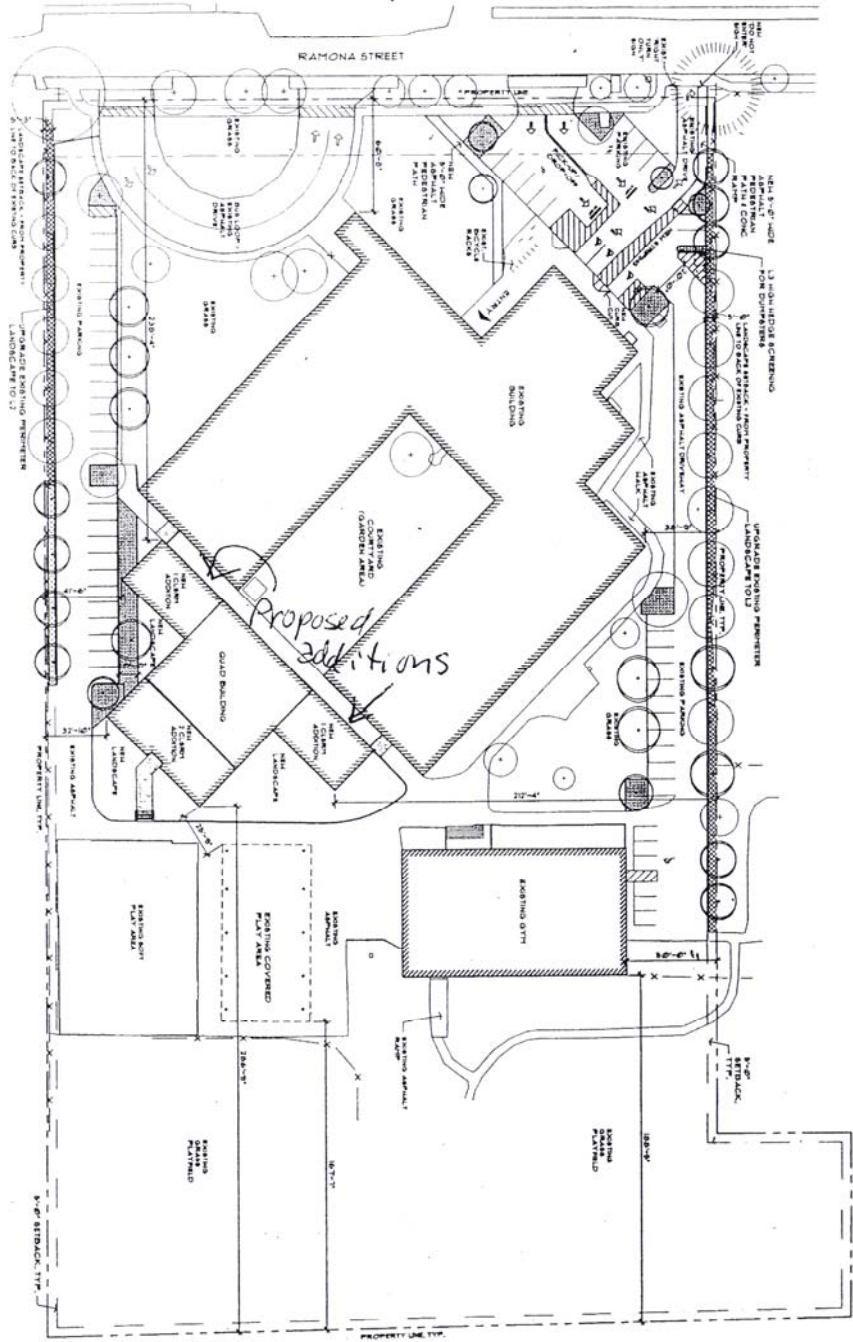


This site lies within the:  
**JOHNSON CREEK BASIN PLAN DISTRICT**

File No. LU 14-106188 CU  
 1/4 Section 3643,3644  
 Scale 1 inch = 200 feet  
 State\_Id 1S2E14CD 100  
 Exhibit B (Jan 17, 2014)



**SITE PLAN**



- NEW AND IMPROVED INTERIOR PARKING LANDSCAPE
- NEW PERIMETER LANDSCAPE
- LANDSCAPE PERIMETER LANDSCAPE
- LANDSCAPE PERIMETER LANDSCAPE
- EXISTING TREE
- NEW TREE

Planner *Kathleen A. Stokes* April 9, 2014  
 \* This site plan is for informational purposes only and is subject to all conditions of the project. The following requirements may apply.

