



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

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Date: July 17, 2009
To: Interested Person
From: Kathleen Stokes, Land Use Services
503-823-7843 / kstokes@ci.portland.or.us

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 this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 09-111711 CU

GENERAL INFORMATION

Applicant: Bryan Winchester
Portland Public Schools (property owner)
PO Box 3107
Portland OR 97208

Sean Mc Ginnis
Milstead & Associates (consultant)
10121 SE Sunnyside Rd. Ste. 335
Clackamas, OR 97015

Site Address: 5401 NE Prescott Street

Legal Description: TL 7000 8.77 ACRES, SECTION 19 1 N 2 E
Tax Account No.: R942190140
State ID No.: 1N2E19AC 07000
Quarter Section: 2536

Neighborhood: Cully, contact Steve Yett at 503-282-3251.
Business District: None
District Coalition: Central Northeast Neighbors, contact Alison Stoll at 503-823-3156.

Zoning: R7h (R5) – R7000 or Medium Density Single-dwelling Residential, with an Aircraft Landing (height) Overlay. The Comprehensive Plan Map designation is R5 or R5000, High Density Single-dwelling Residential.

Case Type: Conditional Use Review
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal: The applicants are proposing the addition of a modular classroom building, with a footprint of 1,771 square feet, that will provide two additional classroom spaces for the students at Rigler Elementary School. The building is proposed to allow the school to accommodate the 8th grade class that will be added to the school, as the current 7th graders continue to attend school at Rigler in the coming year. With the new 2009-2010 kindergarten class, the projected enrollment for the entire school will be 603 students, with the full time

equivalence (FTE) of 46 staff members. Students will continue to be bused to and from the school, or ride with parents when busing is not feasible. The existing 26 automobile parking spaces and 18 bicycle parking spaces will remain.

The proposed modular classroom building is a one-story wooden frame structure that would be located adjacent to the other modular classrooms, just to the north of the western half of the Prescott Street parking lot. The modular building will not have a water or sanitary sewer connection. Stormwater is proposed to be sent to the surrounding planters and grassy areas, onsite.

This existing school is considered a conditional use site in the R7 zone. Because the addition of the new building exceeds 1,500 square feet, but is an increase of less than 10% of the overall floor area for the school facility, and also because the increase in the student body is less than 10% over the highest recent enrollment (576 students in the 1997-98 school year), the proposal is reviewed as a Conditional Use through a Type II Review process.

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are those for Institutional and Other Uses in R Zones, Code Section 33.815.105, A through E.

ANALYSIS

Site and Vicinity: The applicant's site is an 8.77-acre parcel that is located on the north side of NE Prescott Street, between NE 52nd and NE 55th Avenues. The property is developed with a two-story school building that was constructed in 1931 and several accessory structures, including four modular classroom buildings. The main parking area for the school is located adjacent to Prescott Street, to the southwest of the main school building. A community garden abuts the parking area, on the east side. Two soccer fields are located to north of the community garden and the east of the modular classrooms buildings. Additional athletic fields and a covered play structure are located to the north of the main school building and modular classrooms. The northern edge of the school property abuts lots with single-dwelling development that face onto the south side of NE Wygant Street.

Zoning: The site is currently zoned R7h, Medium Density single-dwelling Residential with an Aircraft Landing (height) Overlay. The R7 zone designation is intended for areas with adequate public services but minor development constraints. Single-dwelling residential will be the primary use. The maximum density is generally 6.2 units per acre or an average of one lot for every 7,000 square feet. Institutional uses, such as schools, are allowed in the residential zones when they are approved as Conditional Uses. The "h" Overlay restricts the height of taller structures that are located on land underneath the flight paths for the Portland International Airport. The proposed development in this case is not of sufficient height to be effected by the regulations of this overlay zone. The site has a Comprehensive Plan Map designation of R5, High Density Single-dwelling Residential, which has an average maximum density of one unit per 5,000 square feet.

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

CU 114-77 (77-003754 CU) Approval of 1977 Conditional Use Review to resurface a paved area and construct a covered play shelter.

LU 02-14065 CU AD Approval of 2002 Conditional Use Review for a Radio Frequency Transmission Facility operating at no greater than 98.62 watts ERP, consisting of five panel-style antennas flush-mounted to an existing chimney, and a fenced accessory equipment area at grade; and approval of an Adjustment Review to waive the required landscaping around the base of the accessory equipment.

