



CITY OF
PORTLAND, OREGON

HEARINGS OFFICE

1900 S.W. 4th Avenue, Room 3100
Portland, Oregon 97201
Telephone: (503) 823-7307
FAX: (503) 823-4347
TDD (503) 823-6868

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DECISION OF THE HEARINGS OFFICER

GENERAL INFORMATION

File No.: LU 09-105772 CU AD (HO 4090009)

Applicant: Terry Hoagland, Superintendent
Riverdale School District
11733 SW Breyman Avenue
Portland, OR 97219

**Applicant's
Representatives:** Beverly Bookin, Land Use Consultant
The Bookin Group
1020 SW Taylor, Suite 760
Portland, OR 97205

Francesca Gambetti, Project Manager and Main Contact
Shiels Oblatz Johnson, Inc.
1140 SW 11th Avenue, Suite 500
Portland, OR 97205

Hearings Officer: Gregory J. Frank

Bureau of Development Services (BDS) Staff Representative: Sylvia Cate

Site Address: 11733 SW BREYMAN AVENUE

Legal Description: TL 200 LOT 22-24, ABERNETHY HTS

Tax Account No.: R001101270

State ID No.: 1S1E35 00200

Quarter Section: 4131

Neighborhood: None

Business District: None

District Coalition: None

Plan District: None

Other Designations: Unincorporated Multnomah County

Zoning: R20c: Single Dwelling Residential 20,000 and Environmental Conservation overlay

Land Use Review: Type III, CU AD: Conditional Use and Adjustments

BDS Staff Recommendation to Hearings Officer: Approval with conditions

Public Hearing: The hearing was opened at 9:01 a.m. on June 15, 2009, in Room 2500A, 1900 SW 4th Avenue, Portland, OR, and was closed at 11:49 a.m. The applicant waived the possible 7 day rebuttal period granted by state law and the record was closed at the end of the hearing. After the hearing it was discovered that a written request to keep the record open was timely submitted during the hearing. The Hearings Officer reopened the record and an Interim Order was mailed to the entire mailing list on June 16, 2009. The Interim Order stated the record was held open until 4:30 p.m. on June 25, 2009 for new written evidence, until 4:30 p.m. on July 2, 2009 for opponent's argument, and until 4:30 p.m. on July 9, 2009 for the applicant's final argument. The record was closed on July 9, 2009.

Testified at the Hearing:

Sylvia Cate, BDS Staff Representative

Terry Hoagland, 11733 Breyman Ave., Portland, OR (Superintendent of Riverdale School Dist.)

Steve Abel, Stoel, Rives, 900 SW 5th, Suite 2600, Portland, OR 97204 (applicant's attorney)

LeRoy Landers, Mahlum Architects, 1231 NW Hoyt, Suite 102, Portland, OR 97202

Brian Kissel, 01324 SW Corbett Hill Circle, Portland, OR 97219

Roy Hemmingway, 01030 SW Comus St., Portland, OR 97219

Mark Zusman, 12221 SW Edgecliff Rd., Portland, OR 97219

Tom Armstrong, 11355 SW Northgate Ave., Portland, OR 97219

Carl Pelz, 11744 SW Breyman Ave., Portland, OR 97219

Stephen Leasia, 01339 SW Radcliffe Rd., Portland, OR 97219

Andy Ford, 01900 SW Palatine Hill Rd., Portland, OR 97219

John Laurent, 01810 SW Radcliffe Rd., Portland, OR 97219

Heather Bogaty, 11423 SW Northgate Ave., Portland, OR 97219

John Bogaty, 11423 SW Northgate Ave., Portland, OR 97219

Suzanne Maddocks, 02326 SW Greenwood Rd., Portland, OR 97219

Sylvia Gates, 01659 SW Greenwood Rd., Portland, OR 97219

Elisa Klein, 01211 SW Mary Failing Dr., Portland, OR 97219

Mariel Klein, 01211 SW Mary Failing Dr., Portland, OR 97219

Antje Johnson, 11740 SW Breyman Ave., Portland, OR 97219

Nicole Grayson, 12518 SW Iron Mountain Blvd., Portland, OR 97219

Leslie Goss, 11888 SW Breyman Ave., Portland, OR 97219

Sarah Remy, 01610 SW Mary Failing Dr., Portland, OR 97219
Robin Riker, 10502 SW Collina Ave., Portland, OR 97219
Jill Petty, 01801 SW Palatine Hill Rd., Portland, OR 97219
Tammy Sutter, 8321 SW 56th Ave., Portland, OR 97219
Veronica Hamstreet, 11395 SW Riverwood Rd., Portland, OR 97219
Sherman Alldredge, 01545 SW Mary Failing Ct., Portland, OR 97219 (representing Preserve Riverdale)
Libby Dawson Farr, 1995 N Pine St., Canby, OR 97013
Lloyd DuBois, 0932 SW Palatine Hill Rd., Portland, OR 97219
Neale Creamer, 11657 SW Breyman, Portland, OR 97219
Cathy Galbraith, Bosco-Milligan Foundation, 701 SE Grand Ave., Portland, OR 97214