Exhibit C-1  
 LU 14-106188 CUAD

AD.1

13032.00.L  
 PROJECT NUMBER  
 03 FEB 2014  
 DATE

DAVID DOUGLAS SCHOOL DISTRICT  
 GILBERT PARK ELEMENTARY SCHOOL  
 RENOVATION  
 13132 SE RAMONA STREET PORTLAND, OREGON 97236  
 SITE PLAN - LAND USE

**BBL ARCHITECTS**  
 ARCHITECTURE ■ PLANNING ■ INTERIOR DESIGN  
 200 North State Street ■ Lake Oswego, Oregon 97034

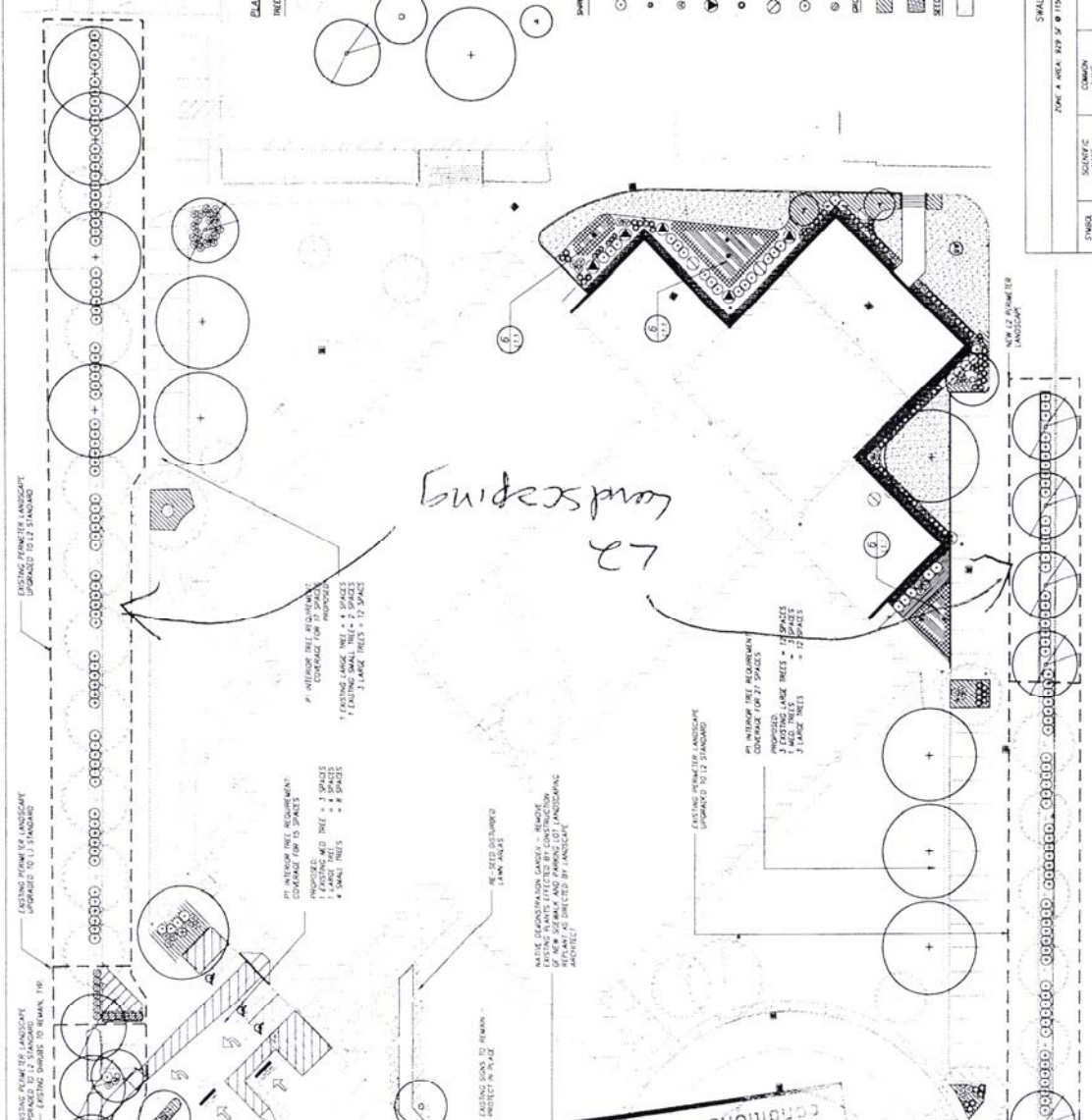


**BBL ARCHITECTS**  
 ARCHITECTURE ■ PLANNING ■ INTERIOR DESIGN  
 200 North State Street ■ Lake Oswego, Oregon 97034

DAVID DOUGLAS SCHOOL DISTRICT  
 RENOVATION  
 1032 E MAJONA STREET PORTLAND OREGON 97232

1.0  
 PERMIT SET

Harper  
**Harper Houf Peterson**  
 Rightellus Inc.  
 247 NE Spokane Street, Suite 200, Portland, OR 97227  
 Phone: 503.231.1111 www.houfpeterson.com