The five proposed antennas, mounting equipment, and all visible connecting conduit or cabling were required to be painted to match the color of the chimney structure (presently a buff-

colored brick) and the at-grade accessory equipment enclosure was required to be screened on the north, west and east sides by an 8' tall, fully sight-obscuring wooden fence.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **May 19, 2009**. The following Bureaus have responded with no issues or concerns:

- Environmental Services provided information on sanitary sewers and requirements for stormwater management. No conditions of approval were required to meet the approval criteria for adequacy of services. The submittal of building plans must include a detailed site utility plan that shows proposed and existing sanitary connections and stormwater management that meets the requirements of the Stormwater Management Manual in effect at the time of permit submittal (Exhibit E-1).
- Transportation Engineering provided an analysis of the impacts of the proposal on the transportation system and noted that a Transportation Demand Management (TDM) Plan will be required. Details of Transportation's response are included in the findings for Criteria 33.815.105 D. 1 and 2, below (Exhibit E-2).
- Water Bureau provided information on available water services and noted no objections, as no new services or changes to existing services are proposed (Exhibit E-3).
- Fire Bureau noted that all Fire Code requirements must be met at the time of permit review (Exhibit E-4).
- Police Bureau noted that services are adequate for this proposal. The response included a standard caveat, regarding the need to consider cumulative effects of growth through periodic review of the Comprehensive Plan and also encouraging the school district to participate in community policing efforts and the incorporation of environmental design elements on the school campus (Exhibit E-5).
- Site Development Section of BDS stated that on-site infiltration is acceptable and should be used for this site, in order to meet the requirements of the Stormwater Management Manual. At the time of building permit review, a utility plan that shows existing and proposed utilities and a stormwater management method that meets the requirements of BES and Site Development will be required. BDS Site Development also provided information on requirements for erosion control and geotechnical and structural requirements for commercial building permits (Exhibit E-6).
- Life Safety Plan Review Section of BDS noted that building permits will be required (Exhibit E-7).
- Parks-Forestry Division sent an electronic response that indicated that there are no concerns.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on May 19, 2009. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

33.815.105: Institutional And Other Uses In R Zones

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. The review procedure may also depend upon the type of use that is being proposed. This proposal is for an addition to floor area that is greater than 1,500 square feet, but less than 10% of the overall floor area for the campus, and so requires approval through a Type II Conditional Use Review.

33.815.105 Approval Criteria for Non Household Living 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. 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: The residential area includes residentially-zoned properties within several blocks of the site, beginning at NE Alberta Street, to the north, and extending to NE Mason Street to the south, west to NE 47 Avenue and east to 57 Avenue. This area includes properties that are zoned for a mixture of single and multi-dwelling residential uses. A church property is located on NE Albera street, about 1.5 blocks, directly to the north of the site. Single-dwelling residential properties abut the northern edge of the school site.

The school has existed in this neighborhood since at least 1947, when the main school building was constructed. The proposed addition will serve the school population, as an improvement to the facilities on the site. Therefore, the number, size and location of nonhousehold uses will not change. The increase in the enrollment at the school will be less than 10% over the highest recent enrollment (27 more students than the 1997-98 enrollment of 596 students) Staff will be increased from 43 to 46 FTE (full time equivalent). Therefore, there is not expected to be any significant increase in the intensity or the scale of the use and these criteria are 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. The proposed development is compatible with the scale and architectural features of other existing school buildings. The proposed location for the modular classroom building is adjacent to the north side of the parking area and next to the other existing modular buildings on the site. Although this location exceeds the maximum Transit Street Setback from the frontage on NE Prescott Street, the plan provides better site design for this situation, while preserving the pedestrian environment along the street edge with existing landscaping and screening. The proposed location groups structures in one area of the site, separated from the closest residential properties to the south by the parking area and the NE Prescott Street right-of-way. The abutting residential properties to the north are on the opposite side of the school grounds, abutting the athletic fields that also serve as a neighborhood open space. Proposed landscaping and setbacks for the proposed structure will provide screening that buffers adjacent homes and minimizes visual impacts from institutional development upon the surrounding residential neighborhood. Therefore, this 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
2. Privacy and safety issues.