Proposal:

In November, 2008, the Riverdale School District (“RSD”) passed a bond measure to improve its grade school campus. The RSD requests approval for a Conditional Use and two Adjustments for the proposed improvement plan. The proposal includes a new two-story ‘central classroom’ building that will replace the existing single-story school, two elementary classroom wings and the art building. In addition, a multi-purpose building adjacent to the existing gymnasium will be constructed if funding is available. Two other detached accessory buildings, the music building and the ‘Red School house,’ will be retained.

Additional site improvements proposed include the reconfiguration of on-site parking with a lot on the north and a lot on the south side of the central classroom building. The north parking lot will accommodate on-site bus loading/unloading, as well as a truck loading/unloading area to be used between school bus arrival and departure times. Additional parking will be available on-site in the south parking lot. Total on-site parking space supply will be 45. The improvements will also include a redesigned outdoor assembly and play area and extensive landscaping/planter boxes that will also function as elements of the on-site stormwater management system.

The proposed improvements will result in approximately 67,900 square feet of building floor area, an increase over the existing development on the campus which has approximately 41,500 square feet of floor area. No increase in the size of the student body or in the number of faculty and staff who work at the grade school campus is proposed.

Other improvements will include upgrading non-conforming conditions such as replenishing and replanting landscaping within the required landscape/buffer areas around the perimeter of the campus.

The applicant is also requesting two Adjustments. The first Adjustment request, to 33.266.200, *Bicycle Parking*, seeks to reduce the total number of long-term bicycle parking spaces from 54 to 28. The second Adjustment request, to 33.266.310, *Loading Spaces*, seeks to reduce the number of loading spaces on-site from 2 to 1.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are:

- 33.815.105, Institutional and Other Uses in R zones
- 33.805.040, Adjustments

DECISION

Approval of:

- A Conditional Use to improve the Riverdale School site with a new two-story central classroom building that replaces the existing single-story school building, the two elementary classroom wings and the art building; a new multi-purpose building, reconfigured parking lots and bus loading/unloading area, a redesigned outdoor assembly and play area and landscaping/planter boxes and related utility improvements, generally consistent with exhibits C.2, C.4 and C.22, for a total elementary school enrollment of 350 students and faculty and staff comprising 39 members;
- An Adjustment to reduce the total number of long-term bicycle parking spaces from 54 to 28; and
- An Adjustment to reduce the number of loading [delivery] spaces on-site from 2 to 1.

Subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through G) 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 09-105772 CU AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The Riverdale School District must implement the Transportation Operations/Management Plan (exhibit H.38) and monitor the success of the strategies. The Riverdale school district shall report annually to Multnomah County, by May 31st of each year, by providing a description of the effectiveness of the Plan and possible alternative policies to improve the effectiveness of the Plan. If the Riverdale School changes the policies, strategies and practices included in its submitted Transportation Operations/Management Plan (Exhibit H-38) or any subsequent Plan, the School District must submit a revised Transportation Demand Management Plan/Transportation Operations/Management Plan to Multnomah County.
- C. The Riverdale School submits to Multnomah County Land Use and Transportation Division, by May 31st each year, an annual report containing the academic year enrollment, the number of teachers and staff (school and District) and the number of extra-curricular activities; to allow

monitoring of changes relative to the base academic year 2008-09 and the maximum enrollment cap of 350 students. If use of the site increases, Riverdale School District will need to apply for a subsequent land use review per the thresholds of 33.815.040 A.4: *Changes to an existing conditional use*, or related thresholds in 33.281, *Schools and School Sites*.

