



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

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Date: February 26, 2013
To: Interested Person
From: Sylvia Cate, Land Use Services
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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 12-197524 CU

GENERAL INFORMATION

Applicant/Owner: School District No 3 M Co. / Dr. Karen Fischer Gray, Superintendent
Mary Larson, Director of Business Services
10636 NE Prescott St / Portland, OR 97220-2648

Representative: Ryan Schera, Main Contact / Group Mackenzie
1515 SE Water Ave Ste 100 / Portland OR 97214

Site Address: 3701 NE 131ST PL

Legal Description: TL 2000 8.73 ACRES, SECTION 23 1N 2E
Tax Account No.: R942230390
State ID No.: 1N2E23CD 02000
Quarter Section: 2643
Neighborhood: Argay, contact Troy Palmquist at 503-256-5445.
Business District: Parkrose Business Association, David Ableidinger at 503-258-2607.
District Coalition: East Portland Neighborhood Office, Richard Bixby at 503-823-4550.
Zoning: R7h; Single-Dwelling Residential 7,000 with Aircraft Landing overlay
Case Type: CU; Conditional Use
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal:

The School District proposes a 5,039 square foot addition to the existing school facility. The addition would be built as an extension of the existing southern classroom wing, near the southeast corner of the site. The new addition will consist of a large multi-purpose room that can accommodate students for assembly, student activities, Physical Education, flex space and similar uses. The addition will also include two rooms for smaller group activities, restrooms, a kitchenette area, storage and custodial and mechanical rooms. No changes in enrollment or staffing are proposed. The new addition will provide additional floor area for school activities, thus relieving crowded rooms in the existing facility. Because the addition is less than an overall 10% increase in floor area, the proposal triggers a Type II Conditional Use review. Attached to the Notice are plans and a zoning map depicting the proposal.

Relevant Approval Criteria:

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

- 33.815.105, Institutional Uses in R zones

ANALYSIS

Site and Vicinity: The site is a relatively flat parcel, 8.73 acres in size and developed with a 47,420 square foot school facility, constructed circa 1964, and associated parking lots. The site slopes gently toward the northeast at an average 2.3% grade. The site has frontage on NE 131st Place, a designated Local Service Street for all modes. The school is just north of NE Fremont, a designated Neighborhood Collector, Community Transit, and City Walkway street. The school facility is oriented toward NE 131st, but is set well back from the street. Residential development and uses are to the south and east, open fields directly west are zoned OS and directly north are several large parcels zoned R3h.

Zoning: The R7 zone is a medium density single-dwelling zone. The R7 Zone allows attached and detached single-dwelling structures and duplexes. The Aircraft Landing 'h' overlay zone limits the height of vegetation and development near flight paths in and out of Portland International Airport. The 'h' overlay has no impact on the proposed development.

Land Use History: City records indicate that prior land use reviews, processed by Multnomah County, include the following:

- MCF 45-63 ZC approved a residential subdivision and zone change to R7 in 1963.
- MCF 129-63 BA denied off street parking for the elementary school.
- MCF 192-72 BA approved a temporary permit for use of a trailer as an office and classroom.

None of these prior cases have any impact on the current proposal.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed November 8, 2012. The following Bureaus have responded with no issues or concerns:

- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Bureau of Environmental Services
- Bureau of Parks-Forestry Division

The Bureau of Transportation Engineering responded with an analysis of the proposal and evaluated potential impacts on the existing transportation infrastructure. Excerpts of PBOT's response are found in the findings, below in this decision. The full response is contained in Exhibit E-2 in the record for this review.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 8, 2012. One written response has been received from a notified property owner in response to the proposal. The letter notes that over the years, the school has eliminated a number of on site parking spaces to such an extent that spill over parking by visitor and staff have encroached into the adjacent residential area. In addition, the letter notes that during drop off and pick up times each school day, a number of unsafe situations occur, including double parking, children darting across streets, etc. The neighbor notes that these impacts, which have increased incrementally over the years, can be eliminated by the school site restriping their existing parking lots so that sufficient on-site parking spaces are restored. The full text of the letter is contained in Exhibit F-1, as part of the record for this review.

Staff Comment: These concerns are directly relevant to applicable approval criteria, and are addressed below, in the findings under 33.815.105.D.

ZONING CODE APPROVAL CRITERIA

Conditional Uses

33.815.010 Purpose

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

33.815.105 Institutional and Other Uses in R Zones

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

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

1. The number, size, and location of other uses not in the Household Living category in the residential area; and

Findings: The Shaver Elementary School has been in operation at this location since circa 1964. The proposal is a 5,039 square foot addition close to the southeaster corner of the existing school facility. Other non-household uses in the residentially zoned area include a family farm operation in the R3 zone, an Eritrean Cultural Center, a realty leasing company, a petroleum distribution operation, a direct selling company and a news paper publisher. All of these non household uses are documented on page 11 of Exhibit A-1 prepared by the applicant.

