

Written Testimony - Agenda Item 92/35

Agenda Item	Name or Organization	Comments	Attachment	Email	Mailing Address	Created
35	Holly M. Matthews, LCSW (PPS School Social Worker)	<p>I am writing to express my enthusiastic support for upgrading the fields at Jackson Middle School.</p> <p>As a parent of 2 PPS student-athletes, I experience the effects of lack of field space first-hand every week. Driving to Delta Park to play soccer at 8pm on a school night really isn't good for our middle schooler's sleep, and isn't sustainable from a carbon footprint point-of-view, either. But we are privileged to be able to drive & carpool & make it work.</p> <p>More importantly, I see this as an equity issue. As a PPS school social worker, my job is to look critically at the barriers to kids fully thriving in our neighborhood schools. I work on issues of hunger, homelessness, and access to mental health. Hobbies & friendships are good for mental health, so I often try to get kids from low-income families connected with chances to join after-school activities. Sports are one place where our sense of belonging & community grows. Portland is blessed to have lots of relatively low-cost options for joining sports, but distance & logistics are often a barrier.</p> <p>Last September I connected 2 PPS families to generous scholarships from Foothills soccer. They could basically play for free. Both of these are immigrant families. One kid in particular - a middle schooler from Afghanistan, was really excited because he loved to play in his home country. But once the family got details about playing at different fields all over town, they decided that figuring out bus routes for that would be too much to manage. The other family has a car and did manage to have 2 of their kids join soccer teams. Those teams benefit from having new Eritrean friends, and our Eritrean friends meet neighbors & get woven into our neighborhoods & communities as well.</p> <p>When fields & parks are close to all of our families, everyone wins. For families living in poverty, a nice field or park nearby can be a game changer.</p> <p>Given that these are existing fields that are mostly neglected, I don't see a large environmental cost to improving them. Let's figure out a safe & neighborly way to make this space more accessible for our community.</p> <p>Thank you for investing in fields for the future that we all want to share.</p> <p>Thanks & best wishes, Holly Matthews, LCSW 503-333-0543</p>	No	hollymagee@yahoo.com		01/07/24 8:24 PM
35	Nathan Butler	<p>As a soccer coach for my son's team and as a parent for his other sports, the state of available turf fields in SW Portland is dire. The proposal to create additional turf fields at Jackson is long overdue and will benefit the community in the long run. We often find ourselves at Ida B Wells playing sports on the field or running the track and bumping into friends or joining a pickup game. The revitalization of the fields at Jackson will create a vibrant spot for families and individuals to enjoy much needed outdoor recreation and will also provide needed space for school and club sports to practice. While my son might not get to benefit from the fruits of this 10 year plan, future youth will, and I strongly urge the Council to deny the appeal from the West Portland Park Neighborhood Association.</p>	No	nathan.butler@gmail.com		01/08/24 1:29 PM
35	Eddie Glover	<p>Improvements to the athletic fields at Jackson Middle School are an absolute necessity for Portland. As a SW Portland family of 2 PPS student athletes who play youth sports, we drive all over the city to play on fields that often times are in bad shape due to water. The amount of game cancellations in baseball due to non drainable fields and over usage, lack of enough fields for practice and games is a real problem. The amount of carbon footprint to drive 8 miles to play a game and lack of quality fields to play on is not sustainable or good for the city. With Jackson field improvements, and appealing something that is beneficial to our city is not equitable. PLEASE disregard any appeals to making our city better for our youth and teens who desperately need local safe and quality fields and sports in their lives.</p>	No	edglove@gmail.com	edglove@gmail.com	01/09/24 8:25 AM
35	Amanda Fritz		Yes	amandafriztm@aol.com		01/09/24 9:09 AM
35	Asa Christiana		Yes	achristiana66@gmail.com		01/09/24 9:37 AM
35	Sally Willson		Yes	sallyshappygarden@yahoo.com		01/09/24 9:37 AM
35	Betty McArdle	My name is Betty McArdle, and I am submitting written testimony for LU 22-185273 Appeal Hearing with City Council.	Yes	mbbm@brownbroadcast.com		01/09/24 10:01 AM
35	Stacy Renfro, Citizen	<p>My name is Stacy and I live in SW Portland. My children have played sports in this neighborhood for for the last 13 years and they have another 4 years as high school students. In all the time I have been here, access to safe, usable sports fields have been problematic. From ankle wrenching bumpy grass fields like the one at Jackson to fields that are too wet for anyone to play on we have, and continue to experience the lack of appropriate sport spaces in the numbers needed to accommodate the active lifestyles portlanders aspire to experience for ourselves and our children. From preschool through High school our kids play Flag Football, Tackle Football, Lacrosse, Soccer, and Ultimate Frisbee. There are also adult Soccer, Flag Football, and Rugby leagues on our fields. The children that grow up in our neighborhood deserve usable facilities.</p> <p>I attended the original hearings on this matter. The neighbors who are opposed to the upgrade of these fields seem to be opposed to the fields being in this location at all, the Designers of the project showed studies that the parking, noise and light influence was all to be within acceptable standards and that when things are happening at the school now traffic increases, parking can be difficult and it might be noisy. What is being proposed is a reasonable upgrade to an existing field in an area of Portland that is greatly lacking in usable outdoor sports facilities. As the hearings officer pointed out, all of the code questions brought into play by those opposed to this project goal into two categories, #1 The codes in question do not apply to this project (handled in different areas of the law and coding), #2 the level of scrutiny for codes regarding on the ground implementation will come into play as the project unfolds (primarily environmental concerns), and #3 the criteria are met on a region basis - such as multi use - there are woods and trails and walking paths in and through the neighborhoods around Jackson, there are not are, acceptable sports fields this project actually saves the multiuse sentiment.</p> <p>I urge you to uphold the Hearings Officer's findings and allow this project to move forward.</p> <p>Stacy Renfro Hillsdale</p>	No	belkans@msn.com		01/09/24 11:26 AM
35	Keborah Andren	1 of 2	Yes	keborahandren8@gmail.com		01/09/24 2:02 PM

From: amandafritz@aol.com
To: [Council Clerk - Testimony](#)
Subject: West Portland Park Neighborhood Association testimony on Council Agenda Item 35
Date: Monday, January 8, 2024 11:49:34 AM
Attachments: [WPPNA Appeal Testimony.docx](#)
[BDS Site Development Early Assist Response 7-21-22.pdf](#)

Greetings,

Please enter this testimony into the record for the hearing on the West Portland Park Neighborhood Association's Appeal of the Land Use approval for Jackson Middle School.

The main file is the Neighborhood Association's testimony, the second an attachment referenced in the mail file.

Please forward to Council offices.

Thank you,

Amanda Fritz

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

Written Testimony of the West Portland Park Neighborhood Association

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by Amanda Fritz, Vice President, 4106 SW Vacuna St, Portland OR 97219

Submitted to the Council Clerk 1/8/24

The West Portland Park Neighborhood Association has a long history of community activism to protect watershed health. Our neighborhood sits at the divide of the Fanno and Tryon Creek watersheds, with headwater creeks feeding streams flowing into the Tualatin River to the west and the Willamette River to the east. Falling Creek which runs through and under this site is one of those headwaters. Neighborhood Association leaders were co-founders of the Tryon Creek Watershed Council in the 1990s. We advocated successfully for inclusion of the Tryon Creek Linkages in the 1995 Metro Greenspaces bond measure, and the headwaters of Arnold Creek near the current site was the first property purchased with those funds. For many years, parent volunteers taught Jackson Middle School students how to measure water quality in Falling Creek. We participated in reviewing the drafts of the first Stormwater Management Manual, and were active in the adoption of the Southwest Community Plan with its excellent Parks and Watershed Policies. We are not new to the work to protect watershed health.

Many of our members were, are, or will be parents of students at Jackson Middle School. We fully support the goal of improving sports facilities at the school. The relevant Approval Criteria in this application require that the renovations must not be at the expense of watershed health or public access to the grounds.

The key issue in this appeal is the Applicant's proposal to install over 7 acres of plastic artificial turf where current conditions have natural grass. We believe this is inconsistent with several Approval Criteria. While the Hearings Officer asserted that "much" of the property would still be grass, he failed to evaluate the impact of installing over 7 acres of plastic laid over rock and concrete, in this fragile Falling Creek headwaters site.

The evidence in the record for this application must demonstrate that all Approval Criteria are met. It is not the preponderance of evidence, nor that most of them are satisfied. Each and every approval criterion must be met. If even one is not met, and cannot be met by adding conditions of approval, the application must be denied.

We believe that the application fails to meet the Approval Criteria in Code section **33.815.100 Uses in the Open Space Zone, Section D Area Plans** which states, ***"The proposal is consistent with any area plans adopted by the Council as part of the Comprehensive Plan, such as neighborhood or community plans"***. The Hearings Officer determined that the Southwest Community Plan's Policies and Objectives are relevant Approval Criteria. We agree.

The Southwest Community Plan **Parks, Recreation, and Open Space Policy, Objective 2** requires, “**Preserve natural areas for wildlife habitat, environmental and scenic values**”. While grass is not native vegetation, it is a natural plant that provides wildlife habitat and environmental values. Grass filters stormwater removing pollutants, and takes in surface water and releases it as water vapor through its leaves in the process of transpiration. Grass stays cool in summer, is habitat for invertebrates and insects, and filters residue from dog waste left on its surface. Plastic turf provides none of these benefits. It is extremely hot in summer, which is a huge concern given both global warming and the listing of temperature as a pollutant of concern in the Tryon Creek watershed. Canine fecal material draining through it will add to the *e. coli* load which is also listed as a contaminant of concern for Tryon Creek.

The application fails to meet **SW Community Plan Watershed Policy, Objective 1:**

Manage stormwater runoff on a watershed-wide basis to:

(a) Prevent any net degradation of water quality, aquatic and streamside plant and animal habitats and ecosystems, channel stability, or watershed health.

Watershed health would be impacted by removing natural grass and soil infiltration and filtering, substituting oil-based chemicals for the playing surfaces. There is no plant or animal habitat in artificial turf. Evidence in the record attests to the negative impacts of artificial turf, including adverse temperature and microplastics pollution. This policy is not met.

(b) Minimize risk to public safety, private property, and public infrastructure.

Downstream properties are already impacted by flooding of Falling Creek – this proposal would exacerbate that by reducing transpiration and natural filtering.

(c) Reduce the volume, velocity and pollutant load of stormwater runoff entering streams.

The Stormwater Management Manual Standards only call for no increase in these runoff qualities. The SW Community Plan requires *reduction* in volume, velocity and pollutant loads. This policy is not met.

(d) Improve dry season stream flows, particularly in headwater areas.

Artificial turf placed on a rock foundation would not improve dry season flows, as the system would not retain water as well as grass on soil. This is a headwaters area of Falling Creek, and thus of Tryon Creek since it is a tributary. This policy is not met.

Compared with current conditions, the proposal if approved will not comply with these policies and objectives. The Hearings Officer claims on page 6 regarding “Pollution in

the Watershed”, “Some comments mention pollution in the Tryon Creek Watershed and speculate that the Jackson Middle School site is a filtering site for these contaminants. The Hearings Officer finds no evidence in the record which suggests that there is pollution in the larger watershed that is filtered on this site.”

This argument misses the point that there is currently no artificial turf on this site. If the natural grass is filtering runoff and no artificial turf is installed, there will be no microplastic pollution leaving the site. The proposal if approved will introduce more than seven acres of plastic on the site. Documents in the record cite studies showing that artificial turf leaches microplastics. Microplastics are included in measurements of Total Suspended Solids. The Hearings Officer asserts on page 8 of his decision, *“the selection of the turf product will be required to comply with the operational and water quality and quantity standards of the City of Portland (Stormwater Management Manual)”*, and indeed the applicant proposed a Condition of Approval after the Neighborhood Association and the Tryon Creek Watershed Council documented concerns about stormwater quality, Condition J, requiring *“a stormwater management plan that complies with all the applicable water quality and water quantity requirements, including total maximum daily loads of the Stormwater Management Manual”*.

The problem with this condition is that it does not ensure the policies of the Southwest Community Plan are met. The Stormwater Management Manual requires water quality treatment to remove only 70% of total suspended solids. Allowing 30% of the newly-introduced microplastics, leaching from the turf, to flow into Falling Creek will increase water pollution, not decrease it as required by the Southwest Community Plan Watershed Policy and Objectives. Neither Condition J nor the application ensures compliance with the Southwest Community Plan’s policies and objectives for reducing pollutant load with regard to Total Suspended Solids including microplastics. This criterion is not met, and cannot be met with a Condition of Approval.

Southwest Community Plan Watershed Policy Objective 4, “Promote the maintenance and restoration of the urban forest and use of native vegetation in headwaters areas, within upland forests, and along riparian and stream corridors.”

This is particularly important given that this is the Falling Creek headwaters area. The fact that the creek is buried in a pipe below the sports field is immaterial – it’s still a stream corridor with surface water both before and after the pipe. While grass is not native vegetation, it is vegetation. Artificial turf is neither native nor vegetation. It provides no environmental benefits, and many detriments.

The fact that this is part of the Falling Creek headwaters is relevant to the Stormwater Management Manual **Standard 1.3.4 Level 1 Groundwater Separation Requirements (Surface Infiltration)**, which mandates:

New surface infiltration facilities are required to have a minimum separation distance of 5 ft between the bottom of the facility and the seasonal high groundwater level unless otherwise approved by BES.

The groundwater level is at the surface during the rainy season – the application cites the mud and poor drainage as a reason to switch to artificial turf, and videos in the record show puddles in the wetlands areas and existing fields. The stormwater draining from uphill areas to the west flows onto the playing fields where Falling Creek would be if it wasn't in a pipe. This Stormwater Management Manual standard can't be met.

The Stormwater Management Manual prefers vegetated stormwater treatment facilities, yet none are proposed. The Manual states, “**1.3.2 Facility Selection: Vegetation and Infiltration** and I quote:

The City's stormwater management approach prioritizes vegetation and infiltration to meet stormwater requirements and to maximize environmental, system and urban design benefits. Designers must evaluate and use vegetated and infiltration facilities to the maximum extent practicable. Vegetation and infiltration provide numerous environmental benefits. Vegetation and infiltration facilities in the built environment minimize the effects of development on natural resources and the City's built storm systems. They are also more resilient than other stormwater management methods (e.g., structural detention or manufactured treatment) to changes in hydrology anticipated due to climate change. Vegetation provides habitat for wildlife and scenic, aesthetic, and health benefits for humans. Infiltration of stormwater provides hydrologic benefits, better mimicking natural hydrologic processes, recharging groundwater, providing summer base-flows in streams, and reducing downstream flooding. The combination of soil, plants, and biological activity in vegetated facilities removes stormwater volume through retention and evapotranspiration and filters and degrades pollutants, keeping them out of the City's systems and the natural environment.” End quote.

Why then would BES approve this application relying on rock and concrete to drain the artificial turf and the impervious surface created by the new building, with no vegetation?

Keborah Andren submitted evidence in the record, Exhibit 119, noting that the 2022 DEQ Report on Falling Creek and Tryon Creek highlights concerns about water temperature and dissolved oxygen, both of which are impacted by microplastic pollutants. The Stormwater Management Manual does not include requirements to mitigate temperature in engineered facilities. **Relying on the Stormwater Management Manual and approval by BES leaves a discretionary decision on Southwest Community Plan compliance to the future, with no public input.** BES' review of the application focused almost entirely on the sanitary sewer and failed to assess the proposal's effect on either the stormwater pipe or watershed health, and it is unreasonable to expect

appropriate attention to effective environmental solutions when public scrutiny has been removed. **This problem cannot be addressed with a Condition of Approval.**

We have other concerns. The evidence does not include the professional geotechnical evaluation which was requested **in the BDS Site Development Early Assistance Response, attached to this email** with comments in red by Keborah Andren who lives immediately adjacent to the site at the place where Falling Creek enters the stormwater pipe to the south. Please read her testimony which is in the record.

The application fails to include documentation of the grade and fill that will be required to implement the Master Plan, nor the impact of the fill on the stormwater conveyance pipe. We question why the application was deemed complete without these important professional evaluations. Exhibit 141 which introduced an internal BES email conversation obtained by a Public Records Request cites a BES Development Planner noting,

"Here is what I know about the storm pipe:

- We TV'd it not to long ago and found that it is in major disrepair... if I was PPS, I would definitely want to check that there is no risk for sink holes or anything before placing new fields over the top where kids are playing.*
- It seems like it would also be in their best interest to investigate this before grading or operating any heavy machinery over the pipe.....because the pipe is not in good condition and poses a risk... but I didn't get the feeling that PPS fully grasps that it's their responsibility.*

My EA notes were to emphasize the current state of the pipe and its potential risk – and hope that they are taking that into account as they plan their project."

And this exchange in Exhibit 142 on grading (names redacted):

"Yeah there's a table on their drawings showing how much fill is to be place. its either 3700 or 4100 cubic yards. And they're showing new contour lines over the alignment areas. It looks like cutting along the west property line slopes and filling within that low area east of the same property line."

"Looks like [redacted] approved from BES with these notes: Grading show minimal increase, approx. 1ft in grade in area over existing BES sanitary main."

"Ok -- sounds like BES doesn't care.... but the Site development and land use came in on the very same day. I'm guessing they are jumping the gun on the SD. And Hopefully they don't go from 1 to 2 feet of fill to ten feet once they have their grading permit for "minor filling" in hand ;o) "

Filling the wetland over the Falling Creek Stormwater pipe will dramatically alter the topography and change the desired character and ecological function of the area that

the Open Space criteria is meant to preserve. And what is the real amount of fill – a few hundred cubic yards or several thousand?

Grading and filling the wetland, over the vulnerable sanitary sewer and stormwater pipes, will significantly impact Falling Creek and the greater Tryon Creek Watershed protected under the Southwest Community Plan and Comprehensive Plan.

We support the Tryon Creek Watershed Council in requesting that if the application is approved, a Condition of Approval be added that the stormwater pipe must be replaced as well as the sanitary sewer line.

We also request a Condition of Approval limiting the maximum amount of fill allowed.

We believe the Hearings Officer erred in concluding **33.815.100 Uses in the Open Space Zone** approval criteria are met.

The approval criteria are: A. Character and impacts.

