



MULTNOMAH COUNTY OREGON

LAND USE AND TRANSPORTATION PROGRAM

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DECISION OF HEARINGS OFFICER

Community Service Conditional Use Permit and Design Review Permit Requests

Case File: **T3-04-007**

Hearings Officer: Liz Fancher

Hearing Date: Friday, January 14, 2005

Proposal: Request for a Community Service Conditional Use Permit and Design Review Permit for a 6,500 square foot addition to the existing East Orient Elementary School with new bus turnaround, new parking lot south of the school and relocation of a sign.

Location: 7431 SE 302nd Avenue
TL 600, Sec 19AD, T1S, R4E, W.M. and
TL 100, Sec 19DA, T1S, R4E, W.M.
Tax Accounts #R994190050 and R994191650

Applicant: Ray Totten, Architects Barrentine Bates Lee
200 N State St.
Lake Oswego, OR 97034

Owner: Gresham Barlow School District
1331 NW Eastman Parkway
Gresham, OR 97030

Site Size: 12.17 acres

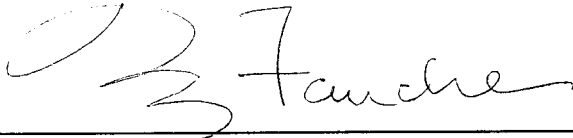
Zoning: Orient Residential (OR) and Orient Commercial Industrial (OCI)

Approval Criteria: Multnomah County Code (MCC): Chapter 37: Administration and Procedures, MCC 36.0005: Definitions, MCC 36.3400 et al: Orient Rural Center Residential, MCC 36.3500 et al: Orient Commercial-Industrial, MCC 36.7000 et al: Design Review; Nonconforming Uses; MCC 36.4100 et al Off-Street Parking and Loading, MCC 36.7400: Signs, Policy 13: Air, Water and Noise Quality, Policy 14: Developmental Limitations, Policy 31: Community Facilities and Uses, Policy 37: Utilities Policy 38: Facilities, West of the Sandy River Rural Plan Element Policy 7 Rural Center

HEARINGS OFFICER DECISION:

The applicant has demonstrated that the proposed development meets, or can meet through conditions of approval, all of the required criteria, standards and Comprehensive Plan Policies for a Community Service Conditional Use and Design Review and, therefore, is **APPROVED** subject to compliance with the conditions of approval listed below.

Dated this 31st day of January, 2005.



Liz Fancher, Hearings Officer

THIS DECISION IS A FINAL DECISION OF THE COUNTY AND IS EFFECTIVE WHEN ISSUED.

CONDITIONS OF APPROVAL:

1. The plan approved by this decision is the plan submitted to the County on January 18, 2005. This plan is approved in reliance upon the representations made by the applicant in its land use application. Those representations are binding on the applicant in the same way that the specific conditions of approval described below are binding.
2. The lights proposed for the parking area shall be as shown in Exhibit 1.15. Other new and replacement exterior lighting fixtures shall be of the "cut off" or fully shielded type so that no light is emitted above the horizontal (MCC 36.3455 (G))
3. The applicant/property owner shall submit, to the County Land Use and Transportation Program, a certification, stamped and signed by a Registered Engineer, stating that the stormwater drainage system for all new impervious surfaces on the subject property shown on Exhibit J-1 is adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is not greater than that before the development (MCC 36.3455(E) and 35.3550(E)). The stormwater drainage system shall be installed as shown on the revised plans (Exhibit J-1), provided they are certified as described above, except that all the downspouts for the new addition and the stormwater drains from the parking and bus turn around area shall be connected to the stormwater detention system (MCC36.3455(E), 36.3550(E) and MCC 36.7050 (A) (6)). All areas for the parking and maneuvering of vehicles shall be graded and drained to provide for the disposal of all surface water on the lot (MCC 36.4180(D)).
4. Trees slated to be protected and the grading within their drip lines shall be the minimal amount necessary to install the development feature. The limits of the grading shall be marked to assure that excess grading does not take place (MCC 36.7050(A)(1)(a)).
5. The trees and shrubs proposed on the submitted landscape plan shall be planted and continuously maintained after they are planted to assure survival. If any of these trees or

shrubs do not survive they shall be replaced with comparable species of trees or shrubs (MCC 36.7055 (C)(5)). A landscaped strip separating a parking or loading area from a street shall contain (MCC 36.7055(C)(3)(c)):