None of these other non household uses in the immediate area will change or be affected by this proposal. Given that this is an existing conditional use, there will be no detrimental impacts to the overall residential function of the immediately surrounding area, as this proposal does not increase the proportion of uses not in the Household Living category. Single dwelling residential lots border the school site on two sides, and a multi-dwelling zoned parcel on one side. The function and appearance of the immediately surrounding residential neighborhood is not anticipated to change as a result of the proposal. 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 is to add one 5,039 square foot addition to the existing school facility. No increases in activities, staffing, or enrollment is proposed. The new addition is intended to help relieve crowding in the existing school by providing a multi-purpose flex space spacious enough for a larger assembly of students, along with two additional rooms for smaller groups of students engaged in activities. The rest of the building will include restrooms, a kitchenette, storage space, custodial and mechanical rooms.

B. Physical compatibility.

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

Findings: City designated resources are shown on the zoning map by the 's' overlay. There are no such resources present on the site. Therefore, this criterion is not applicable.

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

Findings: The existing school facility, built circa 1964, is oriented toward NE 131st Place. The proposed addition will be connected to the street facing façade of the southern classroom wing, near the southeast corner of the site.

The proposed addition will be integrated into the southern classroom wing and generally will be set back 25 feet from the street at the closest point. [Due to the curve in NE 131st, the street setback of the building will increase going southward.]

The proposed addition will be built of similar materials [red-orange brick, aluminum-framed windows and metal panels and siding] in colors closely coordinating with the existing school building.

Landscaping is proposed to be installed between the new addition and the street, therefore buffering and softening any visual impacts.

For these reasons, this criterion is met.

3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

Findings: Given the findings, above, there is no need for additional mitigation, as the appearance and scale are appropriate for a school facility, and setbacks and landscaping are included in the proposal. Therefore, this criterion is not applicable.

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 is nothing about the proposed addition that would result in additional noise, glare, late night operations, odor, litter or impingement on privacy of adjacent residential lands. The addition will relieve crowding in other sections of the existing school facility, but no new programs, activities, or increases in enrollment or staffing is proposed. This criterion is met.

D. Public services.

1. The proposed use is in conformance with the street designations of the Transportation Element of the Comprehensive Plan;

Findings: Portland Bureau of Transportation has reviewed the proposal against the relevant criteria. The following is an excerpt of the analysis:

At this location, NE 131st Pl is classified as a Local Service street for all transportation modes in the City's Transportation System Plan. The proposed building addition at Shaver Elementary School is supportive of the Local Service street designations of the surrounding streets. The TSP states that, "Local Service Traffic streets are intended to distribute local traffic and provide access to local residences or commercial uses. Local Service Transit streets should give preference to access for individual properties and to the specific needs of property owners and residents along the street. These streets may carry school buses.

Local Service Bike streets should not have a side effect of creating, accommodating or encouraging automobile through-traffic. Local Service Walkways are usually located in residential, commercial or industrial areas on Local Service Traffic streets. Local Service Design streets are multimodal, but are not intended for trucks (other than local deliveries) in residential areas. Their design includes many connections with other streets, sidewalk and on-street parking. The site's frontage is improved with curb and sidewalk which support pedestrian activity throughout the broader neighborhood. NE 131st Pl is consistent with the purposes and designs mentioned above. Based on these facts, this criterion is met.

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 Bureau of Transportation has reviewed the proposal against the relevant criteria. The following is an excerpt of the analysis:

Street Capacity/Level of service/other performance measures

Findings: 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 did include a TIS.

The Shaver Elementary School start time of 8:30 am coincides with the critical AM peak hour of area intersections; however, the afternoon end time of 3:00 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 4pm).

The proposal for the new building on the school site does not include an increase in school enrollment, additional teachers or staff or changes to Shaver's programming. Accordingly, there will be no additional trip generation in relation

to this proposed Conditional Use for PBOT to consider any associated or new impacts to the local transportation system. There will be no increase in vehicle volumes or trip characteristics as a result of the proposed project. Because of the well connected grid pattern of streets in the vicinity of the site, parents, teachers, staff and other visitors to the school take a variety of routes to and from the site relative to 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 existing vehicles trips are expected to be insignificant. In addition, the traffic associated with the school is reduced by an existing robust mode split wherein greater than half of the trips to/from Shaver Elementary occur by modes others than single-occupancy vehicles. Further, with continued use of existing transportation demand management strategies, as described in more detail below, impacts to the area's intersections will be minimized.

Access to arterials

Findings: NE Fremont St provides east/west connectivity in the immediate vicinity of the site, connecting to NE 122nd Ave (another arterial street) approximately one-half mile to the west of the school. NE 122nd Ave provides north/south connectivity and access to the greater network, including an interchange with I-84 just to the south of the intersection of NE 122nd Ave/NE Fremont St. A second Major City Traffic street (another arterial), NE Sandy Blvd, is located in the vicinity of the school and can be accessed via several Local Service Traffic streets and Neighborhood Collectors near the site.