Findings: There will be no change from existing school hours and activities as a result of this proposal.

No significant adverse impacts related to noise, glare from lights, late-night operations, odors or litter are expected to result from this proposal, as the school will continue to maintain policies related to these potential disturbances. A minimal amount of new outdoor lighting is proposed, in the area around the new structure, but the lighting is designed so that it will not spill onto adjacent residential properties. Use of the new building will not create any additional noise as it only serves to improve facilities for the school's programs and accommodate a small increase in enrollment. Portland School District security practices will continue to safeguard against impacts related to privacy and safety. Maintenance of the school site to prevent any impacts from odors or litter will also continue. The new building will improve the student facilities, with no resulting impacts to the surrounding residential area. These criteria are 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: Portland Transportation/Development Review reviewed this proposal for its conformance with adopted policies, street designations, Title 33 Approval Criteria, Title 17, and for potential impacts upon transportation services. Transportation's analysis is contained below:

Street Classifications

At this location, NE Prescott is classified as a Neighborhood Collector, Transit Access street, City Bikeway, City Walkway and a Local Service street for all other transportation modes in the City's Transportation System Plan. Northeast 52nd and 55th Avenues are classified as Local Service streets for all transportation modes in the City's Transportation System Plan.

The proposed expansion of Rigler Elementary School is supportive of the Neighborhood Collector designation of NE Prescott, and the Local Service street designations of NE 52nd and 55th Avenues. The Transportation System Plan (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 school expansion on the subject site is in conformance with the Transit Access street, and City Walkway designations of NE Prescott. Pedestrian activities and access to the transit line on NE Prescott are supported by sidewalk improvements along the site's Prescott and 55th frontages.

Access to arterials

The site is located within a well connected grid pattern of streets. The site fronts along NE Prescott (a Neighborhood Collector street). In addition to NE Prescott, the site has nearby access to NE Killingsworth (to the north), NE Cully Blvd (to the east), NE 42nd Ave (to the west) and NE Fremont (to the south), each of which are additional arterials that provide connections throughout the city.

Connectivity

The existing street grid pattern in the area does not meet City connectivity spacing guidelines for public streets and pedestrian connections. Although some of the public streets are within the recommended 530-ft spacing goals in one direction, they fail to be within the recommended spacing in all directions. The same can be said about the surrounding blocks and the goal of having pedestrian connections no further than 330-ft apart. However, given the lot and block patterns in the area, as well as the existing development found throughout the neighboring block areas, a pedestrian connection through the subject site would/could not connect to any other such pedestrian system in the area. The site frontages along NE Fremont and NE 55th are improved to with curbs and sidewalks. The streets in the surrounding neighborhood are also improved with sidewalks, promoting pedestrian activity and allowing access to local transit.

Transit availability

The site is not directly served by any Tri-Met Bus lines. However, approximately 1,500 feet to the east of the school, Tri-Met does offer bus service along NE Cully and NE Prescott, on Route 71 (60th Ave/122nd Ave).

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 Rigler school start time of 7:50 AM coincides with the critical AM peak hour of area intersections; however, the school's end time of 2:15 PM is early enough that it is not expected to have any impact on the critical PM peak hour of area intersections (the PM peak hour typically begins after 4 PM).

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.

The existing school operation includes students being dropped off by car in the morning or arriving to the site by walking, riding bicycles or taking school transportation. A survey was not done by the applicant to determine the mode split of students traveling to and from the school, but given that it is a neighborhood school, similar to Harvey Scott Elementary School a short distance to the east of the subject site, it can be projected that a significant portion of the students at Rigler walk or take public transportation to school in the morning. With the proposed school expansion, it is expected that additional students will be dropped off by car in the morning, as well as arriving to the school by other modes of transportation. No uses other than the school are expected to generate significant new traffic during the AM or PM peak hours. A traffic impact study was not required by PDOT for the proposed school expansion. Because of the well connected grid pattern of streets in the vicinity of the site the few additional vehicle trips expected during the peak hours will take a variety of routes to and from the site to access the area local

and arterial streets. Because of the variety of routes available to access the site the impacts to any one area intersection from the additional vehicles trips are expected to be insignificant. In addition, the traffic associated with the site will be reduced with continued use of transportation demand management strategies, as described in more detail below.