- 1. The proposed use is consistent with the intended character of the specific OS zoned area and with the purpose of the OS zone;**

Zoning Code Section 33.100.010 states the purpose of the OS zone:

The Open Space zone is intended to preserve and enhance public and private open, natural, and improved park and recreational areas identified in the Comprehensive Plan. These areas serve many functions including:

- Providing opportunities for outdoor recreation;**
- Providing contrasts to the built environment;**
- Preserving scenic qualities;**
- Protecting sensitive or fragile environmental areas;**
- Enhancing and protecting the values and functions of trees and the urban forest;**
- Preserving the capacity and water quality of the stormwater drainage system; and**
- Providing pedestrian and bicycle transportation connections**

The application proposes to convert almost eight (8) acres of natural grass to a plastic/rubber surface with a crushed rock foundation. Converting many acres of natural grass to synthetic oil-based materials would not provide contrast to the built environment – the new fields would become built infrastructure. Acres of plastic would not preserve the scenic qualities of the site. It would not protect the sensitive, fragile watershed of Falling Creek, which relies on natural vegetation to filter groundwater and attenuate volumes flowing downstream. It would adversely affect the temperature of the water running from the site, and be much less pleasant for players during warm

weather. Changing the natural runoff system to one that is engineered may comply with the Stormwater Manual's standards, but as noted above the Stormwater Manual's standards don't meet the Southwest Community Plan Policies and Objectives, plus it would not adequately preserve the scenic and environmental benefits of natural grass. Grass provides habitat for worms, bugs, and beneficial microorganisms, which enhance and nourish the flora and fauna of the nearby Loll Wildwood Natural Area urban forest and of Falling and Arnold Creeks.

The Staff Report that the Hearings Officer adopted asserts in several places that the Approval Criteria are met because "much of the site would remain grassy open area". The dictionary defines "much" as

adjective, more, most.

1. great in quantity, measure, or degree

The application states the existing grass playing fields are around 500,000 square feet, and that 345,980 square feet would be switched to artificial turf if the application is approved. 345,980 is more than half of the current grassed area. **Thus, most/more of the site will be plastic – even more if Phase 2 fields are allowed to be artificial turf.** The Staff Report errs in recommending approval based on the assessment that "much" of the site will remain grass. One has only to look at the existing and future site plans to realize that most, more, much of the site will be covered in plastic if the application is approved. The Open Space Approval Criteria are not met.

The primary use and purpose of Open Space criteria does not stipulate that **Protecting sensitive or fragile environmental areas** is only applicable to environmental overlays; rather, it broadly commands the protection of any/all sensitive or fragile environmental areas, which BDS themselves has characterized Falling Creek and the JMS site.

BDS clearly establishes the significant value of Falling Creek, and its interdependent vitality, integral to the greater Tryon Creek Watershed, when confirming, "*Falling Creek, a headwater to Tryon Creek is piped and runs south to north underneath the current fields. Due to the creek's highly significant resource value, staff strongly encourages the applicant to daylight the stream in-lieu of filling the wetland.*"

Regardless of the type of artificial turf selected, polypropylene plastics will be used for the synthetic carpet and turf blades, as well as the shock pad underneath the infill layer. Microplastics act a lot like crumb rubber (which the applicant offered to avoid after concerns were raised by the neighborhood and Tryon Creek Watershed Council) as they're made from the same crude oil and coal byproducts. Filtering the micro-toxic pollutants is nearly impossible, as well as posing unique problems for the proper effectiveness of stormwater designs becoming clogged by the microparticles which accumulate bacteria that are also transmitted into the water and onto aquatic organisms which bioaccumulate. Falling Creek is a headwater to the Tryon Creek Watershed which is on the EPA's impaired waters list with requirements for flow control and pollutant reduction. PPS' stormwater design does not meet these requirements, and it

seems highly unlikely they will have the necessary funding to adequately and safely maintain the proposed underdrains and vault cartridge system. The Contech Civil Engineer expressed grave concern in how PPS' design deviates from the standard of use. If the application is approved, we request a Condition of Approval requiring a bond to be posted to ensure proper maintenance of the stormwater filtration facilities.

The application requests that the Phase 2 fields may be either grass or artificial turf. These fields are closest to where Falling Creek is a functional surface stream. Allowing artificial turf on them would bring the total site area covered with plastic to over 8 acres, and add pollutants in a particularly sensitive area near the wetlands that are requested to be filled. If the application is approved, we request a Condition of Approval that the Phase 2 fields be natural grass.

The application includes fencing the entire site. If allowed, this would be contrary to the Purpose of the Open Space Zone in **"Providing opportunities for outdoor recreation"**. If the entire site is fenced, it would become more like a private sports facility, with the potential to lock out the public. If the application is approved, we request a Condition of Approval that fencing is allowed only as necessary to provide safety from errant balls in the baseball/softball fields.

A final comment: the Hearings Officer notes correctly that artificial turf is used on many playing fields in Portland, including those owned by Portland Parks & Recreation. The difference here is that this location is a headwaters site, and that a headwaters stream corridor in a listed watershed flows before, under, and after the site. Tryon Creek is a fish-bearing stream, and being small it is particularly sensitive to adverse impacts - even moderate increases in temperature, bacterial and microplastic pollutants will be detrimental. What works at Duniway Park, close to the mighty Willamette River, would be devastating for Tryon Creek. Regardless of whether or not this application is approved, we request that Commissioner Rubio and Commissioner Ryan request and the Council approve funding for a Code Update project to revise the Conditional Use Master Plan standards and Approval Criteria. It's appalling that in 2024, with all the impacts of global warming and its effect on the natural and built environments becoming increasingly apparent, the Conditional Use Master Plan process doesn't include direct consideration of climate or environmental impacts of proposals on large campus sites. Because the Southwest Community Plan applies, and because the Tryon Creek watershed has protections, we have been able to show why the application must be denied. Other areas of the city without Community Plan protections would not be so fortunate.

The application fails to prove that Southwest Community Plan Policies and Objectives are or can be met by the evidence in the record, even with Conditions of Approval.

The application has not demonstrated that the proposal can comply with the Stormwater Management Manual. The Stormwater Management Manual standards do not ensure compliance with the Southwest Community Plan Watershed Policies and Objectives.

The application must be denied.

Thank you for considering our testimony. I am available via email at AmandaFritzRN@aol.com or by phone at 971-221-9376 if you have questions prior to the hearing.

Respectfully submitted,

Amanda Fritz, RN, MA (Cantab)



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

Dan Ryan, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
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www.portland.gov/bds

Site Development

Early Assistance Conference Response

Date: July 21, 2022
To: Matt Wickstrom, Conference Facilitator
503-865-6513, Matt.Wickstrom@portlandoregon.gov
From: Jeff Duquette, Jeff.Duquette@portlandoregon.gov
Case File: EA 22-155562
Location: 10625 SW 35TH AVE
R#: R330729, R330986
Proposal: A Pre-Application Conference to discuss upgrades to the athletic fields at Jackson Middle School. Planned upgrades include resurfacing the existing field, upgrades to existing baseball/softball fields, replacing tennis courts, new softball/soccer fields at the south end of the site, a small new parking area for accessible parking, a concessions/storage/restroom building, potential indoor batting facility, and potential parking additions to support the sports fields.

The Site Development Section of the Bureau of Development Services (BDS) has reviewed the pre-application conference materials to identify potential issues and requirements.

A. Key Issues and Requirements

Following is a brief summary of issues and requirements that may impact your proposed project or are submittal requirements that will require time to prepare prior to submittal of the application.

1. Floodplain Requirements: The campus is not within a flood hazard area.
2. Geotechnical Engineering: A geotechnical engineering report will be required at conditional use review due to the proximity of a BES Sanitary Sewer Easement and placement of any new fill associated with proposed site work. For the conditional review the Geotechnical design letter should provide an assessment of fill placement and potential impact of fill surcharge loads will have upon the existing BES gravity sewer line that bisects the site. In addition, and at the time of City permit application review, a geotechnical report should be included in the application materials provided to the City. This report should include recommendations for fill placement & compaction as well as information for other pertinent aspects of site work such as retaining wall design.
3. Landslide Hazard Study: The site is not within the City Charters Title 33 landslide hazard area nor is the site mantle a previously mapped existing landslide feature.

Where is this specific Geotechnical Engineering design letter? What are the fill depths and placement?



PPS' project is considered a Special Site requiring additional criteria to be met; Erosion & Sediment Control Manual 2.1.4 & 2.1.5. Where is the ESCP, and PPS' proof of an approved Oregon DEQ 1200C permit?

4. **Erosion & Sediment Control:** Erosion prevention and sediment control is a key issue because the project area meets Special Site criteria and thus is subject to additional requirements for erosion, sediment, and pollution control. The permit application drawings must include an erosion and sediment control plan. As the proposed site work will likely encompass in excess of 1-acre of ground disturbance, the applicant must demonstrate proof of an approved Oregon DEQ 1200C permit. The applicant is further encouraged to use the DEQ Approved 1200C erosion and sediment control plan for their City of Portland permit application. Geotechnical Engineering Requirements.

Summary of geotechnical engineering information that must be submitted to Site Development at the time of land use review: none. Questions regarding this requirement may be directed to Jeff Duquette, jeff.duquette@portlandoregon.gov

B. Stormwater Disposal and Treatment

The Bureau of Environmental Services will review the project for conformance to the 2008 Stormwater Management Manual.

C. Demolition

Removal of any structure that exceeds 200 square feet in area requires a [demolition permit](#).

combined dilapidated tennis courts intended for demolition are over 8,500 sqft refer to LU 22-184780-000-00-SD. Where is the permit for demolition and filling the wetland? What about the established onsite contamination in this area?

D. Erosion Control

Erosion prevention and sediment control requirements found in **Title 10** apply to both site preparation work and development. Full compliance with the erosion control requirements of Title 10, as well as maintenance of the erosion control elements, such as silt fences on private property, storm drain inlet protection and bio bags in the public right-of-way, is the responsibility of the property owner, the developer, and the builders. An erosion control plan must be submitted at the time of plan review. The project area meets the criteria specified in City Code 10.30.030 as a Special Site with additional requirements for erosion, sediment and pollution control. An erosion control plan prepared by a Certified Professional in Erosion and Sediment Control (CPESC) or State of Oregon registered professional engineer, and special inspections by the CPESC or P.E. during construction, will be required at the time of building permit review.

Where is the required ESCP for the CUMP? It was never submitted for the plan review.


Please refer to the City of Portland **Erosion and Sediment Control Manual** for additional information regarding erosion and sediment control requirements.

Oregon DEQ 1200-C permit required: The applicant is advised that a 1200-C permit from the Oregon Department of Environmental Quality is required for construction activities including clearing, grading, excavation, and stockpiling that will disturb one or more acres and may discharge to surface waters or conveyance systems leading to surface waters of the state, in addition to City requirements.



Summary of erosion control information that must be submitted to Site Development at the time of land use review: none. Questions regarding this requirement may be directed to Jeff Duquette, jeff.duquette@portlandoregon.gov

E. Permit Requirements

1. Demolition permits for removal of structures that are 200-sq.ft. or larger.
2. Building permit(s).

-  3. Geotechnical Letter Report with an assessment of fill placement impacts on the existing City Sanitary Sewer Line.

F. Submittal Requirements for Land Use

1. Preliminary utility plan.
2. Site grading plan and engineering calculations of cut and fill volumes. 
-  3. Geotechnical Report with recommendations for fill placement and compaction; retaining wall design; AND foundation and/or excavation stability/shoring if/as required.

There is no Geotechnical Report specifically assessing the fill impacts on the City Sanitary Sewer Line. Pali Consulting provided PPS an Addendum, March 2, 2023, to their Geotechnical and Hydrology Report cautioning PPS regarding the impacts of surcharge loads of potential cut and fill depths dependent upon the condition of the sanitary sewer pipe. Refer to Pali Consulting Addendum.

PPS still has not included the cut and fill volumes for the CUMP. Pali Consulting Geotechnical and Hydrology Report provides and cautions PPS on cut and fill amounts regarding site stability, but PPS never indicates cut/fill calculations on the CUMP site map.

Where is the Geotechnical Report with recommendations for fill placement and compaction and foundation and/or excavation stability/shoring. PPS submitted cut and fill calculations and volumes for the separate LU 22-184780-000-00-SD for the tennis courts demolition and filling the wetlands, and were required to provide Analytical reports due to on-site contamination; but BES, James Hyatt, approved without conducting proper review. Refer to BES and BDS internal communications (Jeff Duquette) and BES Source Control and BDS site development checklists. The tennis courts are part of the CUMP proposal referenced as part of phase 2. Why did PPS separate the Tennis court land use from the CUMP in the first place?

From: [Asa Christiana](#)
To: [Council Clerk - Testimony](#)
Subject: Case LU 22-185273 CU MS AD
Date: Friday, December 8, 2023 1:55:02 PM

Hello, I live at 3739 SW Pasadena St. in the West Portland Park neighborhood, very close to Jackson Middle School, and I support both phases of this proposal. Here's why.

The current fields are very poorly drained natural grass, with use limited to periods of dry weather, and daylight hours only. Both of those are in very short supply during the long wet winters in the Pacific Northwest. Improving the drainage in these areas, and adding well designed turf fields, will allow the community to use the very expansive fields around Jackson Middle School far more often than they are currently used. This greatly increased opportunity for fitness and athletics will be a great thing for Portland children.

And I am satisfied that the proposed stormwater drainage plan will be much better than the current situation, which is extremely poor, leaving many of those fields, mucky and unusable during much of the year.

I am also satisfied that any possible neighborhood impacts of the field lighting proposed in phase 1 will be far outweighed by the benefits of increased athletic use by Portland children. I would point out that this field lighting will be placed in the lowest area of the entire site, which will greatly lessen its impact on surrounding homes.

And there is no field lighting proposed for the upper site in phase 2, which is closer to local homes in both proximity and elevation.

Last, I disagree with the West Portland Park, neighborhood association that there will be significant harm to surrounding ecosystems. And again, any minor harm will be greatly outweighed by the benefits of the proposed athletic fields.

Let's not let this practical, helpful project be delayed or undermined by a chase for perfection, as are so many proposed projects here in Portland.

Asa Christiana
3739 SW Pasadena St.
Portland, OR 97219
971-300-1335

From: [Sally Willson](#)
To: [Council Clerk - Testimony](#)
Subject: Case file #LU 22-185273 CU MS AD
Date: Saturday, December 9, 2023 1:21:30 PM

Submitter: (this is the applicant; if this is not the submitter, please let me know.)

Steven Smith, Portland Public Schools
501 N. Dixon St
Portland, OR 97227

To whom it may concern:

Regarding the application for "improvements" to the playing fields grounds of Jackson Middle School, I completely agree with the opinions and statements of the West Portland Park Neighborhood Association. As far as I can see, the plan is to cover up the bog that forms in various portions of the property with buildings, concrete (tennis courts and parking spaces?) and synthetic turf. What will happen to all the water from Falling Creek?

Looking at the Zoning map provided, ONE STREAM BED is shown flowing south to north across the field. In reality, this is completely inaccurate. Anyone who lives in the near vicinity can testify that Falling Creek flows freely downhill from approximately Capitol Highway from Arnold Street to Huber Street, inclusive. It flows across the asphalt of SW 40th, 41st and 42nd Avenues, into residential basements, pools in front and back yards, through multiple french drains, OVER municipal drains, sends torrents down Huber St during heavy rains, backs up drainage, overwhelms existing channels and incidental stream beds to the southwest of the school grounds, and it ALL ends up in the playing fields. Please take a walk in January, February and March and see this for yourselves in marshes and lakes near the present tennis courts and along Alfred Street east of SW 40th. Covering all this over and pretending it doesn't exist, it seems to me, will create further erosion and flooding, particularly in the soccer fields planned to remain grassed, that cannot possibly result in usable playing fields. Major mitigation of this "flood plain" needs to be addressed, in multiple areas, and it's really too late, because developers over the years have not been restricted in the ignoring of this major problem with Falling Creek, and by the failing to create viable channels for it.

Thank you for your attention.

Sally Willson
4022 SW Huber St.
503-577-6347

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Betty McArdle, 3740 SW Comus St, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Betty McArdle and I am a longtime homeowner of over 40 years and neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

Regarding Open Space and relevant criteria, The HO has erred in adopting the final staff report's conclusions, when claiming "*Applicant demonstrated compliance with relevant approval criteria.*" From the HO's Decision Letter, pg. 7, concerning Open Space Base Zone, only limited focus on *opportunities for outdoor recreation* were addressed. The Hearings Officer argues that "*the term 'consistent with,' together with the list of many functions that serve the OS purpose, requires a finding that the field replacement project is in **harmony** with the list of functions in the OS zone...*"

This argument is flawed, in that, 33.100.010 Purpose statement for Open Space, specifically delineates a clear intention to be adhered to. The term and context "*Consistent with*" refers to Conditional Uses 33.815.100.D, regarding Area Plans under Uses in Open Space, whereby, the District Plan is established as the Southwest Community Plan.

The HO makes further err on pg. 10 in their decision letter describing Phase 2 as: "*Regrading two existing soccer fields in the southwest part of the site with natural turf or synthetic turf to accommodate overlapping softball and soccer fields. Phase 2 also includes two new tennis courts to the west of the new parking area and building from Phase 1.*"

The assertion that PPS' development is a "*field improvement and/or replacement project*" in *harmony* with Open Space criteria is a misrepresentation of facts concerning the development as a whole. Referring to the CUMP, Exhibit A-18 and stormwater report, Exhibit A-21, regarding impervious surfaces and stormwater design, phase two will develop three new sports fields using synthetic turf that do **Not** currently exist, and are thereby, not improvements or enhancements. Phase two ball fields and tennis courts are entirely dependent upon the associated tennis court **LU 22-184780-000-00 Site Development** to excavate, and fill/grade the wetland and drainage reserve, while cutting/grading the 30ft, 45 degree sloped topography on top of the sanitary sewer and Falling Creek stormwater pipes.

Per written testimony submitted into the record, the HO erred by not reviewing and comparing the CUMP Site Plans for phase two with the associated Site Development plans for the tennis courts. To fully comprehend and appreciate the significant adverse impacts to the environment and ecosystem regarding development proposed for phase two, it is imperative for City Council to refer to submitted videos of JMS site topography and wetland characteristics, Exhibits 187-190, and hearing Exhibits 136-146, and 154-158.