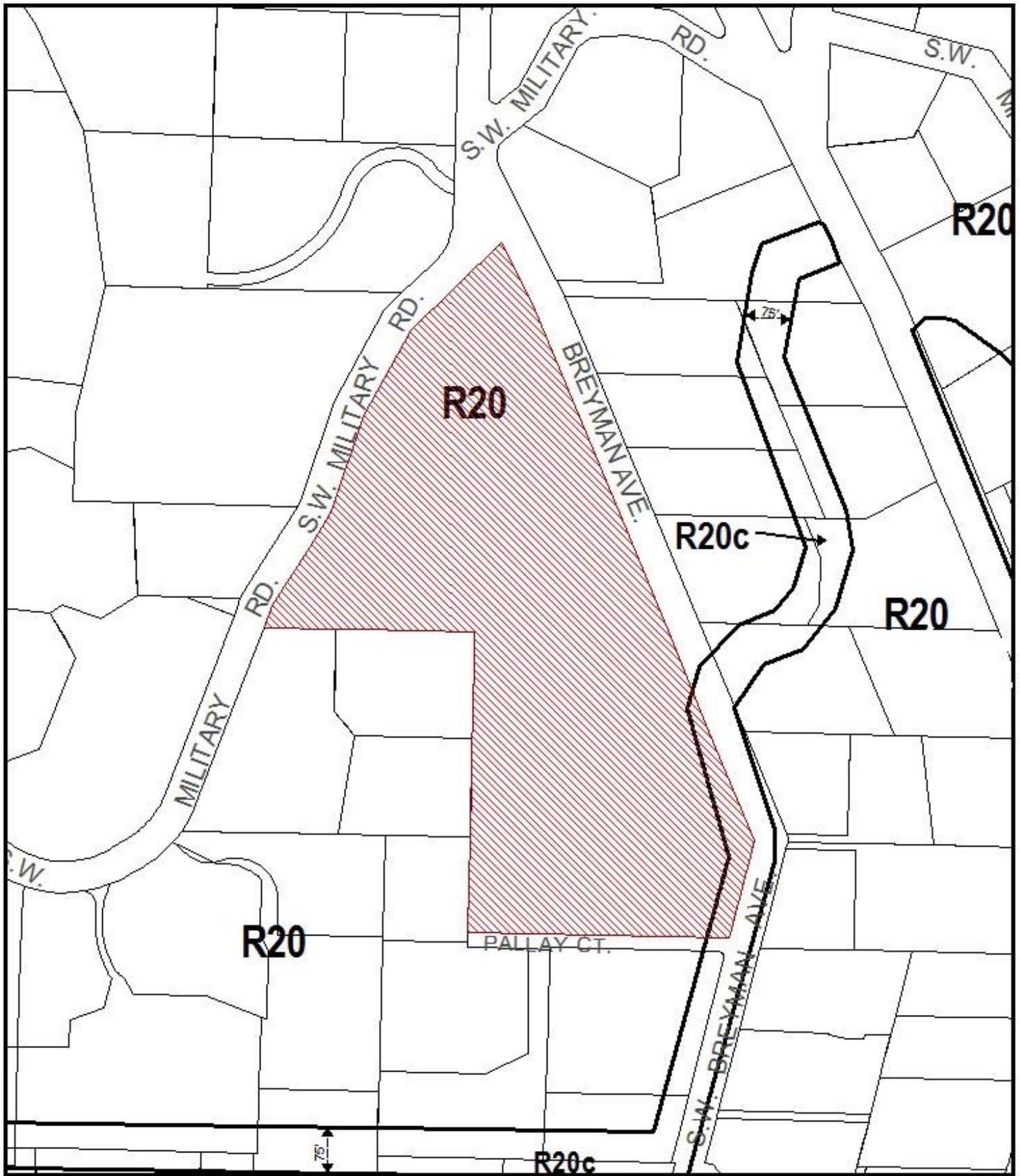
- D. The portions of existing sidewalk on SW Breyman Avenue that are currently on the applicant's property be dedicated to Multnomah County as right-of-way.
- E. Parking along the site's SW Military Road frontage south of the parking lot driveway entrance is not allowed. This parking restriction will help to ensure both the safety and efficiency of traffic flow for vehicles traveling on the roadway system. "No Parking" signs will need to be installed on the SW Military Road frontage south of parking lot driveway entrance. The applicant will reimburse the County for the cost and installation of "No Parking" signs along this frontage.
- F. Acquire driveway permits from Multnomah County for the proposed additional site access onto SW Breyman Avenue and relocating the driveway on SW Military Road. All driveway accesses to County roads require a driveway permit. Driveway construction must not create any drainage problems along the road. This paved approach standard will help to protect Military Road from debris from the new driveway, and will improve the safety of this access. Note that a \$1,000 deposit is required for the paved approach.
- G. Obtain a Right-of-Way permit(s) from Multnomah County for any and all work in the public right of way associated with SW Breyman Avenue and SW Military Road. Multnomah County has jurisdiction over the SW Breyman Avenue and SW Military Road right-of-way. A permit is required in order to assure that all work in the right of way meets County standards.

Signed and dated copy on file with the Bureau of Development Services, Land Use Services Division.

Gregory J. Frank, Hearings Officer

Date

Application Determined Complete:	March 5, 2009	
Report to Hearings Officer:	June 5, 2009	
Decision Mailed:	July 24, 2009	
Last Date to Appeal:	August 14, 2009	
Effective Date (if no appeal):	August 17, 2009	Decision may be recorded on this date.