On-street parking/neighborhood impacts

The school's operation currently includes a school bus pick-up and drop-off zone along its frontage on NE 55th. It also includes a pick-up and drop-off zone along the front of the school on NE Prescott for parents to drop off and pick up their children. For a significant portion of the school's frontage along NE 55th Ave, the street is improved with ample paving (47-ft wide) to accommodate parking on the east side of the street for residents as well as the school's loading activities on the west side of the street, without any conflicts. The existing loading activities along NE Prescott has been consistently reviewed by PBOT staff in its Traffic Operations section. According to accounts of this historical review, there appear to be no significant impacts related to the loading activities of the school. Therefore, PBOT staff will continue to support the school's existing drop-off and pick-up activities, without a need for modifying the school's practices in relation to the proposed school expansion. A required Transportation Demand Management (TDM) Plan will provide measures to continue to ensure that there are minimal impacts to on-street parking and the neighborhood.

Access restrictions

No access restrictions are necessary.

Impacts on pedestrian, bicycle, and transit circulation

Not all of the streets in the surrounding neighborhood are improved with sidewalks. Those that do have sidewalks, help provide safe pedestrian access to the school site, and safer access to nearby transit facilities. However, there is no reason to believe that the proposed Conditional Use will result in negative impacts to pedestrian, bicycle or transit circulation in the adjacent neighborhood.

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

Transportation Demand Management (TDM) strategies are generally considered when mitigation measures are necessary to address impacts related to proposed developments. There have been no impacts found with the existing school. However, to ensure that the school can continue to operate, even after expansion, with no impacts on the transportation system, PBOT recommends that the applicant develop and submit an appropriate TDM Plan for the school. The TDM Plan would include information on the school's operation, its intention and manners in which it will be informing and advising parents on the school's drop-off and pick-up procedures, as well as on how the school plans on promoting alternative modes of transportation for the school's families. The applicant would develop and submit the TDM Plan prior to the commencement of the 2009-10 school year, with copies of the plan to be provided to BDS and PBOT staff.

CONCLUSION: As analyzed above, considering each of the noted evaluation factors, the transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Therefore, Portland Transportation has no objection to approval of the proposed Conditional Use. To address the request for a TDM plan, the following condition of approval will be required by BDS:

A Transportation Demand Management (TDM) Plan must be developed and submitted by the applicant. Necessary elements of the plan are noted previously in this response. The applicant must provide BDS and PBOT staff with a copy of the TDM Plan prior to the commencement of the 2009-10 school year.

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 City's other service agencies evaluated this proposal and found 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 within the boundaries of the Cully Neighborhood Plan. Although Rigler School is mentioned in the plan, under the section on Land Use xx, none of the policies or objectives of the plan are directly related to the school use. However, improving the facilities at this school appears to be consistent with the focus of the adopted plan, to improve the neighborhood environment and identity. Therefore, this criterion is met.

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.

CONCLUSIONS

All of the relevant criteria for the requested Conditional Use Review have been met. There will be no impacts on the function or appearance of the residential area, due to the increase in enrollment or the addition of the new modular classroom building. The building design is compatible with the existing campus development and adequate landscaping buffers will be provided. The site design and proposed location of the building, beyond the maximum setback on NE Prescott Street will provide a sensible grouping of structures and will not impact the adjacent pedestrian environment. There will be no change in the impacts on neighborhood livability. No impacts were noted that would create an additional burden on City services. The proposal is consistent with adopted area plans. Therefore, the proposal can be approved, according to the proposed plans.

ADMINISTRATIVE DECISION

Approval of a Conditional Use Review to increase the enrollment of Rigler School to approximately 603 students, with 46 FTE staff, and to add a new modular classroom. The approval allows the classroom building to be located beyond the maximum Transit Street Setback from the property line on NE Prescott. Approval is subject to general compliance with the site plans and elevation drawings, Exhibits C-1 through C-4, signed and dated July 15, 2009, and also subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related condition (B) 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 09-111711 CU ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. A Transportation Demand Management (TDM) Plan must be developed and submitted by the applicant. Necessary elements of the plan includes information on the school's drop-off and pick-up procedures and methods for promoting alternative modes of transportation for

students. The applicant must provide BDS and PBOT staff with a copy of the TDM Plan prior to the commencement of the 2009-10 school year.