Exhibit 121, Portland Maps of JMS site identifying falling creek stormwater pipe and parallel sanitary sewer.

Exhibit 122, Portland Zoning map, along with Revised CUMP, Exhibit A-18, pg. 3 aerial map, demonstrates the site topography for phase two, with no existing baseball or soccer fields as PPS outlines in the site narrative.

This application must be denied.

Respectfully,

Betty McArdle, WPPNA

mbbm@brownbroadcast.com

From: [Keborah Andren](#)
To: [Council Clerk](#)
Cc: [Amanda Fritz](#)
Subject: Submitting Written Appeal Testimony: LU 22-185273 CU MS AD
Date: Tuesday, January 9, 2024 9:31:46 AM
Attachments: [LU 22-185273 Appeal Testimony -Bill Dant.pdf](#)
[LU 22-185273 Appeal Testimony -Madeleine Denko.pdf](#)
[LU 22-185273 Appeal Testimony -Kathy Fettv.pdf](#)
[LU 22-185273 Appeal Testimony -Betty Brown.pdf](#)
[LU 22-185273 Appeal Testimony -Leah Peterson.pdf](#)
[LU 22-185273 Appeal Testimony -Nichole Aue.pdf](#)
[LU 22-185273 Appeal Testimony -Linn Andren.pdf](#)
[LU 22-185273 Appeal Testimony -Keborah Andren.pdf](#)
[LU 22-185273 Appeal Testimony -Peter Limbaugh.pdf](#)
[LU 22-185273 Appeal Testimony -Rachelle Steinberg.pdf](#)
[LU 22-185273 Appeal Testimony -Teresa Peterson.pdf](#)

To: Council Clerk

Hi,

I'm trying to submit written testimony for the LU 22-185273 CU MS AD Appeal Hearing with City Council. I am trying to help several neighbors submit their testimony to get into the record for City Council to read before the hearing.

Can you please help forward these submissions to the City Council staff for me?

Please let me know if this is possible and when completed.

I also have a short video to submit that is an excerpt of a critical video exhibit already in the record for the hearing before the Hearings Officer. I shortened it for City Council review in lieu of a site visit to actually see the JMS site characteristics in question for this land use Appeal.

Video link: <https://clipchamp.com/watch/Up5kbja2aBO>

Thank you for your time and help!

Respectfully,

Keborah

[Keborah Andren, MSW](#)

[Care Manager](#)

[Medical Social Work](#)

[Eldercare Advocate](#)

keborahandren8@gmail.com

503-329-2133

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Bill Dant, 3701 SW Comus St, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Bill Dant and I am a longtime homeowner of over 30 years and neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

Concerning missing criteria, introduced and referenced in Exhibit 130; BDS staff report Exhibit 104, required PPS to comply with **33.820 Conditional Use Master Plans**. More specifically, **33.820.050.A. Conditional Use Approval Criteria and 33.820.070.D. and J. Components of Master Plan; and 33.730.060.C.2. Application Requirements**.

Part D. Components of a Master Plan, stipulates "The Site Plan must meet the application requirements in **33.730.060.C**, and must include All improvements planned in conjunction with the proposed use.

Part J. Other discretionary reviews, stipulates "*When design review or other required reviews are also being requested, the master plan must specifically state which phases or proposals the reviews apply to. The plan must explain and provide enough detail on how the proposals comply with the approval criteria for the review.*"

Pursuant Application Requirements, the applicant **is responsible for the accuracy of all information submitted**." A **complete application** for all land use reviews consists of all of the materials listed:

Applicant **is required** to submit a written statement that includes the following items:

- A complete list of all land use reviews requested;
- A **complete description** of the proposal including existing and proposed use(s) or change(s) to the site
- A description of how **all approval criteria** for the land use reviews are met.
- Additional information needed to understand the proposal, or requested at the pre-application conference.

Without doubt, the tennis courts SD pertinent to phase 2 development, will significantly alter the entire ecological functioning of the wetland and drainage reserve, while not only placing Falling Creek Stormwater pipe at risk for collapse and failure, impacting upstream and downstream properties, but devastate the sensitive Falling Creek ecosystem by conveying and discharging synthetic turf wastewater into the EPA listed impaired water as headwater to Tryon Creek Watershed. These actions of development do **NOT** meet **Open Space Criteria, or the Southwest Community Plan's Watershed or Parks Recreation and Open Space Directives**.

The HO erred by not enforcing 33.730.060.C and accepting BDS Staff Report, and approving PPS CUMP application. PPS failed to submit a complete list of **all land use reviews requested, omitting the associated Tennis Court SD** by which phase two is dependent upon; while adamantly denying its relevance during the CUMP hearing when brought up. PPS further ignored providing full and accurate descriptions, failed to substantially address all approval criteria for the land use, and failed to submit required reports and data when notified and instructed to do so. Pursuant 33.730.060 Application Requirements, PPS' CUMP application should be considered incomplete, and the land use denied.

I appreciate your time reading and considering these points. This application must be denied.

Respectfully,

Bill Dant

billdant@comcast.net

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Madeleine Denko, 4221 SW Comus St, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Madeleine Denko and I am a longtime homeowner of over 30 years and neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

In relation to BDS requirements, **Exhibit A-5**, notified PPS of "**Key issues and requirements**", *"Requiring a Geotechnical letter providing an assessment of fill placement demonstrating the impact fill surcharge loads will have upon the existing BES gravity sewer line that bisects the site, as well as outlining Submittal Requirements for Land Use specific to Site grading plans and engineering calculations of cut and fill volumes, and a Geotechnical Report with recommendations for fill placement and compaction; retaining wall design; AND foundation and/or excavation stability/shoring."*

Clearly, BDS and BES' notifications and necessary requirements, in and of themselves, indicate the magnitude of development both phases one and two will have on the Open Space *fragile and sensitive environmental area* of the wetland, and Falling Creek as headwater to Tryon Creek Watershed.

Introduced in Exhibit 133; Parks and Open Areas 33.920.460 clearly distinguish Characteristics *"focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures."*

Exhibit 133, the **Comprehensive Plan, Chapter 10 on Land Use Designations and Zoning, Open Space**, quote, *"designates the intention for lands that serve a recreational, public open space, or ecological function, or provide visual relief. Interpreting and applying language and context of land use designation for Open Space is intended to promote entertaining leisure within an unobstructed open space, promoting and sustaining ecological processes, supporting life systems and maintaining the balance of species and the ecosystem"*, unquote.

Interpreting the language and context of Open Space, *opportunities for outdoor recreation*, isn't specific to recreational fields for organized sports, but rather, the opportunity to access and enjoy outdoor activities related to preserving ecological functions and the natural balance of the environment inclusive of all ages, abilities, and cultures applicable to the Southwest Community Plan.

Pursuant **33.700 Administration and Enforcement, 33.700.070 General Rules for Application of Code Language, E. Hierarchy of regulations. 2**, stipulates these clear directives; *"When regulations at the same level conflict, those that are more specific to the situation apply. When the regulations are equally specific or when it is unclear which regulation to apply, the most restrictive applies."*

This clearly directs the importance of Open Space *protecting sensitive or fragile environmental areas, and Preserving the capacity and water quality of the stormwater drainage system* as the primary purpose over the accessory and limited use of recreational fields for organized sports.

This application must be denied.

Respectfully,

Madeleine Denko

ournagicsam@comcast.net

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Kathy Fetty, 3138 SW Dickinson St, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Kathy Fetty and I am a longtime homeowner of over 25 years and neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

In the HO's decision letter, the Hearings Officer agreed the Southwest Community Plan applies to PPS' Conditional Use Review. As the presiding District Plan, pursuant 33.700 Administration and Enforcement, General Rules for Application of Code Language, 33.700.070.E. Hierarchy of Regulations, 1a. and b. specifically mandate:

- *"The regulations in a plan district supersede regulations in overlay zones, base zones, and regulations in the 600s series of chapters; and, The regulations for plan districts also supersede conflicting regulations for a specific use or development stated in the 200s series of chapters."*

Thereby, Southwest Community Plan supersedes recreational fields for organized sports as an accessory use to be scrutinized with special limitations as subordinate and non-essential, compared to Open Space purpose and primary use *protecting sensitive or fragile environmental areas*.

33.815.100.A clearly directs land use proposals, *"be consistent with the intended character and purpose of the specific Open Space zoned area, and ensure adequate open space is being maintained so that the purpose of the OS zone in that area, and the open or **natural character** of the area, is retained."*

When specifying Open Space relevant to the natural character of the area, the context and language directs JMS Open Space to conform to area plans specific to the Southwest Community Plan as the presiding district plan.

The HO errs by adopting BDS' final report, enabling PPS to avoid substantiating how phase two, dependent upon the associated tennis court land use, is *"consistent with"* the Southwest Community Plan criteria for "Parks, Recreation and Open Space", as well as "Watershed", both concerning impacts to Tryon Creek.

Section **III. Policies and Objectives for Southwest Portland Land Use and Urban Form** stipulate *"Accommodating Southwest Portland's share of regional growth while protecting the environment in all areas."*

Exhibit A-18, regarding **Objective 2**, Preserving natural areas for wildlife habitat, environmental and scenic values; PPS claims, quote, *"The subject property is not identified as a significant wildlife habitat, environmental or scenic site."*

Regarding **objectives 8(a)** Protect Tryon Creek State Park as a regionally significant natural and recreational resource and **8(b)** Protect other natural areas, parks, and riparian corridors as significant natural and recreational resources; PPS claims, quote, *“This objective is not applicable because the subject property is not in, nor near Tryon Creek State Park and the proposed improvements and uses of the site will not affect that Park.*

Parks, Recreation and Open Space Objectives are not specific to overlay zones, but pattern areas that broadly command the necessity to, *“Preserve and enhance the natural habitat features of Southwest Portland’s parks and open spaces”*, which the recreational fields fall under. Refer to table 100-1, Open Space Primary Uses 33.100.100.B.2.

Further, by definition, the JMS site is a riparian corridor, and purpose of Open Space itself delineates the site as a natural area to be preserved, specifying *“preserving and enhancing open and natural areas and protecting sensitive or fragile environmental areas and scenic qualities.”* BDS themselves identified Falling Creek as a *“highly significant resource value as a headwater to Tryon Creek.”*

This application must be denied.

Respectfully,

Kathy Fetty

klfy.athome@gmail.com

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Betty Brown, 3740 SW Comus St, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Betty Brown and I am a longtime homeowner of over 40 years and neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

Regarding Open Space and relevant criteria, The HO has erred in adopting the final staff report's conclusions, when claiming "*Applicant demonstrated compliance with relevant approval criteria.*" From the HO's Decision Letter, pg. 7, concerning Open Space Base Zone, only limited focus on *opportunities for outdoor recreation* were addressed. The Hearings Officer argues that "*the term 'consistent with,' together with the list of many functions that serve the OS purpose, requires a finding that the field replacement project is in **harmony** with the list of functions in the OS zone...*"

This argument is flawed, in that, 33.100.010 Purpose statement for Open Space, specifically delineates a clear intention to be adhered to. The term and context "*Consistent with*" refers to Conditional Uses 33.815.100.D, regarding Area Plans under Uses in Open Space, whereby, the District Plan is established as the Southwest Community Plan.

The HO makes further err on pg. 10 in their decision letter describing Phase 2 as: "*Regrading two existing soccer fields in the southwest part of the site with natural turf or synthetic turf to accommodate overlapping softball and soccer fields. Phase 2 also includes two new tennis courts to the west of the new parking area and building from Phase 1.*"

The assertion that PPS' development is a "*field improvement and/or replacement project*" in *harmony* with Open Space criteria is a misrepresentation of facts concerning the development as a whole. Referring to the CUMP, Exhibit A-18 and stormwater report, Exhibit A-21, regarding impervious surfaces and stormwater design, phase two will develop three new sports fields using synthetic turf that do **Not** currently exist, and are thereby, not improvements or enhancements. Phase two ball fields and tennis courts are entirely dependent upon the associated tennis court **LU 22-184780-000-00 Site Development** to excavate, and fill/grade the wetland and drainage reserve, while cutting/grading the 30ft, 45 degree sloped topography on top of the sanitary sewer and Falling Creek stormwater pipes.

Per written testimony submitted into the record, the HO erred by not reviewing and comparing the CUMP Site Plans for phase two with the associated Site Development plans for the tennis courts. To fully comprehend and appreciate the significant adverse impacts to the environment and ecosystem regarding development proposed for phase two, it is imperative for City Council to refer to submitted videos of JMS site topography and wetland characteristics, Exhibits 187-190, and hearing Exhibits 136-146, and 154-158.

Exhibit 121, Portland Maps of JMS site identifying falling creek stormwater pipe and parallel sanitary sewer.

Exhibit 122, Portland Zoning map, along with Revised CUMP, Exhibit A-18, pg. 3 aerial map, demonstrates the site topography for phase two, with no existing baseball or soccer fields as PPS outlines in the site narrative.

This application must be denied.

Respectfully,

Betty Brown, WPPNA

mbbm@brownbroadcast.com

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Leah Peterson, 3910 SW Comus St, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Leah Peterson and I am a longtime homeowner of 25 years and neighbor to Jackson Middle School, and I support West Portland Park Neighborhood Association's Appeal.

Clearly BES and BDS communications are of major concern regarding the Conditional Use Master Plan approval and this appeal. Falling Creek is on EPA's impaired waters list, and as established, phase two is dependent upon the associated tennis court Site development to fill and grade the wetland and drainage reserve. Exhibit A-18 and C1.11 and C1.21 outline phase two developing three new sports fields that do not currently exist. This is not restoring the site closer to a predeveloped condition, nor reseeding and increasing the grade by just 1ft over the sanitary sewer as James Hyatt claimed.

Comparing Exhibit C1.11 and C1.21 for phase two with PPS tennis court Site Development, Exhibits 154-158, do outline filling more than 1 to 2ft of the wetland area, just as Jeff Duquette cautioned. Further, the revised stormwater report, Exhibit A-21, outlines developing synthetic turf fields for phase two, adding an additional 3.5 acres of impervious surfaces requiring drainage into the stormwater, discharging microplastic pollutants into Falling Creek.

Most importantly, PPS misleads BES and BDS regarding the description of work, claiming the tennis court site development they were applying for was, "*to remove tennis courts and associated grading and reseeding of slopes.*" However, clearly the intention of the CUMP phase two is to fill the wetland to build two new tennis courts and install 3 new synthetic turf sports fields all dependent upon the associated tennis court development.

PPS used the same description for the building permit, as well as for the planning/zoning who approved the Land Use Compatibility for DEQ NPDES permit on 10-18-22 without James Hyatt conducting the required review.

Jeff Duquette notes his concern for the timing of the SD and LU, and the procedural process for the proper review not being completed before an approval should be made. BES James Hyatt failed to conduct the proper Site Review before approving the development on September 28th, 2022. BES and BDS did issue critical *submittal requirements* on 10-10-22 requiring PPS to submit dewatering plans, analytical reports regarding on-site contamination, erosion sediment pollutant control plans, and to clarify the fill quantities, but James Hyatt had already approved the site development, and PPS never had to provide the required reports. Refer to Exhibits 136 through 146, follow the dates and actions, and the requirements PPS never had to comply with.

Indeed, Exhibit A-12, Pali Consulting emphasized, quote, "*The following sections provide recommendations for cut and fill slopes up to 4 feet high. If cut or fill slopes greater than 4 feet in height are planned, Pali Consulting should be contacted for additional geotechnical evaluation. Cut*

and fill slopes should be planted with appropriate vegetation as soon as possible after grading to provide protection against erosion," unquote. However, PPS phase two intends to construct impervious surfaces placing tennis courts and three new synthetic turf sports fields in cut and fill slopes, not vegetation.

This application must be denied.

Respectfully,

Leah Peterson

missleahmarie@gmail.com

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Megan & Nichole Aue, 3946 SW Pamona St., Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Nichole Aue and I am a longtime homeowner of over 10 years and neighbor to Jackson Middle School, and I support West Portland Park Neighborhood Association's Appeal.

Received through Public Records Request:

Testimony **Exhibit 141** entails Internal Communications regarding associated tennis court Site Development, **LU 22-184780-000-00-SD** between BES James Hyatt, Development Review Team, and Ella Indarta, BES Development Planning.

The required Site review was not conducted prior to BES approval. Review Exhibits 136-146 and Exhibits 154-158.

Email Subject: Jackson Middle School Tennis Court Demo, Sept. 28th, 2022:

James Hyatt: "Hi Ella, I read your EA comments regarding the private storm sewer that crosses this lot and the potential for a wetland designation. I am not sure if I have reason to hold them up on this demo permit. It would make sense to me if there was development on this permit that would be impacting the drainage area, but I can't complete the argument for calling out a drainage reserve when the scope of work in this case will be restoring the site closer to a predeveloped condition.

I've reviewed the grading plan and section and they are doing two minor things:

- minimally increasing the grade over BES sanitary main by approx. one foot—not a typical concern for BES Maintenance Engineering, and
- adding a catch basin in the area of the demolished courts to drain the re-seeded natural area to the existing private storm sewer.

So on this second note, what did you have in mind when you say BES wants to work with PPS to do something with the private storm sewer? I am curious to see what is being discussed and make sure we don't have a reason to cite this permit for more submittal requirements. Let me know what you think."

Ella Indarta: "Hi James, There are a couple layers to this situation:

The E-zone correction map goes into effect on 10/1/22 which will put an environmental protection zone overlay on that wetland. If PPS gets their SD permit in before 10/1, they can potentially fill the wetland and apply later to remove the protection overlay. So I think that is why we are seeing this SD permit now.

If the SD permit involves filling the wetland, then DSL should be involved, but that is up to the BDS planner to recognize.

Here is what I know about the storm pipe:

- We TV'd it not to long ago and found that it is in major disrepair... if I was PPS, I would definitely want to check that there is no risk for sink holes or anything before placing new fields over the top where kids are playing.
- It seems like it would also be in their best interest to investigate this before grading or operating any heavy machinery over the pipe.....because the pipe is not in good condition and poses a risk... but I didn't get the feeling that PPS fully grasps that it's their responsibility.