While there are several options to access the greater network at this location, since it is an elementary school, many trips that it generates originate or terminate in close proximity to the school. Additionally, no changes in trip volumes or characteristics are expected as a result of the proposed Shaver Elementary School addition as discussed above.

Connectivity

Findings: The existing street grid pattern in the area does not necessarily meet City connectivity spacing guidelines in all directions for public streets and pedestrian connections. Given the orientation of nearby streets, the well established pattern of residential development throughout the nearby subdivision and large tracks of abutting lots zoned Open Space, traditional spacing distances are not realistic. This is not at all, however, to suggest that students, parents, teachers and staff do not enjoy a well connected environment which includes existing sidewalks throughout the surrounding neighborhood.

Transit availability

Findings: There is no transit service in the immediate vicinity of the site. In the greater vicinity, the nearest bus stop is served by Tri-Met Route 22 toward Gateway Transit Center, and is located on NE 135th Ave, approx 1/4 mile to the east of the school. Tri-Met Route 71 serves bus stops near the intersection of NE 122nd Ave/NE Fremont St, approx 1/2 mile to the west of the site. Two yellow buses provide pick-up and drop-off service to the school during school days at arrival and dismissal times. Beyond the provided yellow bus service to school, the transit needs of an elementary school are minimal and the proposed additional floor area will result in no additional transit demand.

On-street parking impacts

Findings: Shaver Elementary presently has a parking lot with 34 spaces, however peak parking demand was observed by the applicant's traffic consultant to be 59 vehicles. A significant number of the parked vehicles generated by the school during the peak period therefore utilize on-street parking. The vehicles that

currently park on-street were observed to utilize parking primarily on NE 131st Pl, with few if any vehicles using parking along other adjacent streets.

The neighborhood has an ample supply of on-street parking. Parking is available on both sides of NE 131st Pl for its entire length except for about 200 feet of the school's frontage. Parking is also available on both sides of NE Beech St and NE Failing St in the immediate vicinity of the school. The total parking available on these streets is approximately 125 spaces at a minimum (based on available frontage and assuming 20 ft/car). Approximately 60 of these spaces are located along NE 131st Pl. Thus, all of the parking generated during the school's peak can be easily accommodated by parking available along NE 131st Pl. Additional on-street parking is available along NE Beech St and NE Failing St, *although these areas were observed to be largely unutilized during peak demand.*

The last statement above is italicized for emphasis because of a letter submitted by an adjacent neighbor who contradicts the observations made by the applicant's traffic consultant. Said neighbor, who lives at NE Beech/NE 131st Pl, provided numerous reasons why on-street parking spaces have diminished throughout the years as a result of several school-related projects. The loss of on-site parking opportunities has resulted, by the neighbor's account, in cars associated with the school spilling over onto nearby streets, including NE Beech. According to the neighbor, parents are parking on/in front of his and other neighbors' driveways and double parking along NE 131st Ave, creating traffic safety and congestion issues. To address these expressed concerns, the applicant has had a pick-up/drop-off plan prepared that will be implemented in order to minimize impacts to on-street parking, the neighborhood, in general and safety for all modes.

Thus, while the school currently generates on-street parking in its vicinity, the nearby street system has plenty of supply to accommodate this demand. The school will generate no additional trips or parking demand from the proposed addition and will therefore have no net impact on on-street parking in the area.

Access restrictions

Findings: The school's two points of access (driveways along NE 127th Ave) are adequate to serve the campus. There is no reason to modify, enhance or restrict either access points.

Neighborhood impacts

Findings: Neighborhoods in proximity to schools can be adversely impacted during two traditional times, the student drop-off and pick-up times in the morning, prior to the commencement of school and in the early afternoon, when school lets out. This level of activity, confined congestion and impact, are normal around school campuses. However, without sufficient parking or without a well maintained pick-up/drop-off procedure for parents to follow, neighbors can be negatively affected. At Shaver Elementary, student drop-off and pick-up activities currently occur from approximately 8:30 AM to 8:45 AM and from 3:00 PM to 3:20 PM weekdays during the school year, (and also to a lesser degree from approximately 12:30 PM to 12:50 PM on Wednesdays).

Although the pick-up and drop-off activities increase parking utilization significantly in the site vicinity, the impacts to existing uses are minimal since the surrounding community is primarily residential and residents do not typically arrive at home during the brief periods when drop-off and pick-up activities occur. The available on-street parking is sufficient to accommodate even the peak demands associated with drop-off and pick-up activities in addition to the existing uses in the site vicinity. However, as was indicated by the letter received from a nearby resident, common around schools without a formalized drop-off/pick-up

program, parents can cause significant impacts to surrounding neighbors by parking improperly (including double parking, parking in front of/on driveways) and by making maneuvers that result in an unsafe environment for students, pedestrians and other parents attempting to drop-off/pick-up their own students. Accordingly, upon receiving the neighbor's letter with stated concerns around the drop-off/pick-up activities at Shaver Elementary, City staff advised the applicant that a formal drop-off/pick-up plan would need to be created and incorporated into the school's existing Transportation Demand Management Plan (TDMP).