Staff Planner: Kathleen Stokes

Decision rendered by:  **on July 15, 2009**

By authority of the Director of the Bureau of Development Services

Decision mailed: July 17, 2009

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 March 4, 2009, and was determined to be complete on May 15, 2009.

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 March 4, 2009.

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 requested that the 120-day review period be extended, by postponing the initial decision for 30 days, to July 17, 2009, as stated with Exhibit A-5. Unless further extended by the applicant, **the 120 days will expire on: October 13, 2009.**

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 July 31, 2009**, at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition,

an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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 at 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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 **August 3, 2009– (the first business day following the last day to appeal)**.
- 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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:

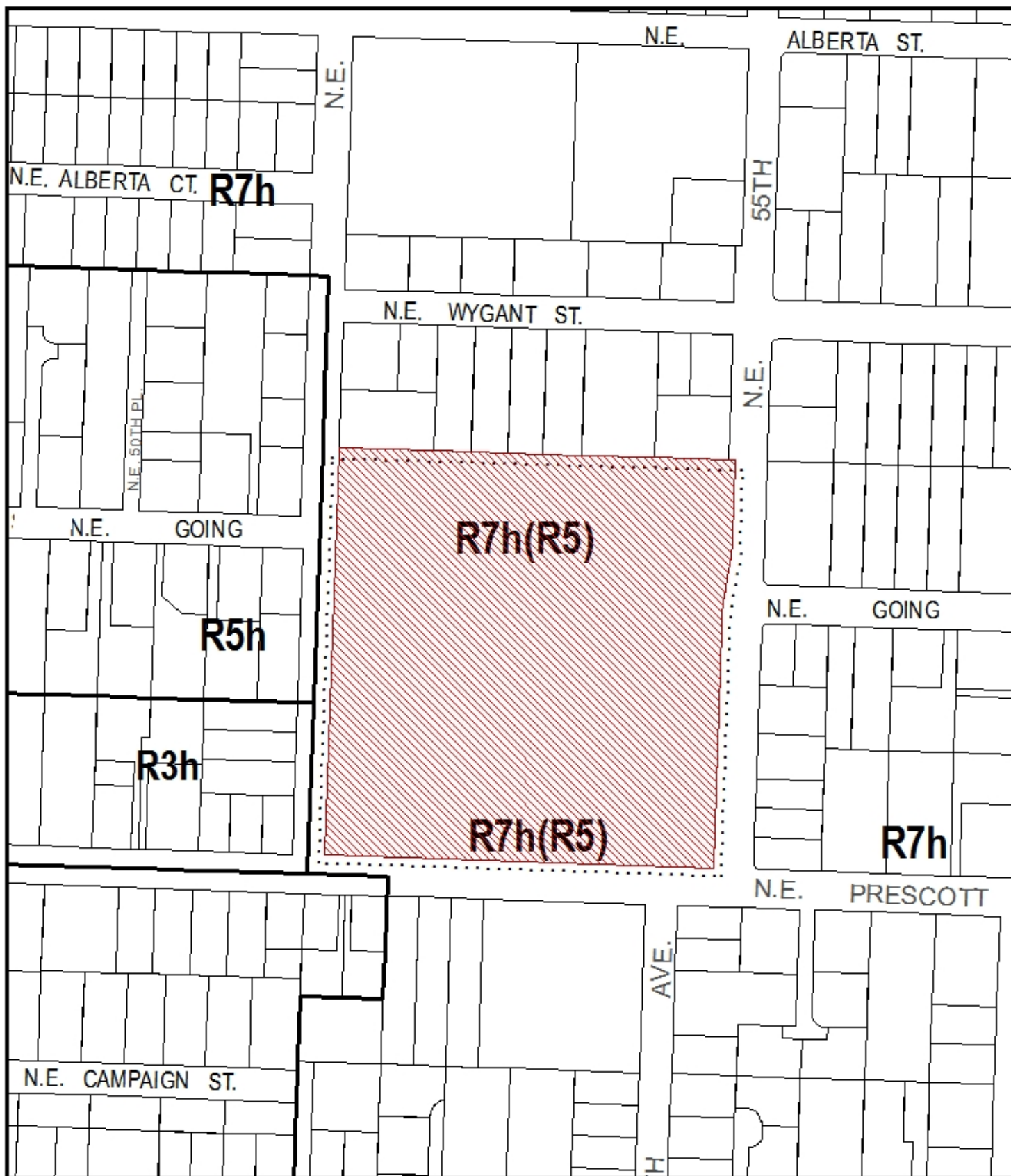
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 1. Original LU Application, narrative and plans
 2. Addendum, dated March 30, 2009
 3. Addendum, dated April 10, 2009
 4. Addendum, dated May 12, 2009
 5. Request to extend 120-day review period, dated June 5, 2009
 6. Addendum, dated June 10, 2009
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Detail Plan (attached)
 3. Landscape Plan
 4. Elevation Drawings
- 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. Police Bureau
 6. Site Development Review Section of BDS
 7. Life Safety Plan Review Section of BDS
 8. Sheet showing electronic responses from agencies
- F. Correspondence: (none received)
- G. Other:
 1. Site History Research
 2. Letter from Kathleen Stokes to Sean McGinnis, March 16, 2009