My EA notes were to emphasize the current state of the pipe and its potential risk – and hope that they are taking that into account as they plan their project.”

James Hyatt: “I could write an informational checksheet (no BES requirements or action required) in regard to their tapping into the private storm sewer. The authority would have to be BDS Plumbing for regulation of the connection. Since it is pervious area (otherwise not new area) draining to the pipe.”

Coinciding with Exhibit 141, Exhibit 142 entails Team communications regarding Tennis court Site Development between Jeff Duquette, BDS Site Development Engineer, and Ella Indarta, which clearly identifies BES James Hyatt did not conduct the proper Site Development review prior to approval. Refer to pertinent Exhibit documents 136-146 and 154-158.

Jeff Duquette: “Anywhoo -- new surprise -- Group Mackenzie/PPS has submitted an SD permit application for site grading on Jackson Middle School -- SW corner. It's for removal of a Tennis Court in the SW corner of the campus grounds. However, they are showing cuts along the west property line slopes and filling to the east – according to their drawings ~3,700 cubic yards of new fill will be placed. It looks like fill will be placed over both the BES utility easement as well as the private storm sewer alignments. Don't we need the conditional Land Use review completed and approved before we start approving grading permits for the site?”

Ella Indarta: “Oh I am not sure about the timing!

I did talk with James Hyatt in BES who reviewed SD permit for the removal of the tennis courts but he said there was no grading proposed for the SW corner.”

Jeff Duquette: “Yeah there's a table on their drawings showing how much fill is to be place. its either 3700 or 4100 cubic yards. And they're showing new contour lines over the alignment areas. It looks like cutting along the west property line slopes and filling within that low area east of the same property line.”

Ella Indarta: “Looks like James approved from BES with these notes:

Grading show minimal increase, approx. 1ft in grade in area over existing BES sanitary main.”

Jeff Duquette: “Ok -- sounds like BES doesn't care.... but the Site development and land use came in on the very same day. I'm guessing they are jumping the gun on the SD. And Hopefully they don't go from 1 to 2 feet of fill to ten feet once they have their grading permit for "minor filling" in hand ;o) ”

“I probably still need to check in with Andrew Gulizia as they are also calling out 440 cubic yards of fill to be placed within "wetland" areas? As I recall filling within wetland areas requires a conditional land use review.”

Ella Indarta: “Yeah their entire goal in submitting this early was to get it in before the new environmental-zone map protection code went into effect on 10/1/22. Now they are vested in the previous code which does not have environmental-zone on it. The map correction put e-zone over the wetlands.”

“I talked to Andrew Gulizia about it too but not Breah from the planning/zoning BDS reviewer for the Site Development permit.”

This application must be denied!

Thank you for your time.

Megan & Nichole Aue

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Linn Andren, 10808 SW 39th Avenue, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Linn Andren and I am a longtime homeowner of over 50 years and neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

Regarding Open Space, the HO errs by conflating *recreational fields for organized sports* with *open space outdoor recreation*, and not applying the full scope of Open Space environmental protections. Referencing table 100-1, Open Space Primary Uses 33.100.100.B.2. designates Recreational Fields for Organized Sports as an *accessory use with "Special Limitations"* under 33.920.460 Parks and Open Areas and **must** be consistent with 33.100 Open Space Purpose and Primary Use, Desired and Natural Character.

Further, as an accessory use by 33.910 definitions, are subordinate to the primary use *protecting sensitive or fragile environmental areas*, thereby specifying the order of importance; where sports fields are non-essential and/or of lesser importance as compared to Open Space purpose and primary use defined as "chief importance" prioritizing the natural environment and ecological functioning of the ecosystem.

Indeed, the primary use of chief importance for 33.100.100 Open Space, through the language and context, specifies the intention is focused on, "**preserving and enhancing open and natural areas in relation to providing opportunities for outdoor recreation by Protecting sensitive or fragile environmental areas and scenic qualities, and to preserve the capacity and water quality of the stormwater drainage system.**"

BDS clearly establishes the significant functional value of Falling Creek, and its interdependent vitality, integral to the greater Tryon Creek Watershed, when confirming in their Pre-application Response, pg 3-4; "*Falling Creek, a headwater to Tryon Creek is piped and runs south to north underneath the current fields. Due to the creek's highly significant resource value...*"

Furthermore, the primary use and purpose of **33.100.010 Open Space** criteria does not stipulate that *protecting sensitive or fragile environmental areas* is only applicable to environmental overlays; rather, it broadly commands the protection of any/all sensitive or fragile environmental areas, which BDS themselves has characterized Falling Creek and the JMS site.

Indeed, BDS' own requirements on pg. 1 of the Pre-application Response, Introduced **Exhibit 130** required PPS to address **33.815 Conditional Use Review**, stipulating: "*For **approval criterion A** (character and impacts), please refer to the purpose statement for the Opens Space zone in 33.100.010. Note that protecting sensitive environmental areas is part of the purpose of the Open Space zone, so please explain how impacts to environmental resources will be minimized and/or mitigated, even if*

resources are not protected by a City environmental overlay zone at the time of your application. An adequate response to this criterion should also explain how the proposal minimizes and retains an open, natural character for the site.”

This application must be denied.

Thank you for your consideration.

Linn Andren

Sunraven2@hotmail.com

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Keborah Andren, 10808 SW 39th Avenue, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Keborah Andren and I am a longtime homeowner of over 30 years and neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

Conditions of Approval:

- 1) BES has emphasized Falling Creek Stormwater pipe being in "poor condition" having "significant structural issues". BES' stormwater pipe inspection report demonstrates the deteriorating pipe with significant longitudinal fracturing and cracking. This damage will promote leaching of synthetic turf pollutants into the protected waterway, polluting the watershed. Refer to Exhibit G-2, BES Completeness Response informing PPS of the video, referenced by Ella Indarta in BES internal communications regarding concerns for sinkholes and site stability. Pali Consulting, Exhibit A-12, advised, quote, "*The existing culvert, [Falling Creek], should also be evaluated. The evaluation should include videotaping the line for its full length. Areas of damage or that are in poor condition should be repaired prior to further grading or placement of structural fill.*"

Regarding safety and site stability, a Condition of Approval should be to repair and replace the stormwater pipe to be able to withstand surcharge loads of cut and fill, and grading of the wetland and drainage reserve, as well as protect from synthetic turf leaching into Falling Creek.

- 2) Even though PPS agreed to not use crumb rubber as a Condition of Approval, harmful polypropylene and polyethylene microplastics will still be used in the synthetic turf. These toxic microplastics are structural components of all synthetic turf carpet and grass blades. Phase two, as outlined in Exhibit A-21, will install synthetic turf, for a total of 8 acres of toxic microplastic wastewater discharged into Falling Creek as extreme pollutants that harm and kill aquatic organisms, and, by definition, constitute Pollutants and Pollutants of concern.

The only thing safe for the environment, waterways, and human exposure, is natural turf, which PPS has full choice over using in this *environmentally sensitive and fragile area*. Nowhere is it necessary or required to use synthetic turf for recreational fields for organized sports. Considering the magnitude of Phase two, which clearly demonstrates the devastation of the natural environment and ecological functioning of the wetland and greater watershed, a condition of approval should be to only allow phase 1 development, and that only natural turf be allowed.

- 3) Concerning **33.815 Livability and safety issues** and **33.262 off-site impacts**, phase two will generate significant adverse impacts exacerbating and increasing flooding to adjacent homeowners' properties and degrade Falling Creek. Refer to BES Geomorphic Risk Assessment, Exhibits 1147-151.

Constructed wetlands and daylighting Falling Creek should be a condition of approval as what's best, not only for site stability, but for preserving the sustainability and health of Falling Creek in benefit to water quality, flow, and health of Tryon Creek Watershed. Daylighting Falling Creek is imperative towards enhancing the natural environment and ecosystems, as well as protective of surrounding properties concerning ongoing flooding and peril of increased climate change, all of which the primary purpose of Open Space and Southwest Community Plan mandate protecting.

- ❖ The fundamental question that remains to be answered: Who will be held liable for inevitable significant adverse impacts to homeowners' adjacent properties, the environment and watershed, and public health and safety; the City of Portland for approving the land use, or PPS for constructing the development?

Substantial evidence has been introduced into the record that clearly demonstrates the overwhelming discrepancies within Portland Public School's land use application and their CUMP and Tennis Court Site Development plans to develop the wetland and drainage reserve. In lieu of a site visit, please review the attached video demonstrating the JMS site characteristics.

These overwhelming discrepancies are dangerous, and the application must be denied; or at the very minimum, to meet **33.262 Off-site Impacts** and **33.815.100.C.2 Livability** concerning *safety issues* and *significant adverse impacts*, have these conditions of approval placed on the decision before any development can begin.

Respectfully,

Keborah Andren

Keborahandren8@gmail.com

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Peter Limbaugh, 10821 SW 39th Ave, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Peter Limbaugh and I am a neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

Concerning Falling Creek water quality and the greater Tryon Creek Watershed; BDS **Exhibit A-5**, notified PPS, *Erosion prevention and sediment control is a key issue because the JMS project area meets **Special Site criteria** and is subject to City Code 10.30.030 with additional requirements for erosion, sediment, and pollution control.*

In multiple BES notifications regarding Stormwater Management, Exhibits E-1 and G-2 inform PPS, *"Stormwater runoff from this project must comply with all applicable standards of the Stormwater Management Manual and Source Control Manual."* *"The storm sewer contains the flow of Falling Creek running across the subject property. BES has discovered **significant structural issues** with the storm pipe in **very poor condition**. BES recommends a robust analysis of the pipe condition to identify how proposed grading and future development will impact the structural integrity of the pipe and highly recommends PPS consider potential risk associated with the pipe prior to construction to confirm that the pipe will continue to convey upstream flow."*

BDS Exhibit G-2 requires PPS to address approval criterion **33.815.100.A. Uses in Open Space**, *"This will require a discussion of environmental resources and water quality, even though the project is vested against the new environmental zones map"*, further advising PPS to, quote, *"Discuss compliance with Oregon Division of State Lands' requirements for wetlands."*

Regarding stormwater design, Exhibit E-1, alerts PPS, *"BES has concerns about the weight of the rocks over the existing sanitary sewer main"*, unquote. Neighbors ask, what about concerns of the weight of rock over the stormwater pipe? PPS CUMP claims, quote: *"A core reason for the proposal is to improve storm drainage on the site. The site currently does not have adequate stormwater management."*

Regardless of not using crumb rubber infill, toxic microplastics will still be used for the synthetic turf carpet and grass blades, as well as the shock pad underneath the infill layer. As outlined in multiple Exhibits 202, 235, and 249; There is a growing body of evidence-based research substantiating the long-term, *harmful effects and toxicity of microplastic pollutants in soil, waterways, and the air.*

The National Oceanic and Atmospheric Administration (NOAA) demonstrate how microplastics act a lot like crumb rubber as they're made from the same crude oil and petroleum-based byproducts, all of which *are harmful pollutants to the environment when discharged into stormwater and waterways for wildlife and aquatic organisms, as well as human exposure. Due to their microscopic size, filtering the micro-toxic pollutants is nearly impossible, as well as poses unique problems for the proper*

effectiveness of stormwater designs becoming clogged by the microparticles which further accumulate bacteria transmitted into the soil and water, and onto aquatic organisms which bioaccumulate.

As synthetic turf grass blades and shock pads undergo physical and chemical degradation, microplastics pass easily through water filters, making their way into bodies of water, threatening aquatic organisms and other wildlife.

PPS application must be denied!

Thank you,

Peter Limbaugh

peterlimbaugh@gmail.com

Agenda Item	Name or Organization	Comments	Attachment	Email	Mailing Address	Created
35	Keborah Andren	2 of 2	Yes	keborahandren8@gmail.com		01/09/24 2:02 PM
35	Keborah Andren		Yes	keborahandren8@gmail.com		01/09/24 2:03 PM
35	Josh clark	I think that this improvement of athletic fields is sorely needed in SW portland. As someone who lives about a mile from Jackson MS, i would play on the fields with my son multiple times per week . There are currently very few options to play soccer on fields sw portland, as most are de facto dog parks or unplayable due to mud and uneven surfaces. Please push this through!	No	joshclark1@gmail.com		01/09/24 3:00 PM
35	Gary Runde	Written testimony for LU 22-185273 CU MS AD Appeal.	Yes	moregrun@gmail.com		01/10/24 12:09 AM
35	Tryon Creek Watershed Council (Alexis Barton, Coordinator)	Our comments are held within the attached PDF, as well as in prior submitted letters, Exhibits 214 & 248. Thank you. If an email will not be automatically sent confirming the receipt of our testimony, could the Clerk or staff person reviewing this kindly email a confirmation? Thank you!	Yes	alexis@tryoncreek.org	PO Box 1456, Lake Oswego OR 97035	01/10/24 12:21 AM
35	Aletha, Lincoln, Colton, and Flynn Foster, SW Portland Community members	Hello City Council - Our family is writing to beg you to allow the approved renovations to happen to Jackson Middle School athletic fields. Team sports are a necessary part of our community for social/emotional and physical reasons. Our 'families' of athletic teams are important to us individually and to allow our community to thrive. We have two children who each play 3 to 4 sports per year. Due to the lack of adequate and lit field space, our children are often doing athletic practices late at night on far away fields. This is taxing on our family from a time and coordination aspect, but I am very concerned about their ability to get adequate sleep in order to be prepared for school the next day. Small children should not be practicing until 8:30/9pm due to the need to drive to these far away fields. If we had adequate drainage and lights at Jackson, that space could be utilized for our community. Also, I feel for all the families who are not able to drive their children to these widespread places for practice. Their children simply do not get to play sports. Aside from making me sad, as an Occupational Therapist, I know this is adding to the reeling numbers of obesity, diabetes, and so much more in our country. That feels very much like an equity issue, which I know the schools are very focused on, and I would assume the city council is as well? Please, please, please pass this proposal, which has already been approved. Thank you for your time!	No	alethafoster@comcast.net	Aletha Foster 5929 SW. 48th Ave. Portland, Oregon, 97221	01/10/24 8:41 AM
35	Lincoln Foster / Wells Youth Sports	As a coach in multiple sports that have needed the Jackson fields over the years, I believe the improvements are a must. When the fields aren't in good shape our kids get hurt. We also have scheduling conflicts all the time because we are limited by daylight. We need to be able to get more out of Jackson Middle School. Thanks.	No	lincoln.s.foster@intel.com		01/10/24 9:08 AM
35	Sharon Keast		Yes	sjkeast@gmail.com	1326 SW Dickinson Ln	01/10/24 9:20 AM
35	Alexis Haslam	We live in the neighborhood, own our home, have three children currently preschool/elementary age and have plans to stay in the neighborhood long term. We consider ourselves pretty invested in the neighborhood and would like to see it improved. ANY improvement to Jackson middle school or the fields surrounding are greatly desired and appreciated. Apart from being a total eyesore, the barren fields surrounding the school, devoid of the trees and greenery that make Portland so wonderful, are a magnet for heat in the summer and a giant mud pit in the winter. Please do something with the space that the community can enjoy. Improved facilities for the kids that go there, but also for the kids/adults/dogs that live in the area and just might want to use that space when school isn't in session. Most importantly, have it include lots of trees and shade! Thank you.	No	alexis.eudy@gmail.com	4934 SW Pasadena St	01/10/24 12:16 PM
35	Oregon Health Sciences University	Strong support of field upgrades at Jackson Middle School, as father of 3 I see firsthand the struggle due to lack of field space for our kids.	No	jcopperm@gmail.com	3833 SW 52nd Place	01/10/24 12:57 PM
35	Nadya Burchette	I am writing to express my enthusiastic support for upgrading the fields at Jackson Middle School. As a parent of 2 athletic teens, having local sports fields in our community are very important to us. When fields & parks are close to all of our families, everyone wins. For families living in poverty, a nice field or park nearby can be a game changer. Given that these are existing fields that are mostly neglected, I don't see a large environmental cost to improving them. Let's figure out a safe & neighborly way to make this space more accessible for our community. Thank you for investing in fields for the future that we all want to share. Sincerely, Nadya Burchette	No	burchetten@gmail.com	5124 SW Iowa Street	01/10/24 1:13 PM
35	Adam Haslam	We live in the neighborhood, own our home, have three children currently preschool/elementary age and have plans to stay in the neighborhood long term. We consider ourselves pretty invested in the neighborhood and would like to see it improved. Any improvement to Jackson middle school or the field surrounding are greatly desired and appreciated. Apart from being a total eyesore, the barren fields surrounding the school, devoid of the trees and greenery that make Portland so wonderful, are a magnet for heat in the summer and a giant mud pit in the winter. Please do something with the space that the community can enjoy. Improved facilities for the kids that go there, but also for the kids that live in the area that just might want to use that space when school isn't in session. Most importantly, have it include lots of trees and shade! Thank you.	No	adamj.haslam@gmail.com	4934 SW Pasadena St Portland, OR 97219	01/10/24 6:47 PM
35	Michael D Brown		Yes	mike@brownbroadcast.com	3740 SW Comus Street Portland, OR 97219	01/10/24 10:15 PM

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Rachelle Steinberg, 10823 SW 37th Ave, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Rachelle Steinberg and I am a longtime homeowner of over 10 years and neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

Concerning stormwater management and the watershed, BDS staff report allowed PPS to omit the required water quality calculations from Appendix B, and hydrology calculations for phase two from Appendix C in Exhibit A-21, revised stormwater report. PPS further omitted accurate cut/fill calculations and quantities concerning both sanitary sewer and Falling Creek stormwater pipes.

Without water quality reports how does PPS wastewater design reflect pre and post pollutant reduction meeting criteria for TMDLs concerning wastewater runoff from synthetic turf directly into the stormwater Falling Creek? Without a Water Quality report, what is the stream quality? Without phase 2 hydrology reports, how can volume of flow control be determined? Phase 2 topography and wetland and drainage reserve are completely different from phase 1, and cannot rely on phase 1 calculations. Further Concerns, regarding discrepancies between cut/fill quantities would be the overwhelming structural damage of the stormwater pipe diverting the creek underground directly under the plans for development. These reports and discrepancies will produce significant adverse impacts, exacerbating and increasing current flooding of homeowners' adjacent properties.