**PLANT SCHEDULE**

EXISTING TREE TO REMAIN - 60'S WARY

EXISTING TREE TO BE MAINTAINED

EXISTING TREE TO BE REMOVED

NEW TREE TO BE PLANTED

NEW TREE TO BE PLANTED - 12" DBH

NEW TREE TO BE PLANTED - 18" DBH

NEW TREE TO BE PLANTED - 24" DBH

NEW TREE TO BE PLANTED - 30" DBH

NEW TREE TO BE PLANTED - 36" DBH

NEW TREE TO BE PLANTED - 42" DBH

NEW TREE TO BE PLANTED - 48" DBH

NEW TREE TO BE PLANTED - 54" DBH

NEW TREE TO BE PLANTED - 60" DBH

NEW TREE TO BE PLANTED - 66" DBH

NEW TREE TO BE PLANTED - 72" DBH

NEW TREE TO BE PLANTED - 78" DBH

NEW TREE TO BE PLANTED - 84" DBH

NEW TREE TO BE PLANTED - 90" DBH

NEW TREE TO BE PLANTED - 96" DBH

NEW TREE TO BE PLANTED - 102" DBH

NEW TREE TO BE PLANTED - 108" DBH

NEW TREE TO BE PLANTED - 114" DBH

NEW TREE TO BE PLANTED - 120" DBH

NEW TREE TO BE PLANTED - 126" DBH

NEW TREE TO BE PLANTED - 132" DBH

NEW TREE TO BE PLANTED - 138" DBH

NEW TREE TO BE PLANTED - 144" DBH

NEW TREE TO BE PLANTED - 150" DBH

NEW TREE TO BE PLANTED - 156" DBH

NEW TREE TO BE PLANTED - 162" DBH

NEW TREE TO BE PLANTED - 168" DBH

NEW TREE TO BE PLANTED - 174" DBH

NEW TREE TO BE PLANTED - 180" DBH

NEW TREE TO BE PLANTED - 186" DBH

NEW TREE TO BE PLANTED - 192" DBH

NEW TREE TO BE PLANTED - 198" DBH

NEW TREE TO BE PLANTED - 204" DBH

NEW TREE TO BE PLANTED - 210" DBH

NEW TREE TO BE PLANTED - 216" DBH

NEW TREE TO BE PLANTED - 222" DBH

NEW TREE TO BE PLANTED - 228" DBH

NEW TREE TO BE PLANTED - 234" DBH

NEW TREE TO BE PLANTED - 240" DBH

NEW TREE TO BE PLANTED - 246" DBH

NEW TREE TO BE PLANTED - 252" DBH

NEW TREE TO BE PLANTED - 258" DBH

NEW TREE TO BE PLANTED - 264" DBH

NEW TREE TO BE PLANTED - 270" DBH

NEW TREE TO BE PLANTED - 276" DBH

NEW TREE TO BE PLANTED - 282" DBH

NEW TREE TO BE PLANTED - 288" DBH

NEW TREE TO BE PLANTED - 294" DBH

NEW TREE TO BE PLANTED - 300" DBH

**SMALL PLANTING MATRIX**

ZONE A AREA: 829 SF • 115 PLANTS PER 100 SF • 100% PLANTS REQUIRED

SYMBOL	SCIENTIFIC NAME	COMMON NAME	ZONE	SIZE	PLANTING HEIGHT	SPACING ON GRID	PLANTS
(Symbol)	HERACIDUS	HERACIDUS	A	1 GAL	24"	12"	430
(Symbol)	HERACIDUS	HERACIDUS	A	1 GAL	36"	12"	830
							TOTAL ZONE A HERACIDUS PLANTS: 1,060

- GENERAL PLANTING NOTES**
- Remove existing planting and install new plants as indicated on the site plan.
  - Plant material shall be delivered to the site in accordance with the City of Portland's Planting Standards for Nursery Stock (current edition).
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Approved: *[Signature]*  
 Planner: *[Signature]*  
 City of Portland - Bureau of Development Services  
 Date: April 9, 2014  
 \*This approval applies only to the reviews requested and is subject to conditions of approval. Additional reviews may apply.

Exhibit C-2  
 LU1A-106188CU AD



Approved\*  
 City of Portland - Bureau of Development Services  
 Planner *Kathleen A. Stone* Date *April 9, 2014*  
 \*This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