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-7300 (TTY 503-823-6868).



ZONING

 Site

File No. LU 09-111711 CU

1/4 Section 2536,2636

Scale 1 inch = 200 feet

State_Id 1N2E19AC 7000

Exhibit B (Mar 04,2009)



* This approval applies only to the reviews requested and is subject to the conditions of approval. Additional zoning requirements may apply.

RESIDENTIAL



LU 09-111711 CU Exhibit C.1

SOCCER
FIELD

* Approved*

City of Portland - Bureau of Development Services
Planner *Kathleen A. Stokes* Date *July 15, 2009*
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

UPPER LANDING

STAIR

LANDSCAPED PLANTER
FOR ROOF WATER
DELIVERY. SEE A1

TYPICAL EVERGREEN
PLANT SCREEN AT
MECHANICAL UNITS
FOUR LOCATIONS

LANDSCAPED PLANTER
FOR ROOF WATER
DELIVERY. SEE A1

COMMUNITY
ARDENS

Detail Site plan

EDGE OF
PAVEMENT

24 STALLS PLUS ADA
FOR STAFF & PUBLIC
PARKING

TYPICAL SIX
FOOT HIGH
CHAIN LINK
FENCE SERVICE
ENCLOSURE AT
TWO LOCATIONS

NEW MODULAR BLDG.

1,771 SQ. FT.

5'-7 1/2"

5'-0"

5'-0"

6'-11 5/8" ±

10'-0"