Pursuant **Off-site Impacts, 33.262.010 Purpose** clearly stipulates, *"protecting all uses in Open Space zones from certain objectionable off-site impacts associated with nonresidential uses, to ensure that uses provide adequate control measures or locate in areas where the community **is protected from health hazards and nuisances**. The use of objective standards provides a measurable means of determining specified off-site impacts; **including** noise, vibration, odors, and glare."*

Introduced in **Exhibit 133**, Pursuant Administration and Enforcement of code criteria, **33.700.070.D.4 General Rules for Application of the Code Language regarding Terms and Lists**, stipulates, *"Lists of items that state **"including the following,"** or **"such as,"** are not limited to just those items. The lists are intended to provide examples, but not to be exhaustive of all possibilities."*

"Safety issues" should thereby apply to hazardous impacts of synthetic turf microplastics on the Watershed, as well as the poor condition of Falling Creek Stormwater pipe and capacity to sustain surcharge loads of phase two construction without collapse, with increased risk for flooding to upstream and/or downstream adjacent properties; as well as the devastating disturbance to the earth and sloped topography concerning site stability, and the overall balance of drainage reserve and wetland ecosystem within the riparian corridor.

The HO erred by permitting PPS to ignore the full scope of 33.815.100.C.2 clearly stipulating proposals **will not** have ***significant adverse impacts*** on the ***livability*** of nearby residential-zoned lands

due to **Privacy and safety issues**, as well as failing to submit the required signed statement from an engineer certifying that **all off-site impacts standards in 33.262.100 can be met.**

The application must be denied.

Respectfully,

Rachelle Steinberg

rachelleste36@gmail.com

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Teresa Peterson, 3910 SW Comus, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Teresa Peterson and I am a longtime homeowner of 25 years and neighbor to Jackson Middle School, and I support West Portland Park Neighborhood Association's Appeal.

When examining the tennis courts Land Use with phase two construction the magnitude of development becomes clear. Grading the sloped topography and filling the wetland and drainage reserve will dramatically alter ecological functioning of the natural environment, producing ***significant detrimental environmental impacts*** that will compromise and risk the collapse and failure of the Falling Creek Stormwater pipe impacting upstream and downstream properties and neighbors, as well as Falling Creek headwater to the greater Tryon Creek Watershed.

BES/BDS identify their concerns in their internal communications, emphasizing the potential risk for sinkholes. BES James Hyatt didn't conduct the proper review concerning BES/BDS issued site development checksheets requiring additional reports for accuracy after he already approved the SD that would have triggered the Environmental Review requiring it to be listed in the CUMP.

By definition, the associated tennis court site development will cause *Significant Detrimental Environmental Impacts*, defined as, "impacts that affect the natural environment to the point where existing ecological systems are disrupted or destroyed... impacts that result in the loss of vegetation, land, water, food, cover, or nesting sites. These elements are considered vital or important for the continued use of the area by wildlife, fish, and plants, or the enjoyment of the area's scenic qualities,"

33.800.050 The Function of Approval Criteria, states, "*When approval criteria refer to the request meeting a specific threshold, such as adequacy of services **or no significant detrimental environmental impacts**, the review body will consider any proposed improvements, mitigation measures, or limitations proposed as part of the request when reviewing whether the request meets the threshold. All proposed improvements, mitigation measures, and limitations **must** be submitted for consideration prior to a final decision by a review body.*"

Pali Consulting indicates, "*Based on information from Mackenzie/PPS, we estimate that grading for the site will be limited to cuts and fills of less than 4 feet.*" "*The existing culvert, referring to Falling Creek, should also be evaluated. The evaluation should include videotaping the line for its full length. Areas of damage or that are in poor condition should be repaired prior to further grading or placement of structural fill.*"

PPS has not been forthright in their intentions for providing accurate cut and fill depth and volumes with Pali Consulting, or BES and BDS. All of Pali Consulting's geotechnical evaluations are based upon the CUMP not the associated tennis court site development phase two is dependent upon. Pali Consulting's addendum, Exhibit A-12, does not satisfy the BES and BDS required geotechnical

engineer reports approving cut and fill volumes and surcharge loads. This omitted data is critical to assessing the surcharge loads on the pipe regarding on-site and off-site impacts to public health and safety.

The HO erred by not enforcing 33.262.100.C Documentation in Advance requiring, “*Expert evaluation and explanation certified by a registered engineer that the proposed activity can achieve the off-site impact standard or standards in question.*”

This application must be denied.

Respectfully,

Teresa Peterson, RN

mariateresapdx@gmail.com

From: [Keborah Andren](#)
To: [Council Clerk](#)
Cc: [Amanda Fritz](#)
Subject: Submitting Written Appeal Testimony: LU 22-185273 CU MS AD
Date: Tuesday, January 9, 2024 10:13:48 AM
Attachments: [LU 22-185273 Appeal Testimony -Gary Runde.pdf](#)

Hi,

I'm submitting written testimony for the LU 22-185273 CU MS AD Appeal Hearing with City Council. I have one more neighbor I am trying to help submit their testimony to get into the record for City Council to read before the hearing.

Can you please help forward these submissions to the City Council staff for me?

Please let me know if this is possible and when completed.

Thankyou for your time and help!

Respectfully,

Keborah

[Keborah Andren, MSW](#)

[Care Manager](#)

[Medical Social Work](#)

[Eldercare Advocate](#)

keborahandren8@gmail.com

503-329-2133

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Gary Runde, 4210 SW Comus St, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Gary Runde, WPPNA Land Use Chair, and I am a longtime homeowner of over 25 years and neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

Concerning the drainage reserve and wetland, regardless of overlay protections, Storm water Management Manual **2.2.3 Wetlands, Waterbodies, and Drainageways**; stipulates, *"The presence of wetlands, waterbodies, and drainageways on a site may restrict where stormwater facilities can be placed."*

Regarding BES requirements concerning the watershed, Source Control Manual 10.30.20 Minimum Requirements, *"apply to all development and ground disturbing activities"*; mandating, *"No visible or measurable sediment or pollutant may exit the site, or be deposited into any water body or storm drainage system."* And, *"must meet Minimum requirements and standards established in the Erosion and Sediment Control Manual."*

PPS fails to comply with the Source Control Manual not submitting required Erosion Sediment Pollutant Control Plan and fails to comply with required standards of 17.38 Drainage & water Quality and 17.39.040 Prohibited Discharges #s 4. and 10. whereby prohibiting any:

- *Heat that causes or contributes to a violation of the receiving-water temperature standards; or*
- *A substance that causes or may cause a nuisance, hazard, interference, obstruction or damage to the City's storm sewer and drainage system, City personnel, the general public, receiving waters, or associated sediments.*

Developing 8 acres of synthetic turf increases 8 acres of impervious surfaces. Discharging synthetic turf wastewater composed of microplastics derived from crude oil and petroleum byproducts into Falling Creek on EPA's impaired waters list, by definition, constitute discharging "Pollutants", *"as an elemental or physical material that can be mobilized or dissolved by water or air and that could create a negative impact to human health, safety, or the environment; and "Pollutants of Concern", "as constituents having the potential to have a negative impact on the receiving system. Pollutants of concern can include suspended solids, metals, nutrients, bacteria and viruses, organics, volatiles, semi-volatiles, floatable debris and increased temperature."*

As outlined in the Comprehensive Plan, Eight acres of synthetic turf will increase, *"The urban heat island effect defined by a measurable increase in ambient urban air temperatures resulting primarily from the replacement of vegetation and other heat-absorbing infrastructure which result in significant temperature differences."*

Further, defined by the Comprehensive Plan, by definition and ecological function, Falling Creek and the JMS wetland constitute a sub-watershed that is to be preserved and protected. Southwest

Community Plan's Watershed mandates are to, *"Manage stormwater runoff on a watershed-wide basis to Prevent any net degradation of water quality, aquatic and streamside plant and animal habitats and ecosystems, channel stability, or watershed health, to Minimize risk to public safety, private property, and public infrastructure, and to reduce the volume, velocity and pollutant load of stormwater runoff entering streams."* Southwest Community Plan's core values are, quote, *"to maintain water quality and quantity, aquatic and streamside plant and animal habitats and ecosystems, soil, stream and slope stability, and the scenic, educational and recreational values of Southwest Portland's natural areas and streams."*

The application must be denied.

Respectfully,

Gary Runde

moregrun@gmail.com

Portland Public Schools Conditional Use Master Plan, Jackson Middle School

LU 22-185273 City Council Appeal Hearing, 1/11/24 2 p.m. Time Certain

Submitted by: Gary Runde, 4210 SW Comus St, Portland OR 97219

We request City Council to grant the appeal and overturn the Hearings Officer's approval of PPS' Conditional Use Master Plan Review.

My name is Gary Runde, WPPNA Land Use Chair, and I am a longtime homeowner of over 25 years and neighbor to Jackson Middle School, and I fully support West Portland Park Neighborhood Association's Appeal.

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Regarding BES requirements concerning the watershed, Source Control Manual 10.30.20 Minimum Requirements, *"apply to all development and ground disturbing activities"*; mandating, *"No visible or measurable sediment or pollutant may exit the site, or be deposited into any water body or storm drainage system."* And, *"must meet Minimum requirements and standards established in the Erosion and Sediment Control Manual."*

PPS fails to comply with the Source Control Manual not submitting required Erosion Sediment Pollutant Control Plan and fails to comply with required standards of 17.38 Drainage & water Quality and 17.39.040 Prohibited Discharges #s 4. and 10. whereby prohibiting any:

- *Heat that causes or contributes to a violation of the receiving-water temperature standards; or*
- *A substance that causes or may cause a nuisance, hazard, interference, obstruction or damage to the City's storm sewer and drainage system, City personnel, the general public, receiving waters, or associated sediments.*

Developing 8 acres of synthetic turf increases 8 acres of impervious surfaces. Discharging synthetic turf wastewater composed of microplastics derived from crude oil and petroleum byproducts into Falling Creek on EPA's impaired waters list, by definition, constitute discharging "Pollutants", *"as an elemental or physical material that can be mobilized or dissolved by water or air and that could create a negative impact to human health, safety, or the environment; and "Pollutants of Concern", "as constituents having the potential to have a negative impact on the receiving system. Pollutants of concern can include suspended solids, metals, nutrients, bacteria and viruses, organics, volatiles, semi-volatiles, floatable debris and increased temperature."*

As outlined in the Comprehensive Plan, Eight acres of synthetic turf will increase, *"The urban heat island effect defined by a measurable increase in ambient urban air temperatures resulting primarily from the replacement of vegetation and other heat-absorbing infrastructure which result in significant temperature differences."*

Further, defined by the Comprehensive Plan, by definition and ecological function, Falling Creek and the JMS wetland constitute a sub-watershed that is to be preserved and protected. Southwest

Community Plan's Watershed mandates are to, *"Manage stormwater runoff on a watershed-wide basis to Prevent any net degradation of water quality, aquatic and streamside plant and animal habitats and ecosystems, channel stability, or watershed health, to Minimize risk to public safety, private property, and public infrastructure, and to reduce the volume, velocity and pollutant load of stormwater runoff entering streams."* Southwest Community Plan's core values are, quote, *"to maintain water quality and quantity, aquatic and streamside plant and animal habitats and ecosystems, soil, stream and slope stability, and the scenic, educational and recreational values of Southwest Portland's natural areas and streams."*

The application must be denied.

Respectfully,

Gary Runde

moregrun@gmail.com



TRYON CREEK WATERSHED COUNCIL

Written Testimony of the Tryon Creek Watershed Council

LU 22-185273 City Council Appeal Hearing, 1/11/24, 2 p.m.

Submitted to the Council Clerk, 1/10/24

Tryon Creek Watershed Council (TCWC) supports the West Portland Park Neighborhood Association's appeal.

TCWC is a 501(c)3 nonprofit working to restore, protect and enhance the ecological health and function of our unique urban watershed. Our work primarily focuses on implementing environmental restoration projects, convening land managers, and educating and engaging community members in both learning about and taking actions for the betterment of the Tryon Creek watershed.

This project as proposed would undermine the positive impact of collaborative efforts. USFWS fish monitoring found the resident coastal cutthroat trout population in the watershed are as healthy as a population in an undisturbed rural area (US Fish and Wildlife Service [report](#) & [monitoring](#)). The Bureau of Environmental Services recently invested \$8.8 million to replace a fish passage barrier, the Boones Ferry culvert, with a bridge that allows for fish, wildlife and people passage. The City of Portland is an active partner with the U.S. Army Corps of Engineers on a ~\$50-million dollar project decades in the making, to replace the Highway 43 culvert which currently prevents salmon, steelhead, and lamprey from accessing Tryon Creek's healthy habitat above the culvert. At its confluence with the Willamette River, Tryon Creek provides an important stepping stone habitat for endangered and migrating fish passing through the Portland area reach of the Willamette River.

Falling Creek is a surface water and primary tributary to Tryon Creek: it flows aboveground before entering the conveyance pipe at the JMS campus, flows under the JMS campus in the pipe, returns to its natural channel immediately downgradient from its piped section, and flows directly into Tryon Creek. As discussed below and in prior testimony (Exhibit 141), the piped section of Falling Creek is in significant disrepair that threatens to create adverse water quality impacts. Combined with proposed stormwater runoff impacts to Falling Creek from the project, potential water quality impacts are significant.

Urbanization has inevitably impacted the watershed, as stormwater runoff from impervious surfaces added over the decades has contributed to water quality concerns; Tryon Creek both supports healthy fish populations and is TMDL-listed for temperature, mercury, and bacteria. The work to restore and protect the watershed has made significant headway to help overcome these legacy challenges.



TRYON CREEK WATERSHED COUNCIL

Throughout the application process, documents *inappropriately reference Falling Creek through a stormwater management/drainage framework*. As a result, the project attempts to manage Falling Creek as a stormwater runoff conveyance mechanism and not as the designated surface water it is, much less its role in the watershed's surface water/riparian corridor system. "Stormwater pipe" in this proposal is actually Falling Creek, a perennial creek that flows year-round, and is considered a "waters" of the State of Oregon and U.S. and is a regulated feature. Any water quality degradation to Falling Creek impacts Tryon Creek immediately downstream, the very system that is slated for transformational improvements that will welcome threatened and endangered fish to the creek.

The applicant has demonstrated deliberate disregard of the significant ecological value of a natural resource on the site - Falling Creek - by asking for approval for development of a project years in the future, to avoid wetland and watershed protections with the new Ezone overlay map changes that prohibit the proposed development but do not prevent improvements to the athletic fields on campus. It's important to acknowledge that it is known by the City, the Applicant, scientists, and neighbors, that there is a wetland *and* a designated surface water moving through this project area.

Athletics are an important and beneficial aspect of students' education, but athletic interests should not be advanced at the expense of the environment, especially when there is opportunity for collaboration and innovation. Indeed, BES advised, "Due to the creek's highly significant resource value, staff strongly encourages the applicant to daylight the stream in lieu of filling in the wetland. Stream daylighting within the Environmental Zone would be considered a Resource Enhancement project and be subject to the Resource Enhancement approval criteria found in Zoning Code Section 33.430.250.B. In addition to providing significant ecological uplift, the stream would present educational opportunities for PPS students."

When we know better, we do better. We know we *should* do better (based on the Ezones, internal City staff correspondence, and the established significant value of the creek as a natural resource). **Following the Southwest Community Plan provides the authority to do better.**

The Bureau of Development Services confirmed, and the Hearings Officer agreed, that the Southwest Community Plan (SWCP) is applicable and relevant to the Conditional Use Master Plan review. The Hearings Officer failed to appropriately consider all relevant evidence regarding the Watershed Policy objectives contained within the Southwest Community Plan.

The Hearings Officer made an error when he "...found no evidence in the record which suggests there is pollution in the larger watershed that is filtered on this site." Natural vegetated areas do generally provide filtration for stormwater runoff and stormwater retention, and this information is the premise for the City's own Stormwater Management Plan. The Hearings



TRYON CREEK WATERSHED COUNCIL

Officer failed to consider the evidence submitted regarding pollution related to the proposed 7+ acres of plastic carpet.

The Hearings Officer did not consider the Southwest Community Plan (specific requirements discussed below) when he stated “The Applicant’s plans lay out in detail a comprehensive stormwater management system that will filter stormwater from the site in a manner that meets or exceeds the City’s requirements for water quality.”

The Hearings Officer relied too heavily on the Stormwater Management Manual which requires water quality treatment to remove only 70% of total suspended solids. Allowing 30% of suspended sediments and newly-introduced microplastics leaching from the proposed artificial turf to flow into Falling Creek will *increase* water pollution, not decrease it as required by the Southwest Community Plan.

The proposal does not meet objectives in the Southwest Community Plan, particularly the **Watershed Policy, Objective 1: Manage stormwater runoff on a watershed-wide basis to:**

- **(a) Prevent any net degradation of water quality, aquatic and streamside plant and animal habitats and ecosystems, channel stability, or watershed health.**

Watershed health would be degraded by the addition of 7+ acres of plastic carpet. Artificial turf would completely eliminate habitat for plants and animals in the Open Space site above Falling Creek and degrade downstream ecosystems. The proposed filtration system is insufficient.

The manufacturer of the proposed Contech filtration system states on their website that it does not remove per- and poly-fluoroalkyl substances (PFAS) known as “forever chemicals” found in artificial turf, that have been linked to environmental health issues such as endocrine disruption and cancer, and which are used in most artificial grass fields.

The Contech Civil Engineer expressed grave concern in how PPS’ design deviates from the standard of use.

Policy objective 1(a) is not met.

- **(b) Minimize risk to public safety, private property, and public infrastructure.**

Further damage to the already-failing buried Falling Creek pipe is a reasonable expectation of adding tons (weight) of artificial turf on top of it. Both Pali Consulting and BES have expressed concerns regarding damaging impacts to the pipe conveying Falling Creek that is already in disrepair, including the potential risk of sinkholes.