ZONING

 Site



File No.	LU 09-105772 CU AD
1/4 Section	4131,4231
Scale	1 inch = 200 feet
State_Id	1S1E35 200
Exhibit	B (Feb 02,2009)



RIVERDALE SD
11733 SW BREYMAI
PORTLAND, OR 972

RENDERING
CENTRAL CLASSRO

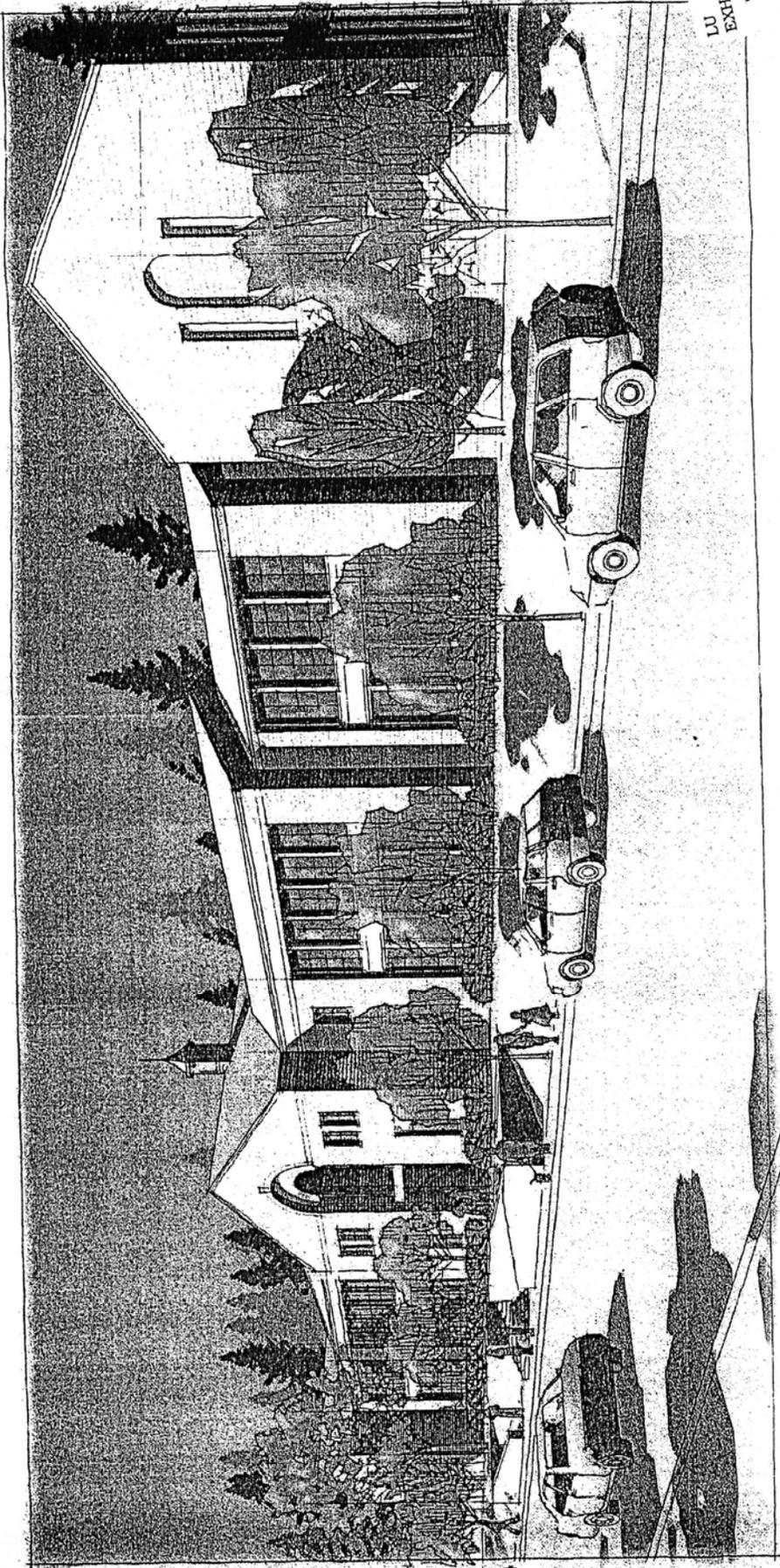
01/00/2009

NOT TO SCALE

200818.00
CONDITIONAL USE

II-3B

M A H L U A



LU
EXHIBIT

C-22

RENDERING OF THE PROPOSED CENTRAL CLASSROOM BUILDING'S EAST FACADE

NTS