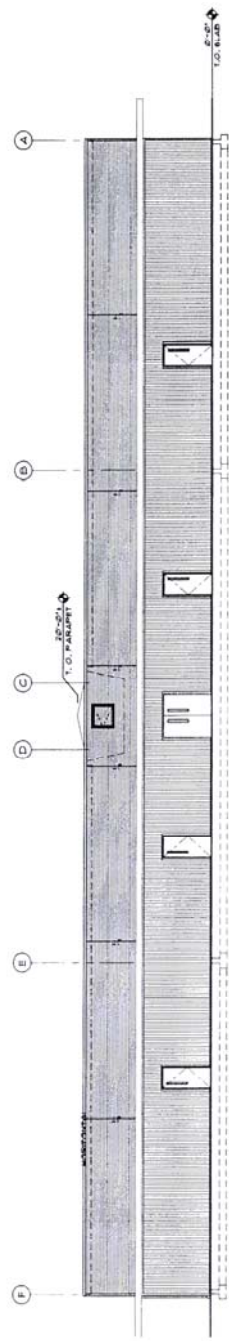
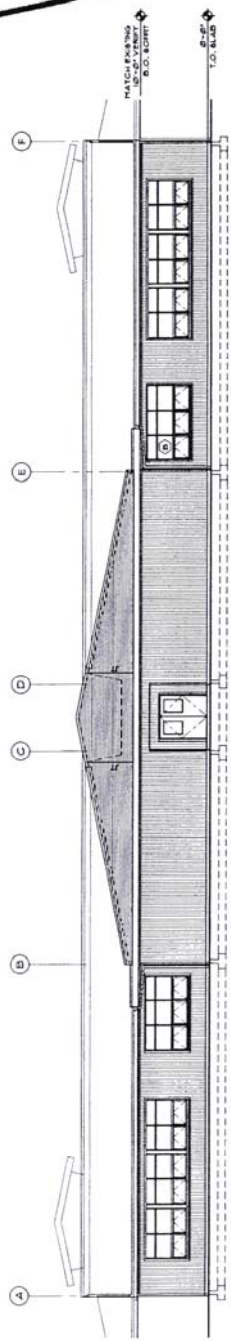
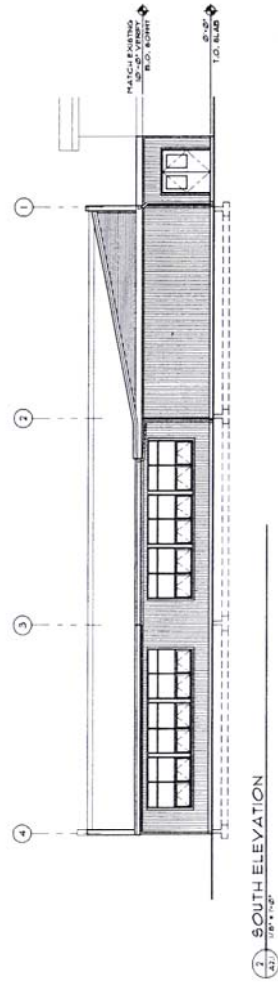
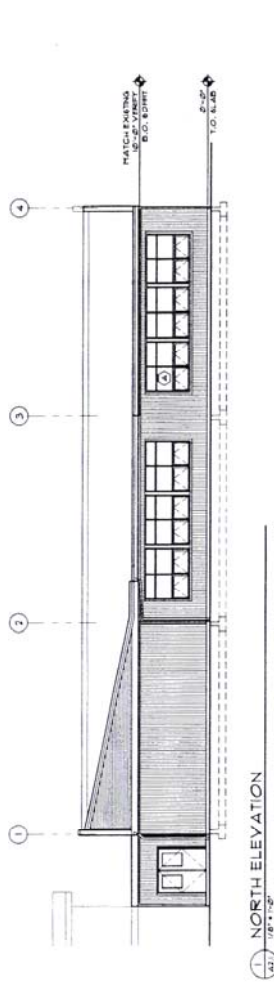
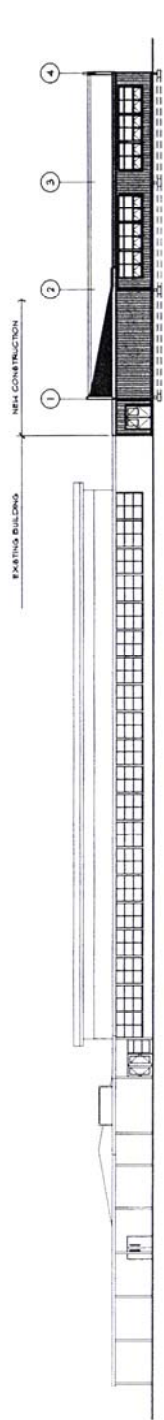
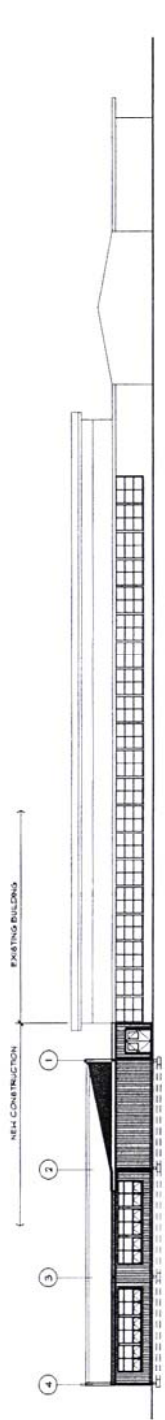


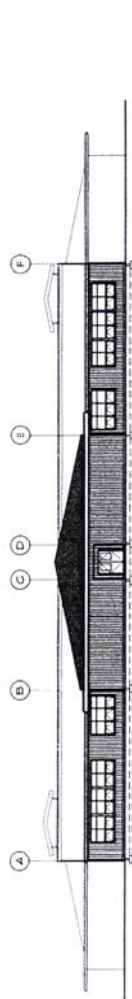
Exhibit C-3  
 2014-106188 C04D



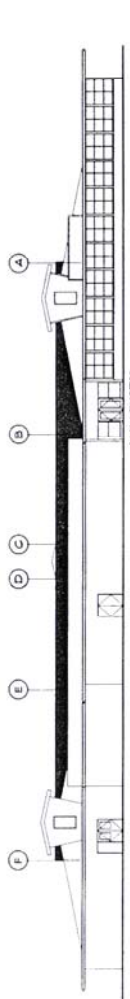
1 WEST ELEVATION  
1/16" = 1'-0"



2 EAST ELEVATION  
1/16" = 1'-0"



3 SOUTH ELEVATION  
1/16" = 1'-0"



4 NORTH ELEVATION  
1/16" = 1'-0"

Exhibit C-4  
L01A-106188 CO AD