- From BES’ Land Use Response: *“36-inch CSP PPS-owned storm sewer running across the subject property. This pipe conveys the flow of Falling Creek across the property. Please note that this pipe is in very poor condition. BES recommends a robust analysis of the pipe condition prior to construction to confirm that the pipe will continue to convey upstream flow.” (Exhibit E-2)*



TRYON CREEK WATERSHED COUNCIL

- This concern is substantiated by a comment from the applicant's consultant regarding the pipe: *"Areas of damage or that are in poor condition should be repaired prior to further grading or placement of structural fill."* (Pali Consulting, Exhibit A-12)

Policy objective 1(b) is not met.

- **(c) Reduce the volume, velocity and pollutant load of stormwater runoff entering streams.**

The Stormwater Management Manual Standards call for *no increase* in these runoff qualities. The SW Community Plan requires *reduction* in these runoff qualities; **this policy is not met.**

- The potential corrective action of sliplining the pipe would *reduce* the pipe's conveyance capacity, counter to both the SW Community Plan and the Stormwater Management Manual.
- Pollutant load will *not* be decreased. The addition of plastics throughout the site would increase pollutant load.
 - Chemicals of concern are used in synthetic grass to harden the artificial grass blades, namely PFAS (known carcinogens called "forever chemicals" since they don't degrade in the environment)
 - The SWCP doesn't specify pollutants, so microplastics and/or PFAS can be considered relevant water quality metrics of concern.
 - Artificial turf can become much hotter than grass in warm weather, and temperature is not discussed as a pollutant in the stormwater plan either.
- The stormwater plan provided does not demonstrate how the proposal will comply with the TMDL pollutant requirements (temperature, mercury, & bacteria), nor with the Southwest Community Plan to reduce pollutant loads.

Policy objective 1(c) is not met.

- **(d) Improve dry season stream flows, particularly in headwater areas.**

Groundwater infiltration is a significant and critical process for mitigating dry season stream flows, especially in the era of climate change. This project is in the headwaters area of Falling Creek, and the installation of acres of artificial plastic turf fields will prevent water from infiltrating into the soil on site and recharging groundwater.

This policy objective 1(d) is not met.

On a watershed scale, the past several decades have brought urban expansion and development. Where formerly rain in Portland would fall on trees and absorb into soils, now more water falls upon impervious surfaces like roofs, roads, and parking lots. Instead of soaking into the ground, this rainwater becomes stormwater runoff, which flows through our



TRYON CREEK WATERSHED COUNCIL

stormwater infrastructure and into our creeks. Due to the increase in impervious surfaces, it's characteristic for urban streams including Tryon Creek to be "flashy" during storm events, meaning a larger *volume* of stormwater reaches creeks more *rapidly*, and carries *more* pollutants, as compared to a forested watershed. Because of how the landscape of the neighborhoods in the Tryon Creek watershed and around Jackson Middle School have changed over time, the debilitated pipe that was long ago installed to convey Falling Creek (across a former dairy farm), is inherently likely to be insufficient to convey today's water flow. Various neighbors' testimony can attest to flooding issues upstream and downstream of JMS campus.

When improvements made to systems which are already degraded or functioning poorly are held only to the standard of *avoiding* net degradation, this perpetuates an already inadequate system. It is insufficient to rely solely on the Stormwater Management Manual (SWMM) for stormwater management, when these do not meet the policies of the Southwest Community Plan (SWCP), which are required Approval Criteria. **The Hearings Officer erred in relying too heavily on SWMM, disregarding the requirements of the SWCP.**

The issues regarding the pipe conveying Falling Creek will not resolve themselves, and will only worsen over time. If the pipe conveying Falling Creek is left untouched in its known state of disrepair, then the habitat characteristics listed above in the SWCP Watershed Policy Objective 1 are jeopardized (water quality, the ecosystem's wildlife habitat, and overall watershed health) and the project will **not meet** the policy. This proposal is likely to affect the already-failing pipe and lead to adverse watershed impacts, and the policy is **not met**. The pipe conveying Falling Creek needs to be replaced in its entirety.

We find that the West Portland Park Neighborhood Association has been thorough and fair in their assessment of the project.

If the application is approved, it is imperative that a Condition of Approval be that the stormwater pipe conveying Falling Creek be fully corrected. Because a Conditional Use is the replacement of the sewer pipe, this could well be the only time where similar excavation work reaches the depth of the pipe conveying Falling Creek.

We support the other Conditions of Approval listed in West Portland Park Neighborhood Association's testimony submitted 1/8/24, requiring a bond to be posted to ensure proper maintenance of the stormwater filtration facilities, that Phase 2 fields be only natural grass. We further underscore their concerns about the lack of a professional geotechnical evaluation, which was requested in the BDS Site Development Early Assistance Response and which WPPNA raised in their written testimony.



TRYON CREEK WATERSHED COUNCIL

Altogether, Compliance with the Southwest Community Plan will not be met by the project as proposed. We have demonstrated that the Hearings Officer erred in concluding the proposed stormwater management was sufficient. Due to unmet criteria in the SW Community Plan, he erred in implying there would not be any net degradation of water quality and associated ecosystem health, that risk to private property and infrastructure is minimized, stream pollutant loads will be reduced from current levels, and dry stream flows will be improved. Indeed, these impacts are factually supported in the record and need to be met per the Southwest Community Plan, and we therefore support the appeal.

Respectfully submitted,

Tryon Creek Watershed Council

Alexis Barton
Coordinator

Megan Hill
Chair

Rebecca Crosby
Vice Chair

Kristie Focht
Treasurer

Danielle Goodrich
Secretary

Sylvia Barclay
Director; Lewis & Clark College
Student Representative

Qwynici Bowman
Director

Dustin Day
Director

Jack Fiocco
Director; Lewis & Clark College
Student Representative

Jill Gaddis
Director

Jennifer Jones
Director

Sharon Keast
Technology Director

Glen Leverich
Director

Stuart Myers
Director

Terri Preeg Riggsby
Director

Eric Taxer
Community member; Land Use

[Links to US Fish & Wildlife Service reports regarding monitoring of fish in the Tryon Creek watershed](#)

USFWS Report, 2017:

An urban stream can support a healthy population of coastal cutthroat trout

https://link.springer.com/epdf/10.1007/s11252-017-0711-0?author_access_token=Bsx7GSyvxXWAIUJw0OG5Kve4RwlQNchNByi7wbcMAY7Rhx29Rr_0K-G5oWT2ClowFNfFzNnQWFAS-p4hG2pukDM1ZpGM-Ur0jz11ovm2qJCeKFnXCTGSDaS6wbITEGyr85qTYzklm3AuQ7O- kL2w%3D%3D

USFWS Monitoring Report, 2020:

Monitoring of Native Fish in Tryon Creek



TRYON CREEK WATERSHED COUNCIL

https://www.fws.gov/sites/default/files/documents/Silver_2020_Tryon%20Final%20Report%202019.pdf

CASE FILE: LU 22-185273 CU MS AD

To: CCTestimony@portlandoregon.gov

Sharon Keast
1326 SW Dickinson Ln
Portland Oregon 97219

This application must be denied for not meeting the approval criteria of Southwest Community Plan **Watershed Policy, Objective 1(c)** - Reduce the volume, velocity and **pollutant load** of stormwater runoff entering streams.

The proposed filtration system does not remove per- and poly-fluoroalkyl substances (PFAS) known as “forever chemicals” found in artificial turf that have been linked to environmental health issues. The manufacturer advises that the solution is to remove these products from the consumer supply chain and ensure that they never make their way into the aquatic environment to begin with.

The current poor condition of the Jackson Middle School athletic fields is due to **lack of maintenance**. The same disregard for maintenance of a filtration system is a reasonable expectation. The manufacturer admits the “dismal” track record with maintenance of their filtration systems is a problem and that the **vast majority** of their installed stormwater filtration systems are in various states of neglect and in need of maintenance. When they are not properly maintained, runoff that is intended to be treated is bypassed downstream **directly into receiving waters**.

In October 2023 Portland City Council approved an ordinance to authorize application to the National Oceanic and Atmospheric Administration for a **\$20 million** grant, as a partner in a \$50 million project intended to bring salmon into the watershed where a high-quality spawning and rearing habitat exists. This follows the city’s **\$8.8 million** investment to eliminate a fish passage barrier under SW Boones Ferry Rd. This proposal would diminish the current high-quality salmon habitat and is contrary to those investments.

The Hearings Officer failed to consider Southwest Community Plan **Watershed Policy, Objective 1(c)**, the **inability of the proposed filtration system to filter known PFAS** pollution associated with artificial turf, and **lack of a plan to maintain the filtration system** to ensure it filters anything.

Dear City Council:

I know that several of my neighbors in West Portland Park are submitting testimony on aspects of the Hearings Officer's decision on the Jackson Middle School sports fields proposal. I support their arguments.

I would like to address something different. I have been following the failure of the artificial turf at the Grant Bowl at Grant High School. I fear that the same thing will happen at Jackson if there are not sufficient funds available for regular maintenance.

I find many aspects of the Portland Public Schools proposal to be flawed. We all want more sports fields for kids' organized sports, and for neighbors to go for a walk or enjoy a pick-up game of softball, but this proposal is not the way.

Please vote to overturn the Hearings Officer's decision to approve the proposal and send them back to the drawing board. A better proposal would be welcomed.

Thank you.

Michael D. Brown
3740 SW Comus Street
Portland, OR 97219
West Portland Park

Agenda Item	Name or Organization	Comments	Attachment	Email	Mailing Address	Created
35	Amy Tanner Tubay, MD, FAAFP	<p>Dear Council Members,</p> <p>I live in the Jackson Middle School neighborhood and have children who are student athletes at Jackson and at Ida B Wells High School. I'm also a family physician who cares for many southwest Portland families.</p> <p>Concerns have been raised about the use of artificial turf in this project, and while I can't speak to the environmental aspect of that decision, I can comment on the health impacts.</p> <p>There is no definitive evidence that artificial turf significantly increases injury rates in amateur athletes.</p> <p>Many of the anti-turf studies cited in the popular press compared meticulously maintained professional-level grass fields to turf. Jackson's current grass fields are very poorly maintained and drained, which presents its own health risks. These anti-turf studies also evaluated professional athletes, so they are not applicable to the young/amateur athletes who use Jackson's fields.</p> <p>Some of the best evidence we have to date regarding injury rates in amateur athletes on grass versus turf comes from a very high quality April 2023 paper which states: "The overall incidence of football injuries is lower on artificial turf than on grass. Based on these findings, the risk of injury can't be used as an argument against artificial turf when considering the optimal playing surface for football." Source: Incidence of football injuries sustained on artificial turf compared to grass and other playing surfaces: a systematic review and meta-analysis https://pubmed.ncbi.nlm.nih.gov/37125402/</p> <p>An even more recent study on the risk of concussion showed NO increase in young football players who were injured on artificial turf. Source: Impact of Playing Surface on Concussion Symptoms in Young American Football Players https://pubmed.ncbi.nlm.nih.gov/38133559/</p> <p>While some studies have suggested that turf is associated with more lower extremity injuries in young football and soccer players, these findings are not consistent across all sports and genders. In addition, the risk is lower with new-generation turf, which I understand will be used at Jackson.</p> <p>Safe, year-round access to outdoor sport and physical activity is crucial to the physical and mental health of our children and our community. The current facilities at Jackson are woefully inadequate for the basic activity needs of our community. Improving Jackson's athletic facilities will benefit not only the children currently enrolled at Jackson, but ALL children, families, and adults throughout our community.</p> <p>I urge you to approve this project, as it is a worthwhile and necessary investment for the future health of southwest Portland.</p> <p>Please feel free to reach out to me if you have questions.</p> <p>Sincerely, Dr. Amy Tubay</p>	No	amytubay@gmail.com	1701 SW Stephenson St. Portland, OR 97219	01/10/24 10:25 PM
35	Matt Kelley/SW Community Resident	<p>I encourage the city council to uphold the decision of the city planning department to allow the applicants proposed field upgrades.</p> <p>A public school is precisely the place where this type of upgrade makes the most sense as it is not replacing land that would be otherwise used for different purposes. Indeed, by making these fields all weather (and thus useable for more of the year), it enhances the use of these existing facility and thus benefits the community.</p> <p>Regarding the plaintiff's opinion on protection of the watershed and the environment,</p> <ol style="list-style-type: none"> 1. If the applicants upgrades plans meet or exceed the SWMM criteria, we shouldn't hold them to a higher standard than we would any other applicant. 2. Regarding the plaintiff assertion that this is an environmentally sensitive area that requires different protection, let's remember we are talking about school athletic fields. These are not areas where rare fauna are growing or endangered animals are living. If that were the case, the current use would also not be appropriate. And if the argument is the need to keep this space full of grass for the watershed, I reiterate my statement above. Don't hold the applicant to a higher standard than anyone else. 3. Under the city's Open Space zone document, the first bullet point of why it exists is "Providing opportunities for outdoor recreation". The applicants proposed field upgrades seem to support that goal and further enhance the fields utility by making this open space useable by the public for more of the year. 	No	thekelleyranch1@gmail.com		01/10/24 11:26 PM

Agenda Item	Name or Organization	Comments	Attachment	Email	Mailing Address	Created
35	James Meurer	<p>Portland City Council, The appeal of the Hearings Officer's approval of LU 22-185273 CU MS AD, should be denied as the Hearings Officer's ruling is consistent with established land use policies.</p> <p>The appellant feels that the Hearings Officer relied too heavily on the Stormwater Management Manual (SWMM) and that they do not think the SWMM adequately protects the watershed. If the appellant feels this is the case, then they should focus on updating the SWMM. The SWMM has been considered in issuing numerous land use permits throughout the City and inside the Southwest Community Plan boundary without issue. If the SWMM has been used previously, then there is no reason it should be applied any differently in this case.</p> <p>The appellants' second point regarding the Open Space (OS) zone also holds no merit. The OS zone purpose, as stated in the City's Planning and Zoning document, can serve seven primary functions, but is not required to serve all seven with every OS zone. The first bullet point under 33.100.010 is "Providing opportunities for outdoor recreation", which is a primary purpose of this land use project and in fact enhances the useability of the space. This project will allow for usage throughout the year, as opposed to the limited time it is currently able to be used to due weather. This only enhances that aspect of the OS zone purpose. Additionally, how would we determine what would be considered "sensitive or fragile environmental areas" if we did not follow the City provided environmental overlay zones. Any area would be subject to being considered "sensitive or fragile environmental areas" which would potentially block any land use permit with reference to an OS zone.</p> <p>The appellants' final point with regards to the land use project being inconsistent with the Southwest Community Plan depends entirely on which section of the Southwest Community Plan you want to reference. While the appellant wants to focus on not meeting environmental criteria in the Southwest Community Plan, one could easily look at the Parks, Recreation and Open Space section of the Plan and see that the first objective is to "Create new parks or open spaces to meet current and future needs...". This project addresses a massive need in Southwest Portland, which is the lack of lighted, year-round usable athletic fields. To my knowledge, there is currently only one (1) lighted turf field within the Southwest Community Plan boundary, which is located at Ida B. Wells High School. This is woefully insufficient to accommodate the number of adults and children in the Southwest Community Plan boundary who use athletic fields.</p> <p>Regards, Jim Meurer</p>	No	details23@comcast.net	7215 SW 23rd Ave, Portland, OR 97219	01/10/24 11:58 PM
35	Cerissa McFarlane		Yes	cerissamc@gmail.com		01/11/24 7:17 AM
35	Garrett Bishop		Yes	garrettab@gmail.com		01/11/24 7:22 AM
35	Michael Warren		Yes	commissioner@wellsfootball.com		01/11/24 7:25 AM
35	Foothills Soccer Club	<p>The appeal of the Hearings Officer's approval of LU 22-185273 CU MS AD, should be denied as the Hearings Officers ruling is consistent with established land use policies.</p> <p>The appellant feels that the Hearings Officer relied too heavily on the Stormwater Management Manual (SWMM) and that they do not think the SWMM adequately protects the watershed. If the appellant feels this is the case, then they should focus on updating the SWMM. The SWMM has been considered in issuing numerous land use permits throughout the City and inside the Southwest Community Plan boundary without issue. If the SWMM has been used previously, then there is no reason it should be applied any differently in this case.</p> <p>The appellants' second point regarding the Open Space (OS) zone also holds no merit. The OS zone purpose, as stated in the City's Planning and Zoning document, can serve seven primary functions, but is not required to serve all seven with every OS zone. The first bullet point under 33.100.010 is "Providing opportunities for outdoor recreation", which is a primary purpose of this land use project and in fact enhances the useability of the space. This project will allow for usage throughout the year, as opposed to the limited time it is currently able to be used to due weather. This only enhances that aspect of the OS zone purpose. Additionally, how would we determine what would be considered "sensitive or fragile environmental areas" if we did not follow the City provided environmental overlay zones. Any area would be subject to being considered "sensitive or fragile environmental areas" which would potentially block any land use permit with reference to an OS zone.</p> <p>The appellants' final point with regards to the land use project being inconsistent with the Southwest Community Plan depends entirely on which section of the Southwest Community Plan you want to reference. While the appellant wants to focus on not meeting environmental criteria in the Southwest Community Plan, one could easily look at the Parks, Recreation and Open Space section of the Plan and see that the first objective is to "Create new parks or open spaces to meet current and future needs...". This project addresses a massive need in Southwest Portland, which is the lack of lighted, year-round usable athletic fields. To my knowledge, there is currently only one (1) lighted turf field within the Southwest Community Plan boundary, which is located at Ida B. Wells High School. This is woefully insufficient to accommodate the number of adults and children in the Southwest Community Plan boundary who use athletic fields.</p>	No	aascott@lhs.org		01/11/24 7:48 AM
35	Ken Wilson		Yes	ken@quadrusinc.com		01/11/24 7:53 AM
35	Jordon Hamman		Yes	jaoconnor@hotmail.com		01/11/24 8:00 AM
35	Ryan Kelley		Yes	rkelly@builtbypanc.com		01/11/24 8:01 AM
35	Michael and Regina Wolfson		Yes	wolfson.michael@gmail.com		01/11/24 8:03 AM
35	Anna Stermer	<p>I am writing in support of the plans to improve the fields at Jackson Middle school in Portland. I have two sons who both play soccer and baseball and have made use of the fields at Jackson for many years. We have also traveled around the metro area playing on other fields. It is very apparent that SW Portland field options are lacking compared to other areas. We don't have enough fields to support all the interest in playing (many times we have practice cancelled because of lack of available baseball fields or because the fields are in such poor shape they cannot be used) and we have zero fields available with lights limiting our playing/practice times. In addition, the conditions of the fields are both embarrassing and unsafe. We have to either travel to downtown to rent batting cages from Lincoln (in what seems like a very unsafe location near the water front) or have limited access when the Wells Highschool isn't using their cages. It is time to finally put some effort into creating facilities in SW Portland for our youth to encourage them to participate in sports and to facilitate making that possible without requiring families to spend additional time and money traveling to locations with facilities.</p>	No	warloea@hotmail.com		01/11/24 8:03 AM

From: [Cerissa McFarlane](#)
To: [Council Clerk](#)
Subject: Case file #LU 22-185273 CU MS AD
Date: Tuesday, January 9, 2024 7:31:49 PM

To whom this may concern: I'm forwarding a message that was directed to the West Portland Park Neighborhood Association:

As a neighbor within the West Portland Park Neighborhood, I am writing to strongly oppose your appeal of the Hearings Officer's decision to approve case LU 22-185273 CU MS AD.