The applicant's traffic consultant prepared a drop-off/pick-up plan that creates a circulation route for parents to follow in dropping-off/picking-up their students. Further, the parents are directed to temporarily unload/load their students along a segment of the curb length along the school's frontage (only). This area will be signed by the City, at the school's request, to further designate the area for the appropriate drop-off/pick-up location. Shaver Elementary will need to implement the TDMP, including the formal drop-off/pick-up program prior to the issuance of the Building Permit for the proposed school addition.

Impacts on pedestrian, bicycle, and transit circulation

Findings: The proposed improvement to the school will not require changes to the existing pedestrian, bicycle and transit circulation in the site vicinity. The existing facilities are adequate to serve the needs of the proposed use in addition to the existing uses in the site vicinity.

Safety for all modes

Findings: The residential streets in the vicinity of the school are ideal for safe walking. There are sidewalks on each side of all streets in the project's vicinity, and low traffic volumes on most nearby roads. The only street in close proximity to the school that presents a challenge to cross is NE Fremont St, and there is a marked crosswalk to facilitate safe crossing here.

Although designated bike lanes are not provided on the streets adjacent to the school, bicycles can safely share the roadway with the low volumes of vehicular traffic on NE 131st Pl, NE Beech St and NE Failing St, as well as most other streets in the nearby vicinity. Since traffic volumes are somewhat higher on NE Fremont St, it is recommended that school students either ride on the sidewalks along this roadway or utilize lower-volume adjacent roadways to travel east and west from the site.

As discussed previously, the nearest transit service is outside of the immediate vicinity of the school, with the nearest service accessible on NE 122nd Ave and NE 135th Ave.

The transportation system in the site vicinity is capable of safely supporting all modes of travel for the existing uses in the site vicinity, and since the planned addition to the school creates no new traffic or travel patterns, this will remain the case following its completion.

Adequate transportation demand management strategies

Findings: The Parkrose School District, and Shaver Elementary School in particular, employ several transportation demand management (TDM) strategies to reduce vehicular trips and encourage trips on alternative modes of transportation. The school is served by four school bus routes with stops located throughout the attendance boundary, and Parkrose School District was one of the first districts to participate in the Safe Routes to School Program.

The existing TDM strategies employed by the school have been successful in reducing the family vehicle trips to and from the site. The table below shows the present modal split at Shaver School, based on a program evaluation conducted by the City of Portland in 2010.

Mode	Number	Percent
Walk	4	31%
Bike	0	0%
Carpool	0	0%
Family Vehicle	6	46%
School bus	2	15%
Tri-Met	0	0%
Other	1	8%

The most common alternative mode is walking, which just under a third of students utilize for their daily commute to school. The yellow bus provided by the school district is also a popular alternative. Unfortunately, however, only five percent of distributed surveys were returned for Shaver School (typical response rates are generally higher), so while the information provided by the survey respondents like the modal split shown above may provide useful information for determining strategies, it is also likely to contain a high margin of error.

The survey responses also provide some guidance regarding factors that limit students from walking and biking. From these responses, information can be gleaned about how best to encourage walking and biking. The two most common factors were distance and neighborhood safety, each cited by 38% of respondents. Additionally, the ability of the child to walk (cited by 31%) or bike and traffic safety (cited by 23%) also seem to be primary concerns. These could potentially be addressed by the encouragement of “bike trains” or “walking school buses,” which consist of a group of students riding or walking to school along with one or more adults, generally with a fixed departure point and along a route chosen to pick up additional students along the way. Concerns about the ability of children to walk or bike could also be assuaged in this way, or through school programs designed to educate students on safely navigating the neighborhood on foot or by bike. Additionally, the City of Portland has worked with other Parkrose schools through the Safe Routes to School program to identify mitigation measures that would increase safety for walking and biking to school. Working with the City to identify and plan similar improvements in the vicinity of Shaver School could alleviate some of these concerns.

While other factors like the weather (cited by 31% of respondents as a limiting factor) or parents’ schedules (cited by 31%) are more difficult to reduce on the surface, in some cases these concerns would not prohibit students from biking or walking if other factors are addressed and resolved. In cases where active transportation is logistically difficult or impossible, the school could reduce vehicular trips by strengthening the current carpool program to more aggressively match students and staff with similar travel routes, or engaging the SmartTrips program operated by the City of Portland to ensure that students and staff are aware of all available options.