CATCH BASIN
RIM=100.63

CATCH BASIN
RIM=100.63

TYPICAL
EXTRUDED
6" CURB

TYPICAL SIX
FOOT HIGH
CHAIN LINK
FENCE SERVICE
ENCLOSURE AT
TWO LOCATIONS

Detail Site plan

TYPICAL SIX
FOOT HIGH
CHAIN LINK
FENCE SERVICE
ENCLOSURE AT
TWO LOCATIONS

CATCH BASIN
RIM=100.63

CATCH BASIN
RIM=100.63

ADA PARKING
TWO STALLS
ADA RAMP

↑

FACE OF CURB

CAR PICK-UP

BASIN
3.37

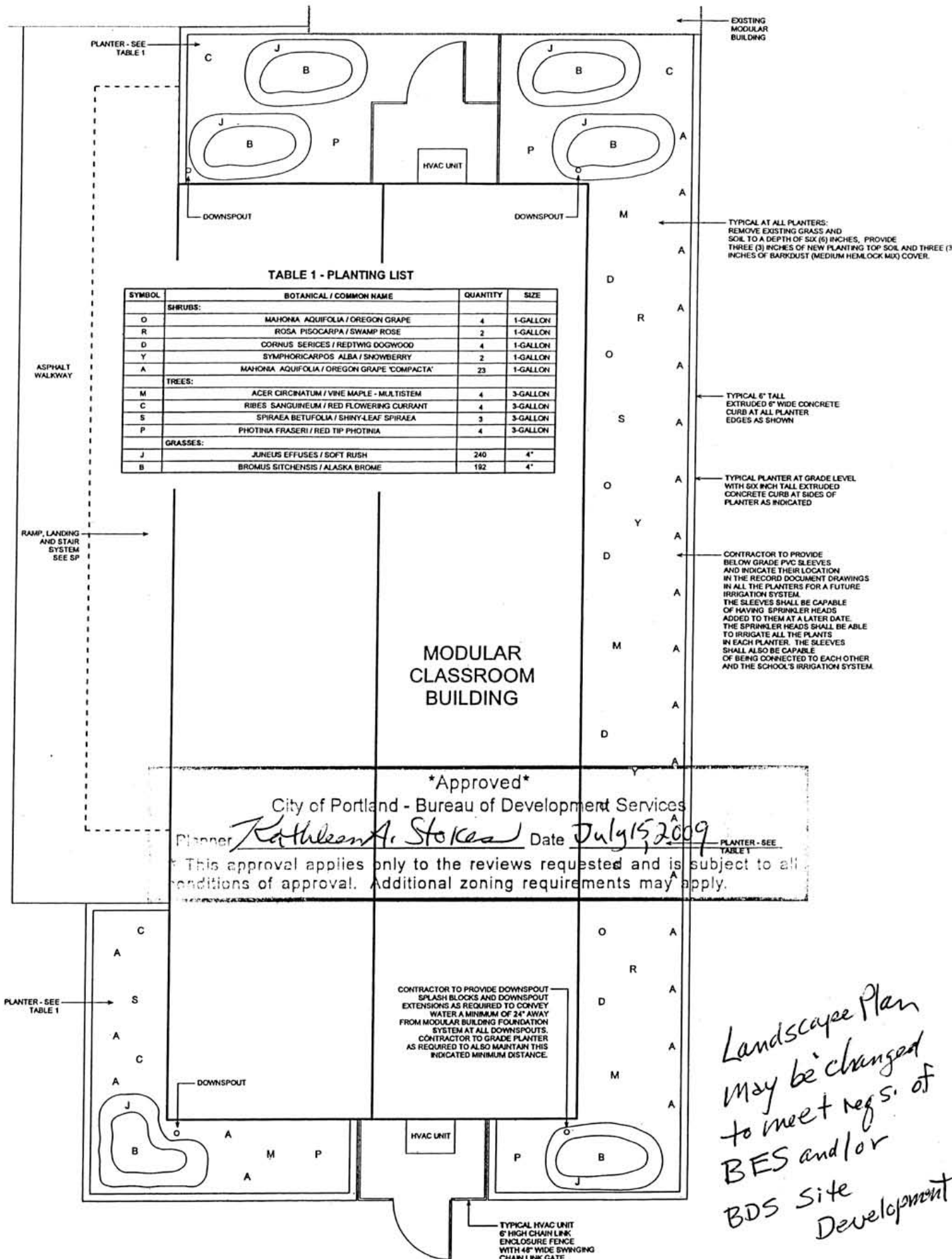


TABLE 1 - PLANTING LIST

SYMBOL	BOTANICAL / COMMON NAME	QUANTITY	SIZE
SHRUBS:			
O	MAHONIA AQUIFOLIA / OREGON GRAPE	4	1-GALLON
R	ROSA PISOCARPA / SWAMP ROSE	2	1-GALLON
D	CORNUS SERICES / REDTIG DOGWOOD	4	1-GALLON
Y	SYMPHORICARPOS ALBA / SNOWBERRY	2	1-GALLON
A	MAHONIA AQUIFOLIA / OREGON GRAPE 'COMPACTA'	23	1-GALLON
TREES:			
M	ACER CIRCINATUM / VINE MAPLE - MULTISTEM	4	3-GALLON
C	RIBES SANGUINEUM / RED FLOWERING CURRANT	4	3-GALLON
S	SPIRAEA BETUFOLEA / SHINY-LEAF SPIRAEA	3	3-GALLON
P	PHOTINIA FRASERI / RED TIP PHOTINIA	4	3-GALLON
GRASSES:			
J	JUNEUS EFFUSES / SOFT RUSH	240	4"
B	BROMUS SITCHENSIS / ALASKA BROME	192	4"