>

> I have two school-aged children attending Stephenson—one will be a student at Jackson next year—and both participate in many sports on the outdoor fields at Jackson. Sports like baseball and soccer are next to impossible in a mud pit. The lack of lighting is also a huge safety concern for the entire community.

>

> There is clear benefit to our children in improving the fields: increased opportunities for sports & activities and improved lighting for safety. Additionally, there is a huge benefit to lengthening the season due to turf fields, as well as being more weather resistant and safer!

>

> Lastly, I'm so excited to see these school grounds that have been decaying for years improved upon. We are invested in our neighborhood and community and desire (& deserve!) these quality improvements.

>

> Thanks for hearing me out as both a neighbor and parent,

> Cerissa McFarlane

> 10220 SW 35th Ave.

> Portland, OR 97219

From: [Garrett Bishop](#)
To: [Council Clerk - Testimony](#)
Subject: Written Testimony LU 22-185273 CU MS AD
Date: Tuesday, January 9, 2024 1:49:25 PM

To Whom It May Concern,

I am excited about the field improvement proposal at Jackson Middle School and wanted to express my support.

I have lived in Multnomah County for over 15 years. 8 years in N Portland followed by 7 years in SW Portland. For the last 6 years, I have coached youth baseball in the SW Portland Little League program as well as in the Wells JBO program.

In my 6 years of coaching youth baseball, I have had the opportunity to play on all of the different baseball fields in the SW Portland area (including Alpenrose - it was an amazing community asset) We are very fortunate to have so much interest in baseball in SW Portland and our league seems to be getting bigger every year.

As a coach and parent, I am particularly excited about the opportunity to have access to a covered batting cage. The only option for our kids to get practice during the dark and rainy months has been to go to an expensive private batting cage facility. By not having a facility available for all the players, it becomes a "pay to play" scenario. Having a covered batting cage that is accessible to players and coaches from SWPLL would give our baseball community a big win.

This past spring (2023), we had the opportunity to play a team from Lake Oswego. When we arrived at their field I had several players say "Wow. Coach, why don't we have fields like this?" Some of the older kids (middle school) even said stuff like "Don't we pay more taxes than people in Lake Oswego?" Although I appreciated the challenge of explaining the needs of a city community vs those of a suburban community, the underlying point was clear. Portland kids are wildly underserved vs their suburban peers when it comes to sports facilities. We went on to play postseason baseball at Sunset Sports Complex and our kids asked the same question "Why don't we have something like this?..."

The SW Portland Little League community works tirelessly to maintain the fields we do have. We do maintenance days, many people often volunteer to mow, we chalk and maintain our fields during the season... the list goes on. Parents and coaches in SW Portland are working double time to get fields ready and give our kids the best experience possible while Lake Oswego and Murray Hill teams have their fields taken care of by the parks department.

Maintenance is half the battle - the second half is availability. This fall we experienced a field shortage. Soccer programs have rolled out goals on most of the baseball fields in the SW Portland area leaving us with one field (Hitchen - Gabriel Park) that works for the eight AAA and Majors teams we have. Each team has one practice and two games per week... with one field that doesn't work very well.

The result of all of this... burnt out parents and coaches, rec level players who become disinterested in the sport, the advanced players leaving to play with club teams where they can practice at better facilities in Lake Oswego, Tigard, or Beaverton.

As a Multnomah County home and business owner, I pay a healthy amount in taxes, and I am happy to do so. What I don't like is when tax dollars are not meeting the needs of the community.

This is not unique to baseball. My kids play rec and club level soccer as well. At the club level, the leagues elect to play at private schools (Westside Christian and OES) due to maintenance and availability. I think Portland can and should do better.

I was excited to hear about the improvements taking place at Jackson Middle School. Similar improvements should be done at Robert Grey Middle School and the former Smith Elementary. Portland needs to do more to keep kids (and their parents) engaged in sports and stay in Portland. I had two families from my fall baseball team move to Lake Oswego. It is sad to see people leaving Portland for the suburbs. Hopefully projects like this can help prevent that from happening.

Thank you

Garrett Bishop

From: [Michael Warren](#)
To: [Council Clerk - Testimony](#)
Subject: Jackson MS Fields Plan
Date: Wednesday, January 10, 2024 10:10:29 AM

Portland City Council,

Thank you for the opportunity to share my support for the planned improvements for the Jackson Middle Middle School. I have been involved with Wells Youth Football as a Board member and football commissioner over the last several years. When I first joined the Board, Wells (Wilson) had been dormant for a season. With the support of Wells High School Football Coach Keith Bennett and Board President Jeff Feld-Gore I was able to watch the program grow to the largest and most successful Youth Program in Portland and the State of Oregon. Last season we reached a record number with approximately 150 players from K/2 Flag through 8th Grade Varsity. Other programs look to the Wells Program as one to model for success.

Jackson Middle School has been an important part of the program hosting practice for all levels of football. I have trouble seeing any negative impacts bringing these kids and parents together with extra outdoor curricular activities would bring to a community. I can only see the value that this would bring to a neighborhood. The camaraderie, bonds, and friendships formed by kids on these playing fields can last a lifetime. Thank you for your consideration and your work!

Michael Warren
Wells Youth Football Commissioner

From: [Kenneth Wilson](#)
To: [Council Clerk - Testimony](#)
Cc: [Jeff Feld-Gore](#)
Subject: Verbal testimony registration for LU 22-185273 CU MS AD
Date: Wednesday, January 10, 2024 11:25:21 AM

Hello,

My name is Kenneth Wilson. I was born April 8th 1985 and grew up in SW Portland (Marshall Park Neighborhood). I attended Capitol Hill, Jackson Middle School, and then Wilson High now known as Ida B Wells. 2017 bought my first house on SW 12th. 2020 bought my first business it's on SW Huber st. I have generations of family, and friends that have lived in this community for their entire lives. A lot of them attended Jackson when it was a high school. People stay here, live here, thrive here because of one another and this community. I keep saying community because we truly have a wonderful community, group of people that really really care. It just seems like this community really cares/focuses on the youth – the future of our community. I have two kids one currently attending Capitol Hill, and the other at Jackson Middle school. Both are active, and love being outside. Living in Oregon is great, it's so lush with life, and plant life. Oregon gets this lush green because 8 months of the year its wet, and rainy outside. To find a none muddy area to play, train, practice, exercise, compete is extremely hard. Talking with friends, and family everyone was so excited when the improvement plans for Jackson were announced. It would be crushing if this improvement plan does not get approved. Currently to try and find a area where the kids can do these outdoor activity's we first to go to Mary Rieke below Wilson, when that's overflowing with activity we look at Ida B Wells to see if there anything there. If we strike out at those locations we head down into Tigard. I just want to say form a long time resident this field improvement would be huge for everyone in this community, and the surrounding community's.

Thanks,

Ken Wilson
Quadrus, Inc.
4647 SW Huber St
Portland, OR 97219
ken@quadrusinc.com
Cell 503-459-2763
Office 503-293-8931
OR CCB # 88404
WAGC # QUADRI . 055BS

From: [Jordon O'Connor](#)
To: [Council Clerk - Testimony](#)
Subject: Jackson Middle School fields upgrade
Date: Wednesday, January 10, 2024 4:23:11 PM
Attachments: [To Whom It May Concern.docx](#)

Please see attached.

Thank you

Jordon Hamman

To Whom It May Concern,

1/10/2024

Re: Jackson Middle School fields planning and upgrades

I would just like to voice my opinion ***IN FAVOR*** of the Jackson Middle School field upgrades. I am a parent in SW Portland. We live in Hayhurst neighborhood, and my children have participated in various sports programs throughout the years. I don't think there has been a sport where we didn't play or practice at least once on the Jackson fields; lacrosse, soccer, baseball, flag football and track. It would be such a benefit to the SW Portland community to be granted these updates. Safe fields to play on with appropriate lighting and parking are a win for everyone in the community.

In addition, having the new storage facilities just makes sense for all the activities and equipment. Proper storage leads to equipment lasting longer.

Jackson Middle School is visually a beautiful piece of property that is park like. It is open and inviting. All different kinds of activities happen there every day. We are lucky to have it. Why not invest properly in this space and make it safer for all to enjoy for many years to come.

Also, it is worth noting that field space in general is a hot commodity these days. That need is not likely to go away.

I'm confident that minds can come together to properly assess and correctly plan for the environmental impacts of this space and still be able to continue to upgrade these fields.

Thank you,

Jordon Hamman

jaoconnor@hotmail.com

503-327-4661

From: [Ryan Kelley](#)
To: [Council Clerk - Testimony](#)
Subject: LU 22-185273 CU MS AD
Date: Wednesday, January 10, 2024 4:24:45 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[Ryan Kelley Letter, JMS, LU 22-185273 CU MS AD - 1.10.23.pdf](#)

Written testimony attached in favor of developing the fields at Jackson Middle School.

Ryan Kelley

P&C CONSTRUCTION – Portland, OR

Office: [503.665.0165](tel:503.665.0165)

Mobile: [509.385.4175](tel:509.385.4175)

Email: RKelley@builtbypandc.com



Ryan Kelley
Pasadena Street
Portland, OR 97219

January 10, 2024

Subject: Jackson Middle School Field Improvements, LU 22-185273 CU MS AD

To Whom It May Concern,

So, here we go again, for reasons I do not understand, my neighbors continue to oppose a project desperately needed by Portland Public Schools to continue to offer parity with neighboring school districts educational offerings.

West Portland Park and Neighborhood Association assertion that the Hearings Officer relied too heavily on the Stormwater Management Manual is laughable. What exactly was a person of this position to use in their determination if not for the current manuals, rules, and regulations of the industry? There is an argument to be made that doing nothing is more impactful to the adjacent environments from the contaminated soils onsite that continue to leach into the ground water during every rain event.

I am a father of two little girls who are on track to becoming Jackson Middle School students. These fields in their current state are beneath, or should be, beneath the standards we can expect as residents of the City of Portland. If you go to neighboring areas such as Lake Oswego or Oregon City, you will find that those cities invest in their school properties to continue to improve the offerings to the children and families of those communities – which include athletic fields.

As a high income earner, who is taxed heavily in Multnomah County, I find myself often contemplating what my family receives for the taxes we pay, that we are happy to pay, but have little to show for it. These fields represent an investment into the community and families that choose to call this place home and a reason to keep my family in the area, or at least in the public school system.

Let's not make Portland Public School's job any harder in providing quality facilities for our students and community.

Regards,

A handwritten signature in black ink, appearing to read 'Ryan Kelley', written in a cursive style.

Ryan Kelley

From: [Michael Wolfson](#)
To: [Council Clerk - Testimony](#)
Cc: [Regina Pruss](#)
Subject: Appeal for Case File #: LU 22-185273 CU MS AD
Date: Wednesday, January 10, 2024 5:28:11 PM

To the Council Clerk and City Council Members, we are writing to appeal the decision to install artificial sports facilities at Jackson Middle School in West Portland Park. Our area is a natural habitat for all living things. The area we choose to live in is lush with trees, natural landscapes, an active creek with a dense population of local animal life. As Portlanders and as residents of West Portland Park, we do everything we can to keep our environment a natural one for all living creatures that live here. It is why we live here and one of the reasons we take pride in our community, city and state. The proposed development at Jackson Middle School would be antithetical to our health-minded choices as individuals and as a community. The development would not improve upon our environment, rather it would disturb not only the human residents who live in the area but all living organisms that call this area home. We will all be affected by the noise pollution as well as the light pollution. The artificial turf would take the place of real grass and dirt, perfectly fine for playing sports on, and instead of a natural and positive experience, expose our children and our earth to chemicals and other unnatural materials that will seep into the earth and our water. We owe it to our children to allow them to grow up in a healthy and natural environment, to play on the earth and in the grass - not on harmful plastics and chemicals. Projects like these are why the earth is warming at an alarming rate and why the health of our planet and everything that lives on it is very much at stake. This development would do away with our local natural resources and replace them with artificial materials that would contribute to the degradation of our natural environment and therefore the degradation of our livelihood. We oppose this project and appeal to the court to stop this unnecessary, costly, wasteful and harmful development. Please decide with your hearts and minds for the health and wellbeing of our cherished community, children and all living things. Our future is in your hands. Thank you for your consideration and service to our community, Michael and Regina Wolfson 10624 SW 41st Ave. Portland, OR 97219

Agenda Item	Name or Organization	Comments	Attachment	Email	Mailing Address	Created
35	Zach Fritz - President, Foothills Soccer Club	<p>If the appellant does not believe that the Storm Water Management System (SWMM) adequately protects the watershed then the focus should be on improving said watershed. The SWMM has been considered on multiple occasions through other land use permits without concern, including within the SW Community boundary. Because of this, there is no reason it should be applied any differently in this case.</p> <p>The Open Space (OS) zone concern also holds no merit. The OS zone purpose, as stated in the City's Planning and Zoning document, can serve seven primary functions, but is not required to serve all seven within every OS zone. The first bullet point under 33.100.010 is "Providing opportunities for outdoor recreation", which is a primary purpose of this project and will enhance the ability to use this space. This project will allow for much needed usage throughout the entire year. This only enhances that aspect of the OS zone purpose. Additionally, how would "sensitive or fragile environmental areas" be determined if we did not follow the City provided environmental overlay zones. Any area would be subject to being considered "sensitive or fragile environmental areas" which would potentially block any land use permit with reference to an OS zone.</p> <p>The final point regarding this land use project being inconsistent with the Southwest Community Plan (SCP) is dependent on which section of the the SCP being referenced. While the appellant wants to focus on not meeting environmental criteria in the SCP, the first objective of the Parks, Recreation and Open Space section of the Plan is to "Create new parks or open spaces to meet current and future needs...". There is a huge need in Southwest Portland for year-round usable athletic fields and space with only a single lighted turf field within the SCP boundary, located at Ida B. Wells High School. This is absolutely not enough to accommodate the number of adults and children in the SCP boundary who use athletic fields.</p>	No	president@foothillssoccer.org		01/11/24 8:41 AM
35	Marisa Walter	<p>This message is in support of field improvements proposed for Jackson Middle School. As a parent of two student-athletes in the Ida B. Wells Cluster, I have seen first-hand the limitations that lack of accessible field space can have on students, families and teams including cancelled events, limited access to usable space and commuting significant distances (with environmental impact) to gain access, not to mention the safety concerns when fields are overpopulated or unable to be maintained properly due to excessive use. The field proposal for Jackson offers great advantages for the entire community. Not only will the larger community have increased opportunities for play with more fields, but there will be safer practice and competition spaces for all athletes, more all-weather play spaces for all community members and less reschedules, delays and extended, costly travel allowances made for planned competitions.</p> <p>This proposal is a win for the entire community. Allowing the neighborhood to be an active part of the design process will hopefully assuage some of the greater concerns.</p>	No	marisawalter7@gmail.com		01/11/24 11:50 AM
35	Rebecca Crosby		Yes	rebeccacrosby@gmail.com		01/11/24 11:58 AM
35	Christe White, Radler White Parks & Alexander	Applicant PPS Response to Appeal Statement: Jackson Middle School	Yes	cwhite@radlerwhite.com		01/11/24 12:00 PM
35	Marianne Fitzgerald, Crestwood Neighborhood Association	Please see attached letter from Crestwood Neighborhood Association supporting WPPNA appeal of the hearings officer's decision.	Yes	fitzgerald.marianne@gmail.com	10537 SW 64th Drive, Portland OR 97219	01/11/24 12:18 PM
35	Jessica Schimkowitsch	Considering the outdated and dilapidated state of the schools my child has attended (Stephenson, Jackson) and will attend (Wells), I feel like the LEAST we can do is provide adequate outside areas for sports and recreation. I understand that the buildings are PPS property and will take lots of time and money to retrofit, but please approve the modification of the Jackson fields to address modern requirements for outside recreation.	No	portlandjessica@gmail.com		01/11/24 1:06 PM
35	Jeff Feld-Gore; Wells Football Foundation	<p>Dear Portland City Council,</p> <p>The Wells Football Foundation, on behalf of our 300+ K-12 student athletes and 200+ community volunteers, writes in full support of the proposed improvements to the fields at Jackson Middle School in Southwest Portland.</p> <p>For almost 25 years the purpose of the Wells Football Foundation has been to provide a safe, fun, and engaging football program for elementary school, middle school and high school students in SW Portland, to function as a feeder program for Ida B. Wells High School Football Program and to manage the operations of the football program for players who live in the Ida B. Wells High School boundaries.</p> <p>Jackson Middle School Fields have been an integral part of the program hosting practice, events and games for all levels of football. We know first-hand the mental and physical health benefit as well as the life skills that children learn in team sports. We have also seen injuries that result from unmaintained fields, the reduced access and opportunity that comes when fields are not available. Practice spaces that have lights to keep both players and their families safe during the events as well arriving and leaving are needed.</p> <p>Although the field improvements will bring a change to the immediate neighbors, this change can be managed through good communication and realizing the benefit to the local children and community.</p> <p>We can only see the value that this would bring to our neighborhood and community.</p> <p>Thank you</p> <p>Jeff Feld-Gore President</p> <p>Wells Football Foundation president@wellsfootball.com One Team! One Family! One Community!</p>	No	president@wellsfootball.com	4639 SW Vesta St, Portland Or, 97219	01/11/24 1:14 PM
35	Jeff Feld-Gore		Yes	president@wellsfootball.com		01/11/24 1:16 PM

From: [R Crosby](#)
To: [Council Clerk](#)
Subject: LU 22-185273 City Council Appeal Hearing
Date: Thursday, January 11, 2024 10:27:39 AM

Please see attached testimony.