As the proposed improvements to the school generate no additional trips and do not alter travel patterns in any way, the existing TDM strategies are adequate for reducing vehicular trips to the school. The Shaver Elementary will need to continue its TDM strategies and include the previously mentioned drop-off/pick-up plan.

In conclusion, and 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 with a condition of approval, requiring the school to submit documentation that a request has been made to PBOT for the required signage along the frontage of the school, as well as implement the pick up/drop off program with parents, teachers and staff prior to issuance of the building permit for the school addition.

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

Findings: The Water Bureau notes no concerns, and that water service is available to serve the proposed development. The Portland Police Bureau has responded, noting that services are available, and recommends that the school coordinate with the North Precinct during development and with the Portland Police Bureau's School Resource Officers to address any student or site safety/security issues. The Fire Bureau notes no concerns, and that all applicable fire code requirements must be met at time of building permit review. The Bureau of Environmental Services notes no objections, and includes a number of comments pertaining to requirements that must be met at time of building permit review. This criterion is met.

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

Findings: There are no adopted plans in this area that conflict with this proposal. This criterion is not applicable.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The School District proposes a 5,039 square foot addition to the existing school facility. The addition would be built as an extension of the existing southern classroom wing, near the southeast corner of the site. The new addition will consist of a large multi-purpose room that can accommodate students for assembly, student activities, Physical Education, flex space and similar uses. The addition will also include two rooms for smaller group activities, restrooms, a kitchenette area, storage and custodial and mechanical rooms. No changes in enrollment or staffing are proposed. The new addition will provide additional floor area for school activities, thus relieving crowded rooms in the existing facility.

Because the proposal meets all of the applicable approval criteria, it should be approved.

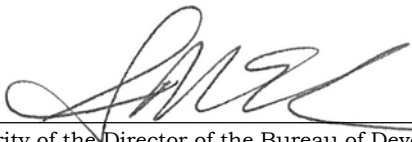
ADMINISTRATIVE DECISION

Approval of

- A Conditional Use to add an addition to the existing school facility of approximately 5,039 square feet, per the approved site plan, Exhibits C-1, and in substantial conformance with elevations of Exhibit C-2, signed and dated February 21, 2013, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (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 12-197524 CU." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Prior to issuance of the building permit for the school addition, the applicant must submit documentation that the following has occurred:
- Contact made with PBOT to request signage along the frontage of the site; and
 - That the school has implemented their pick up drop off program by communicating to parents, teachers and staff the requirements of the pick up /drop off program. Communication to identified parties via email, brochure hand outs at the curb, and inclusion of the pick up/drop off program in informational packets made available at the beginning of each school term will satisfy this condition.

Staff Planner: Sylvia Cate

Decision rendered by:  **on February 21, 2013**
By authority of the Director of the Bureau of Development Services

Decision mailed: February 26, 2013

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 October 23, 2012, and was determined to be complete on **November 5, 2012**.

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 October 23, 2012.

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 extended the 120-day review period per Exhibit A-2. Unless further extended by the applicant, **the 120 days will expire on: April 4, 2013.**

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 March 12, 2013** 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.

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 **March 13, 2013**.
- 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:

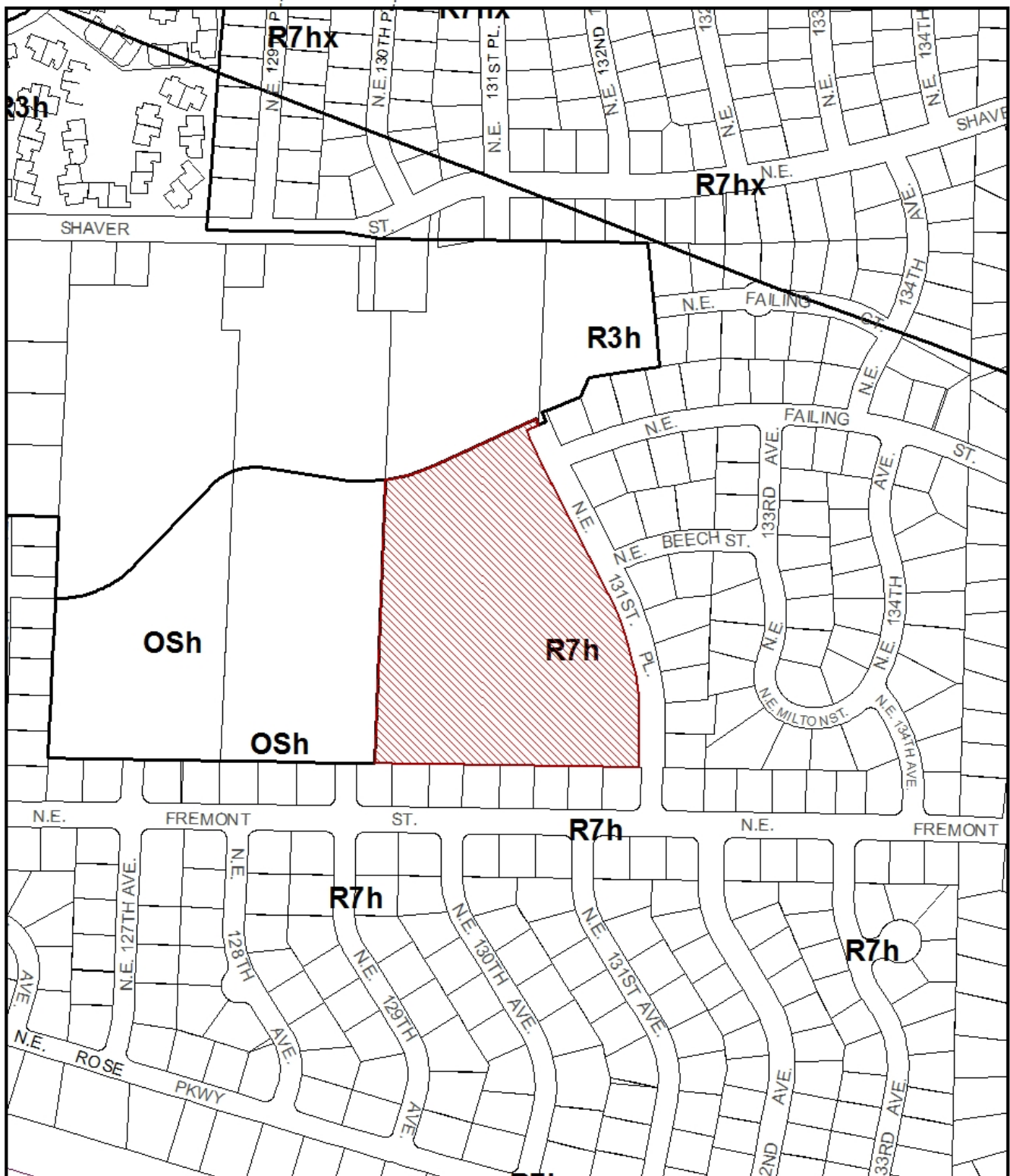
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Project Narrative
 - 2. Signed 120 day clock extension
 - 3. Transportation analysis
 - 4. School Pick up and Drop off Program
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations
- 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. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
 - 7. Portland Police Bureau
- F. Correspondence:
 - 1. Schmuckley, November 29, 2012, Concerns regarding parking and transportation
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research

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



File No.	<u>LU 12-197524 CU</u>
1/4 Section	<u>2643,2644</u>
Scale	<u>1 inch = 300 feet</u>
State_Id	<u>1N2E23CD 2000</u>
Exhibit	<u>B</u> (Oct 23,2012)



Dull Olson Weaker - IBI Group
Architects, Inc.
407 3rd Street, Portland, OR 97204 USA
Tel: (503) 408 2850
www.dullolsonweaker.com

Shaver ES - Multi-purpose Addition

Parkrose School District
3701 NE 131st Place
Portland, Oregon 97220
Tel: (503) 408 2850

WALKER-MACY
Landscape Architecture
1111 NE Oregon Street, Suite 100
Portland, Oregon 97232
Tel: (503) 255 1111
www.walker-macy.com

phase	Conditional Use
Application	
date	10/19/12
revisions	
project #	12004
LANDSCAPE PLAN	
LU-L01	