Approved

City of Portland - Bureau of Development Services

Planner Kathleen A. Stokes Date July 15, 2009

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*Landscape Plan
may be changed
to meet reqs. of
BES and/or
BDS Site
Development*



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REV. # BY: DATE: PER: SHEETS:
LH 3/18/09

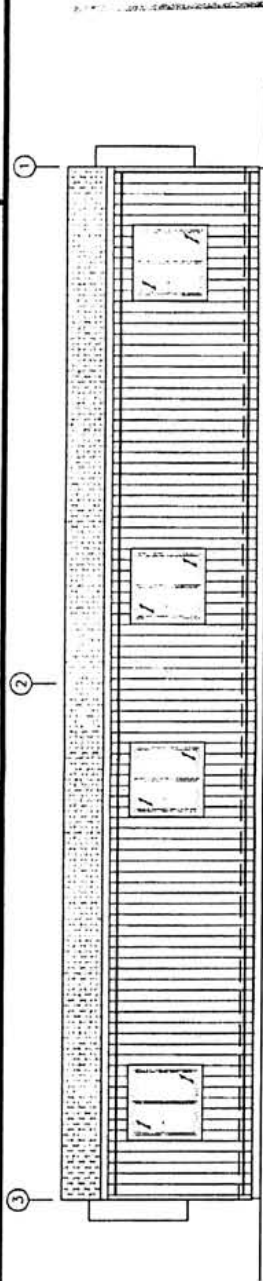
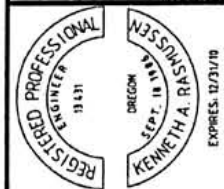
28' x 64' MODULAR CLASSROOM

PORTLAND SD VIII

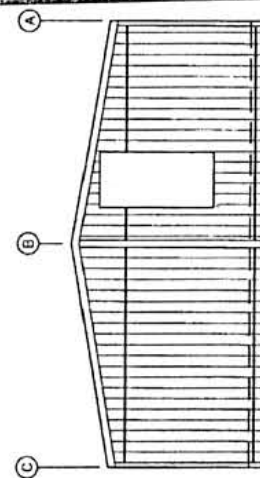
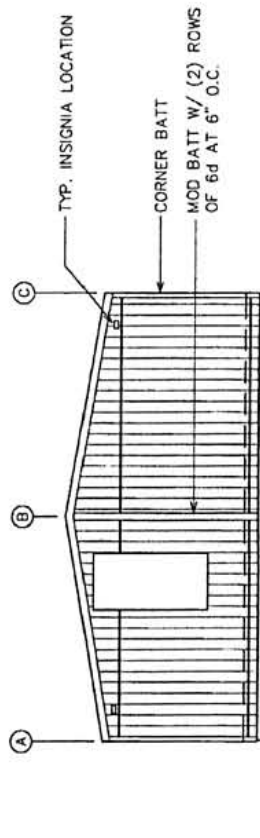
PORTLAND, OREGON

EXTERIOR ELEVATIONS

2009-BS-24
SHEET 10

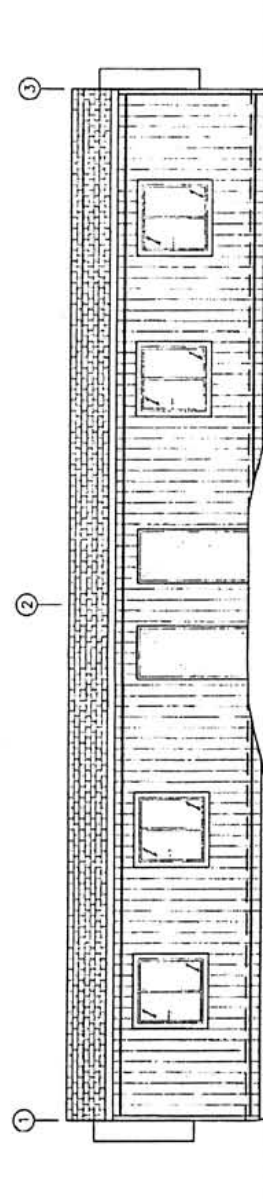


REAR



END

END



FRONT
EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"

Rigler School
LU 09-111711 CU Exhibit C.4