To: Portland City Council Members

FR: Rebecca Crosby, South Portland Resident

RE: LU 22-185273 City Council Appeal Hearing, 1/11/24, 2:00pm

I support the West Portland Park Neighborhood Association appeal. I am writing to you today to express my **opposition to** the current development plans proposed by Portland Public Schools to make improvements to the athletic facilities on the Jackson Middle School campus. I have lived in Portland for over 40 years. I attended Capitol Hill Elementary School, Markham Middle School (now a grade school), and Ida B. Wells High School. I have been a board member with The Friends of Tryon Creek, and I am currently a board member with The Tryon Creek Watershed Council.

Portland Public Schools are responsible for ensuring a relevant education that empowers every learner to make a difference in the world. However, PPS is refusing to use current scientific best practices, because it does not suit the desires of PPS. Adding synthetic turf to the current grass turf fields will burden the watershed with micro plastic and other chemical contaminants and the weight of the fields will further degrade the aging pipe that conveys Falling Creek.

Specifically, Falling Creek is a surface water and primary tributary to Tryon Creek: It flows aboveground before entering the conveyance pipe at the JMS campus, flows under the JMS campus in a pipe, returns to its natural channel immediately downgradient from its piped section and flows directly into Tryon Creek. As discussed in prior testimony by the Tryon Creek Watershed Council, the piped section of Falling Creek is in significant disrepair. This threatens to create adverse water quality impacts. Potential water quality impacts are

significant.

Artificial turf generally lasts for 8 to 10 years. “[In one 2017 report](https://www.theatlantic.com/science/archive/2019/12/artificial-turf-fields-are-piling-no-recycling-fix/603874/), the Synthetic Turf Council projected that by the end of the decade, at least 750 fields will be replaced annually. The average field contains approximately 40,000 pounds of plastic carpet and 400,000 pounds of infill, according to the report. This means that as much as 330 million pounds of waste could require disposal every year.”
<https://www.theatlantic.com/science/archive/2019/12/artificial-turf-fields-are-piling-no-recycling-fix/603874/>

Adding additional weight burden on the aging pipes, with only minor upgrades, is extraordinarily short sighted.

It bears mentioning that this development plan is not in compliance with the PPS Climate Crisis Response, Climate Justice, and Sustainable Practices Policy established by the PPS board. The 3 primary objectives of the plan are to:

- Reduce environmental impacts by lowering district greenhouse gas emissions from building operations, transportation, and other sources.
- Improve the health and wellness of students and staff and support frontline student communities to build resilience to climate change.
- Teach our students about climate change, sustainability, and climate justice, with specific attention to helping students be active participants in real-life, community-based solutions.

Phase 1 of PPS’s Jackson Middle School plan includes the installation of synthetic turf on the existing baseball/softball field. Phase 2 of the plan includes the construction of a new, natural turf or synthetic turf sports field in the SW part of the site.

The PPS Climate Crisis Response, Climate Justice, and Sustainable Practices Policy establishes a commitment to improving school communities’ health and wellness and building a culture centered around values of equity and climate justice. The district aims to educate environmentally literate students that understand the connection between their daily actions and the natural world. A synthetic turf field is at odds with this stated goal of PPS.

PPS has stated reduction goals of emissions associated with waste disposal such as landfill-bound garbage.

Beyond the chemical exposures, artificial turf also emits high levels of methane, a potent greenhouse gas, and sheds microplastics and other chemicals into waterways.

At least nine municipalities in [Connecticut](#), [California](#) and [Massachusetts](#), including the city of Boston, have begun limiting the use of synthetic fields via bans or moratoriums. Legislatures in Connecticut, Rhode Island and Massachusetts also began considering prohibiting them in recent months, while a ban on non-essential uses of PFAS going into effect in Maine in 2029 could bar the use of artificial turf there.

<https://www.theguardian.com/society/2023/mar/10/phillies-ball-players-cancer-artificial-turf>

PPS altered the plan to use a synthetic turf product to what they consider more Eco-friendly material called “Brockfill.” It is a wood-based material they have installed at Lincoln High School. It is NOT Eco-friendly. While Brockfill is mostly about the pine infill, the synthetic turf surface will still be made of polypropylene micro-plastics as well as a shock pad underneath the turf carpet and infill. This is harmful to human health and safety, wildlife and the watershed. There are still polypropylene micro-plastics pollutants that are hard to filter from wastewater into stormwater. When it needs to be replaced, it cannot be recycled and goes into landfills.

Above I have detailed some of the harms that synthetic turf cause to human health and the environment. Now I would like to share with you a little bit about the watershed that Jackson Middle School is part of.

Falling Creek runs under the fields at Jackson Middle School. Decades ago, Falling Creek was piped underground. Please refer to Tryon Creek Watershed Council’s interactive map to view the stream.

<https://portlandcc.maps.arcgis.com/apps/webappviewer/index.html?id=0c4a14ffc1a6460bba499e0f07f64931>

The result of piping Fallen Creek underground is that the fields at Jackson

Middle School and surrounding properties are prone to flooding. I strongly believe replacing grass with artificial turf poses a significant hazard to the Tryon Creek Watershed and will only increase flooding issues for the surrounding neighborhood. If synthetic turf is installed micro plastics and other toxic chemicals will leach into the watershed. Clay soil is often compact and not ideal for drainage. Before laying artificial turf over clay soil the top layer will need to be broken up and excavated (adding to PPS's carbon footprint) and filled with well-draining aggregate. According to Artificial Grass Direct "artificial grass will allow water to seep through and down to the water table." Artificialgrass-direct.com.

Synthetic turf contains microplastics that leach into the soil and contaminate watersheds. Microplastics do not biodegrade and are a concern for the environment.

I have focused on the harmful impacts of synthetic turf. However, this plan has additional troubling aspects. This plan does not showcase a positive example that other schools could look to for guidance. This project does not teach our children to see the interconnections between humans and the environment. Nor does this plan have any land dedicated to creating garden spaces and teaching students about the process of producing food and the importance of adding healthy foods to their diets. In addition, as PPS pushes forward with this flawed plan it erodes public trust. Many neighbors living near Jackson Middle School have spent countless hours deeply concerned about the direct impacts of this plan to their neighborhood and personal property. PPS should immediately engage in a process to restore public trust. Safety concerns should always be vigorously pursued and never pushed aside.

I urge all City Council Members to **deny** the approval of the Jackson Middle School development plan; to instruct PPS employees to develop plans that are in alignment with PPS Climate Policies; to protect the health and safety of all students attending school in PPS; and to restore the trust of near-by residents.

Sincerely,

Rebecca Crosby

Portland, OR 97219

Sincerely,
Rebecca Crosby

Summary Response to Appellants of Jackson Middle School Field Improvement Project

Submitted by Christe White, Attorney for Portland Public Schools, January 11, 2024

In addition to our presentation on January 11, 2024, we offer this initial summary response to arguments offered by the Tryon Creek Watershed Council and West Portland Park Neighborhood Association, submitted in the last few days.

Contrary to the appeal claims:

1. A large majority of the site will not be covered by turf fields. The site is 35 acres. At most 7 acres of fields will be resurfaced over a period of 10 years. That means 80% of the school site will not contain turf fields.
2. The site is zoned Open Space. In the Open Space zone, the code permits **50% school building coverage**. This site at full development will have only **11.4% building coverage**, a far less impervious surface buildout than is permitted by code.
3. The school is over 3 miles from Fanno Creek and 1.4 miles from Tryon Creek. Falling Creek runs in a stormwater pipe underneath the school.
4. Neither the Falling Creek pipe nor its corridor were identified or mapped by the City as a resource to be protected under the environmental zones. As the Hearings Officer correctly concluded, it would violate PCC 33.700.080.A to apply these environmental standards outside the mapped and applicable environmental zone.
5. The school campus has only a very small area of applicable environmental zoning in the far northern area of the site that is defined by a grove of trees. These **trees will not be disturbed** under this proposal. In fact, all areas of environmental zoning applicable to this site will be preserved and untouched under this application.
6. PPS submitted a complete and comprehensive stormwater management report dated 2/27/2023 and a complete geo-technical report dated 10/24/22. The approval criteria related to the stormwater report is stated in PCC 33.815.100.B.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. Stormwater disposal systems are acceptable to the Bureau of Environmental Services." BES unequivocally found that the proposed system is capable of serving the use and conforms with the Stormwater Management Manual. Specifically, stormwater will be discharged to a stormwater pipe that runs across the property. Pollution reduction and flow and volume control will be satisfied with underdrains and rock storage conveyed to a flow control manhole, followed by water quality cartridges. Other measures will include flow through planters sized to meet the City's SWMM requirements. There is no other stormwater evaluation of this specific proposal in the record that contradicts this conclusion.
7. Turf fields are a permitted use in the City.
8. The Appellants' testimony ignores several elements of the approved plan that will provide significant shading, tree canopy, stormwater treatment and wildlife habitat. Notably, this proposal includes 163 new trees all of which are 6 inches DBH or greater. The existing tree canopy is 157,670 square feet. The new canopy will add 80,465 square feet, which represents a **50% increase to tree canopy or 2 new acres of canopy**.
9. Appellants' request an interpretation of the Southwest Community Plan that would prohibit resurfacing grass fields to turf based on general area-wide watershed policies. No provision of the Southwest Community Plan prohibits turf fields. Instead, the policies encourage responsible stormwater management, and the growth of recreational fields and opportunities, as will occur here.
10. Fences are proposed around some of the facilities, but there is no proposal to fence the perimeter of the site and the proposal includes the improvement of a trail subject to a public access easement that bifurcates the site.
11. The conditions of approval require continuing approval under the SWMM for each phase of the project including all water quality, quantity, and total maximum daily load standards. And the conditions of approval prohibit crumb rubber on any of the proposed field projects.



CRESTWOOD

Neighborhood Association

January 11, 2024

Portland City Council
1221 SW Fourth Avenue
Portland OR 97204

Re: LU 22-1185273 CU MS AD
Support WPPNA Appeal of Hearing Officer's Decision

Dear Members of the Portland City Council:

Crestwood Neighborhood Association **strongly supports the West Portland Park Neighborhood Association (WPPNA)'s appeal of the hearing officer's decision** regarding Portland Public School's (PPS) Conditional Use Master Plan for Jackson Middle School athletic fields using synthetic turf.

Our neighborhood children use the Jackson Middle School athletic fields. The issue is not whether we need athletic fields. The issue is whether the athletic fields that would be approved in the conditional use master plan support the health of our children, natural resources and the environment for years to come. **Please grant the appeal and overturn the Hearings Officer's approval of the Conditional Use Master Plan Review and Adjustment Review.**

The hearing officer's decision approves PPS's proposal to cover more than 7 acres of open space and the environmental zone surrounding Falling Creek with synthetic turf. Where there is natural grass today, the proposal allows more than 7 acres of plastic carpet laid over a rock and concrete base to create a heat island effect and contaminate the soil and water with microplastics. The Jackson Middle School property is zoned for Open Space but the synthetic turf surfaces will not support the insects, birds, animals and people that rely on open spaces for habitat and recreation.

PPS has not carried the burden of proof that the environment will be protected under its proposal, as many have testified. The Bureau of Environmental Services punted environmental and natural resource protection down the road. Synthetic turf can get very hot when exposed to Portland's hot summer weather and synthetic turf crumbles into small pieces over time and must be properly maintained. PPS's proposal does not adequately protect Falling Creek, a tributary near the headwaters of Tryon Creek, from warm particle-laden stormwater runoff.

West Portland Park Neighborhood Association, Tryon Creek Watershed Council and many others have documented the many negative environmental impacts associated with the use of synthetic turf on athletic fields and how Portland Public Schools' proposal fails to meet the approval criteria in code. PPS's proposal is not consistent with the Southwest Community Plan's policies and objectives. PPS's proposal is not consistent with Portland's Stormwater Management Manual that prioritizes vegetation and infiltration to meet stormwater requirements and to maximize environmental system and urban design benefits.

Crestwood Neighborhood Association also pointed out other issues in our testimony regarding the need for bathrooms for families using the athletic fields, the need for bike parking, and better access by walking, biking and transit. Jackson Middle School was built as a high school in 1970 and the infrastructure is showing its age. The athletic fields are the equivalent of 5 blocks or more from the on-site parking lot (SW 35th to SW 40th) yet the Hearings Officer deemed this sufficient to support more families and children using the expanded athletic fields. Today, on-street parking near the fields is crowded and will be much worse. Please require PPS to construct safe bicycle facilities and parking to enable people to get to the athletic fields without relying on a car, and require public bathrooms along with the new sewer pipe in the proposal. These may seem like minor amenities but they are needed to support the children and families using the fields.

West Portland Park Neighborhood Association's testimony submitted by Amanda Fritz on January 8, 2024 includes a number of suggestions that would improve the Conditional Use Master Plan Review process as well as conditions of approval in the Hearings Officer's decision in this case. Please take a closer look at how the City of Portland can better support recreational facilities, open space and environmental protection through the land use process. They are not mutually exclusive. Portland Public Schools should use this opportunity to teach our children about how we can better protect the environment, the climate, and natural resources as part of new developments in Portland.

We urge you to grant the appeal and overturn the Hearings Officer's approval of the Jackson Middle School Athletic Fields Conditional Use Master Plan Review and Adjustment Review. Portland City Council must do its part to protect the planet while supporting new development for future generations.

Sincerely,

/s/

Marianne Fitzgerald

President, Crestwood Neighborhood Association

From: [Jeff Feld-Gore](#)
To: [Council Clerk - Testimony](#)
Subject: Jackson MS Fields Plan
Date: Thursday, January 11, 2024 1:07:16 PM

Dear Portland City Council,

The Wells Football Foundation, on behalf of our 300+ K-12 student athletes and 200+ community volunteers, writes in full support of the proposed improvements to the fields at Jackson Middle School in Southwest Portland.

For almost 25 years the purpose of the Wells Football Foundation has been to provide a safe, fun, and engaging football program for elementary school, middle school and high school students in SW Portland, to function as a feeder program for Ida B. Wells High School Football Program and to manage the operations of the football program for players who live in the Ida B. Wells High School boundaries.

Jackson Middle School Fields have been an integral part of the program hosting practices, events and games for all levels of football. We know first-hand the mental and physical health benefits as well as the life skills that children learn in team sports. We have also seen injuries that result from unmaintained fields, the reduced access and opportunity that comes when fields are not available and practice spaces that do not have lights to keep both players and their families safe during the events as well when they are arriving and leaving.

Although the field improvements will bring a change to the immediate neighbors, this change can be managed through good communication and realizing the benefit to the local children and community.

We can only see the value that this would bring to our neighborhood and community.

Thank you

Jeff Feld-Gore
President

Wells Football Foundation
president@wellsfootball.com
One Team! One Family! One Community!

Agenda Item	Name or Organization	Comments	Attachment	Email	Mailing Address	Created
35	Gabe Sheoships	<p>Letter In Support of Tryon Creek Watershed Council and West Portland Park Neighborhood Association appeal to the City of Portland Bureau of Environmental Services.</p> <p>To Portland City Council and Bureau of Environmental Services,</p> <p>As a former member of the Planning and Sustainability Commission, appointed by the mayor in 2021, I strongly disagree with the Jackson Middle School artificial athletic field project. This is a well-intentioned project, that was poorly planned and will have long-term negative ecological effects in the greater Tryon Creek watershed.</p> <p>I have spent my lifetime supporting youth and environmental efforts in the city of Portland. I was born in Portland and have spent my life here. I have seen patterns of decision making that have negatively impacted all living things within our urban ecosystem. These experiences motivated my career as an environmental scientist.</p> <p>I am a neighbor and steward of the Jackson Middle School site and have a current student in my home. I have seen firsthand the need for improvements at the former dairy for decades. However, this project is not fully thought out to meet the broader community needs and will set watershed wide ecological restoration projects back quite a bit.</p> <p>I agree with the testimony from the Tryon Creek Watershed Council and the West Portland Park Neighborhood Association. Please make a decision that will benefit the long-term community and ecological needs of the whole watershed.</p> <p>Sincerely, Gabe Sheoships SW Portland Environmental Steward</p>	No	gabesheoships@gmail.com		01/11/24 2:02 PM
35	Sarah Black		Yes	sarahgblack@gmail.com		01/11/24 2:36 PM

From: [Sarah Black](#)
To: [Council Clerk - Testimony](#)
Subject: Jackson Middle School Fields
Date: Thursday, January 11, 2024 2:31:36 PM

Hello - I am writing in STRONG SUPPORT of the planned fields at Jackson Middle School in SW. This would be an incredible offering for our community that is growing exponentially in all sports.

My children have and will continue to benefit from the use and planned use. As Portland teams we are not able to compete against harder, better outfitted teams because of our lack of facilities. Having the fields upgraded would help make sports teams in SW stand out!

Thank you for your time,
Sarah Black

Portland City Council Meeting - Thursday, January , 2024 2:00 p.m.

Agenda Item	First Name	Last Name
Support		
35 S-1	Alexis	Barton
35 S-2	Rebecca	Crosby
35 S-3	Betty	McArdle
35 S-4	Linn	Andren
35 S-5	Madeleine	Denko
35 S-6	Megan	Ferrell
35 S-7	Nichole	Aue
35 S-8	Leah	Peterson
35 S-9	Teresa	Peterson
35 S-10	Bill	Dant
35 S-11	Kathy	Fetty
35 S-12	Peter	Limbaugh
35 S-13	Gary	Runde
35 S-14	Rachelle	Steinberg
35 S-15	Keborah	Andren
35 S-16	Sharon	Keast
35 S-17	Marianne	Fitzgerald
35 S-18	Terri	Preeg Riggsby
35 S-19	Qwynci	Bowman
35 S-20	Eric	Taxer
Oppose		
35 O-1	Michael	Nolan
35 O-2	Edward	Kuehnel
35 O-3	Dan	Webert
35 O-4	Peyton	Chapman