PLANT SCHEDULE

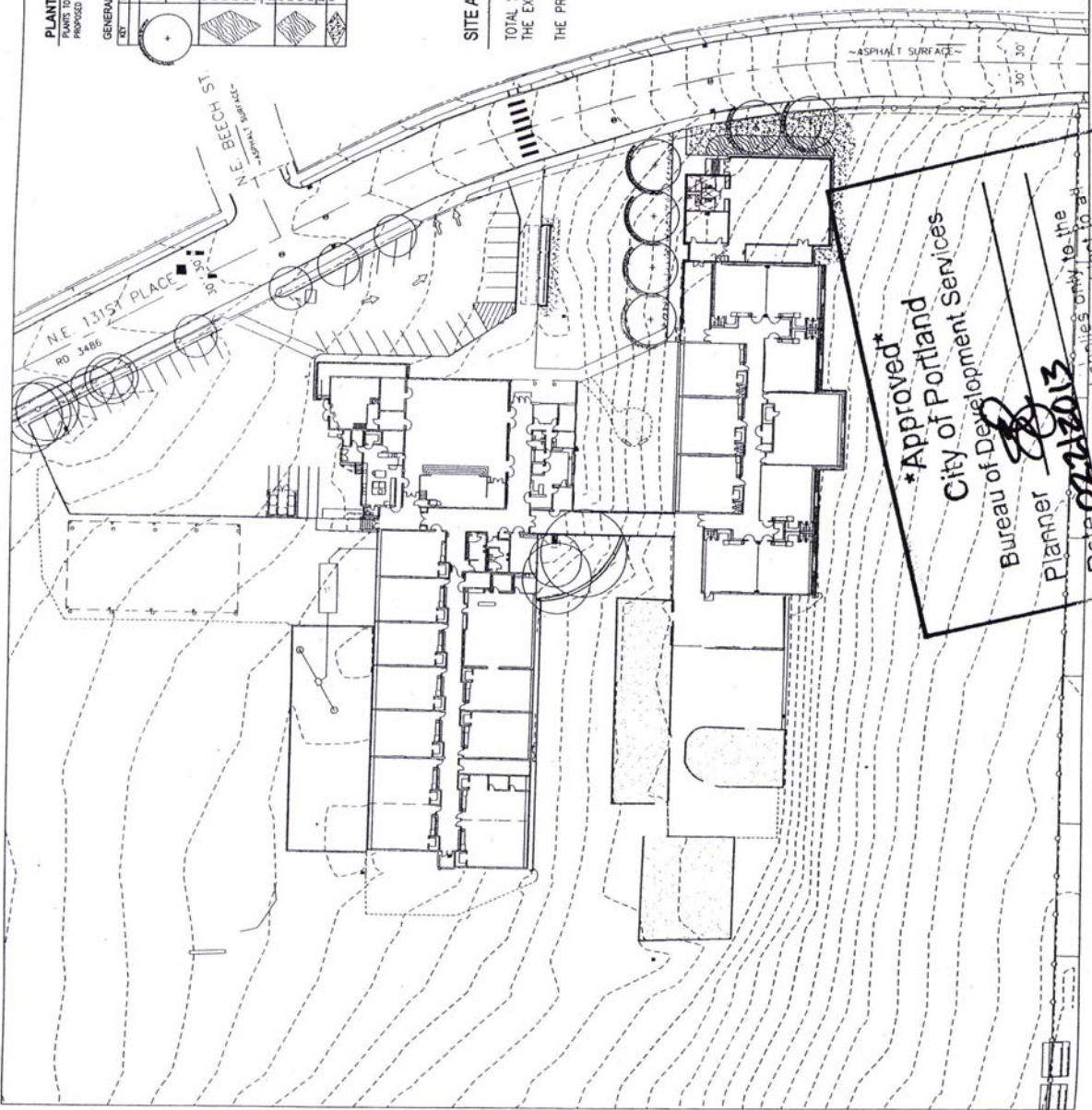
PLANTS TO BE SELECTED FROM THE FOLLOWING
PROPOSED PLANTING WILL BE IRRIGATED WITH A FULLY AUTOMATIC IRRIGATION SYSTEM

GENERAL PLANTING AREAS

KEY	PLANTING NAME	COMMON NAME	SIZE	SPACING
1	SHRUB	SHRUB	1" DIA.	AS SHOWN
2	SHRUB	SHRUB	2" DIA.	AS SHOWN
3	SHRUB	SHRUB	3" DIA.	AS SHOWN
4	SHRUB	SHRUB	4" DIA.	AS SHOWN
5	SHRUB	SHRUB	5" DIA.	AS SHOWN
6	SHRUB	SHRUB	6" DIA.	AS SHOWN
7	SHRUB	SHRUB	7" DIA.	AS SHOWN
8	SHRUB	SHRUB	8" DIA.	AS SHOWN
9	SHRUB	SHRUB	9" DIA.	AS SHOWN
10	SHRUB	SHRUB	10" DIA.	AS SHOWN
11	SHRUB	SHRUB	11" DIA.	AS SHOWN
12	SHRUB	SHRUB	12" DIA.	AS SHOWN
13	SHRUB	SHRUB	13" DIA.	AS SHOWN
14	SHRUB	SHRUB	14" DIA.	AS SHOWN
15	SHRUB	SHRUB	15" DIA.	AS SHOWN
16	SHRUB	SHRUB	16" DIA.	AS SHOWN
17	SHRUB	SHRUB	17" DIA.	AS SHOWN
18	SHRUB	SHRUB	18" DIA.	AS SHOWN
19	SHRUB	SHRUB	19" DIA.	AS SHOWN
20	SHRUB	SHRUB	20" DIA.	AS SHOWN
21	SHRUB	SHRUB	21" DIA.	AS SHOWN
22	SHRUB	SHRUB	22" DIA.	AS SHOWN
23	SHRUB	SHRUB	23" DIA.	AS SHOWN
24	SHRUB	SHRUB	24" DIA.	AS SHOWN
25	SHRUB	SHRUB	25" DIA.	AS SHOWN
26	SHRUB	SHRUB	26" DIA.	AS SHOWN
27	SHRUB	SHRUB	27" DIA.	AS SHOWN
28	SHRUB	SHRUB	28" DIA.	AS SHOWN
29	SHRUB	SHRUB	29" DIA.	AS SHOWN
30	SHRUB	SHRUB	30" DIA.	AS SHOWN

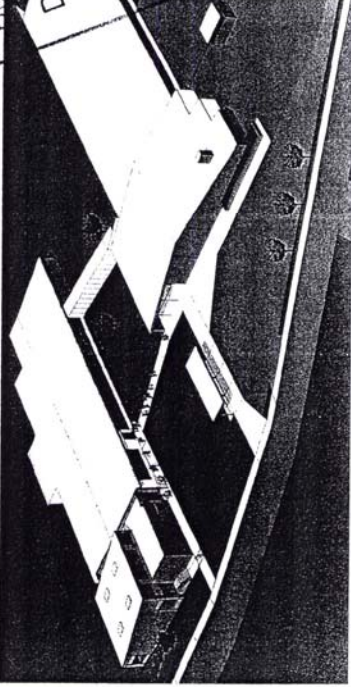
SITE AREA TABLE

TOTAL SITE AREA 380,037 SF
THE EXISTING LANDSCAPE IS 263,362 SF.
THE PROPOSED LANDSCAPE IS 258,247 SF
68% TOTAL SITE AREA

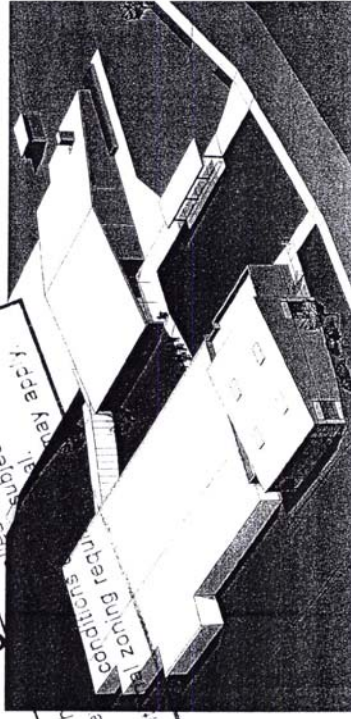


Approved
City of Portland Services
Bureau of Development Services
Planner
Date 02/22/2013
*This approval applies only to the reviews requested and is subject to additional zoning requirements may apply

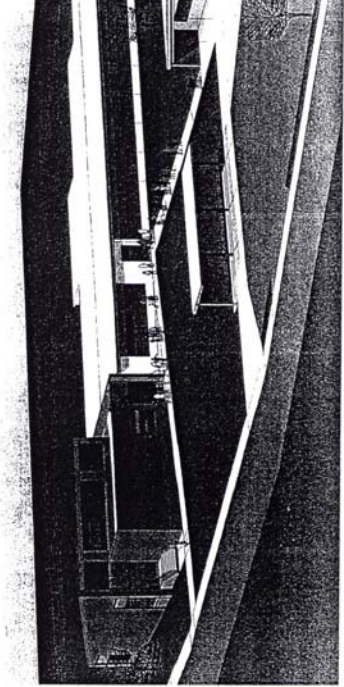
Approved
*City of Portland
Bureau of Development Services
Date _____
Reviewed by _____
Reviewed on _____
Comments _____
Shaver Elementary School
New Multipurpose Room Addition
View looking southwest



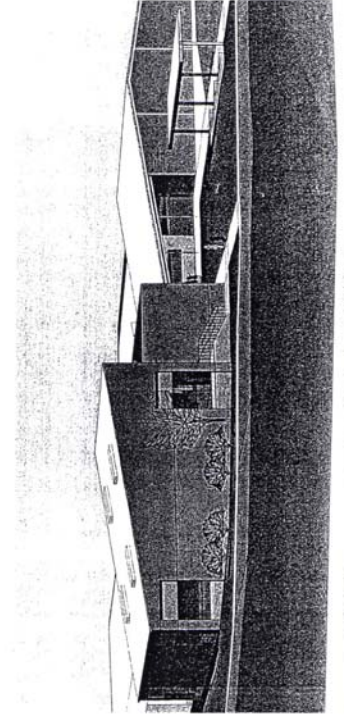
Shaver Elementary School New Multipurpose Room Addition View looking southwest



Shaver Elementary School New Multipurpose Room Addition View looking northwest



Shaver Elementary School New Multipurpose Room Addition View looking southwest



Shaver Elementary School New Multipurpose Room Addition View looking northwest

Dura Group
IBI Group
Dull Olson Weaker - IBI Group
Architects, Inc.
907 SW Park Street, Portland, OR 97205 USA
Tel: 503.222.2002 Fax: 503.222.2002
www.dura-ibi.com

Shaver ES - Multi-purpose Addition
Parkrose School District
3701 NE 131st Place,
Portland, Oregon 97220
Tel: (503) 408 2850

phase	Conditional Use
date	10/19/12
revisions	
project #	12005
perspective views	

LU-A06

EXHIBIT C-2
ELEVATIONS