1. Street trees spaced as appropriate to the species, not to exceed 50 feet apart, on the average;
 2. Low shrubs, not to reach a height greater than 3'0", spaced no more than 5 feet apart, on the average; and
 3. Vegetative ground cover.
-
6. The property owner shall provide for and maintain off-street parking and loading facilities without charge to users as continuing obligation (MCC 36.4115). Required parking spaces shall be available for the parking of vehicles of customers, occupants, and employees without charge or other consideration (MCC 36.4125(A)).
 7. No parking of trucks, equipment, materials, structures or signs or the conducting of any business activity shall be permitted on any required parking space (MCC 36.4125(B)).
 8. Loading areas shall not be used for any purpose other than loading or unloading (MCC 36.4125(D)). Storage or accumulation of equipment, material or goods in a loading space in a manner which would render such loading space temporarily or permanently incapable of immediate use for loading operations shall not occur (MCC 36.4125(E)).
 9. The two properties for which this approval applies shall be combined by deed, so that parking areas are on the same property (MCC 36.4130 (A)).
 10. Traffic directions and lanes shall be plainly marked at the entrance to the new parking area (MCC 36.4170 (A)).
 11. All areas for the parking and maneuvering of vehicles shall be marked in accordance with the approved plan labeled Exhibit 1.20, such marking shall be continually maintained (MCC 36.4180 (C)).
 12. The East Orient School sign shall be located to the west of the travel easement (outside the easement) unless a permit is obtained from the Multnomah County Right of Way Program to allow the sign in the easement (MCC 36.7450(A)).
 13. Accessory signs designating entrances, exits or conditions of use in a parking or loading area shall not exceed four square feet in area, one side. There shall not be more than one such sign for each entrance or exit to a parking or loading area. MCC 36.7465(G):
 14. Directional Signs shall comply with the standards listed under MCC 36.7490.
 15. A Grading and Erosion Control permit subject to MCC Chapter 29 shall be obtained prior to any soil disturbance related to this project. Grading and erosion control measures sufficient to ensure that visible or measurable erosion does not leave the site shall be maintained during development ((MCC36.3455(F) and 36.3550(F)).

16. The property owner shall dedicate to Multnomah County an additional five foot of right of way and five foot slope/utility/drainage/sidewalk/landscaping/traffic control device easement along 302 Avenue frontage (MCC36.3455(C) and 36.3550(C)). The property owner shall dedicate right-of-way to Multnomah County to achieve 40 feet to centerline along the site's SE Orient Drive frontage. (Policy 31 G.)
17. The property owner shall construct all parking area, loading areas and install all landscaping as illustrated on the plans L1 (Exhibit 1.11) and A3 (Exhibits 1.20). All parking, loading and landscape areas shall be completed prior to occupancy of structures approved herein, unless the property owner chooses to guarantee performance consistent with MCC 37.0680 (MCC 36.4135 and MCC 36.4200).
18. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.
19. Pursuant to MCC 37.0690, this land use permit expires two years from the date the decision is final if; (a) development action has not been initiated; (b) building permits have not been issued; or (c) final survey, plat, or other documents have not been recorded, as required. The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 37.0690 and 37.0700. Such a request must be made prior to the expiration date of the permit.
20. The property owner shall dedicate a drainage easement to Multnomah County for the drainage pipeline proposed by this application on the school site from SE Short Road to SE 302nd Avenue. The easement shall be a minimum of 10 feet in width. The width shall be increased in width to 15 feet if the pipe is installed at a depth of 10 feet or deeper. The pipeline shall be centered in the easement. The easement shall include the language proposed in her January 13, 2004 memorandum (Exhibit H-5) and shall be approved by the County Transportation and recorded with the County Clerk.

Findings of Fact

Note: Staff as necessary to address Multnomah County ordinance requirements provides Findings referenced herein. Headings for each finding are underlined. Multnomah County Code requirements are referenced using a **bold** font. Written responses by the applicant, demonstrating compliance with code criteria, are *italicized*. Planning staff comments and analysis may follow applicant responses. Where this occurs, the notation "Staff" precedes such comments.

The Hearings Officer adopts the staff findings as findings that support her decision. Some of the findings have been revised and the hearings officer has added additional findings to address new evidence submitted after the staff report was prepared.

1. **PROJECT DESCRIPTION:**

Applicant: *The purpose of this project is to relieve West Orient Middle of overcrowding. The fifth graders at the Middle School are to be moved to East Orient. Four additional classrooms are needed at East Orient Elementary to accommodate these additional students. The existing library is too small. The gym and cafeteria areas are sufficient. The office area is too small for the student increase. It was decided that with some reallocation of existing spaces, four classrooms could be obtained within the existing building with the construction of a new library, main office and support staff offices and a Resource classroom. The existing kindergarten classrooms would be moved into the existing library space. The location of the new library will allow for better meeting spaces within the building for after hour meetings. The new library will also be constructed of a size that will be equitable to the Gresham-Barlow School District standards for present day libraries. The proposed building is in character with the rest of the facility and the addition could not be any larger for the proposed location on the existing site.*

Staff: The project includes a 6,500 square foot addition to the existing East Orient Elementary School with new bus turnaround, new parking lot south of the school, a stormwater detention system and relocation of sign as shown in Exhibit 1.20.

2. **SITE AND VICINITY CHARACTERISTICS:**

The subject property is two parcels. The property described as Tax Lot 600, Sec 19AD, T1S, R4E, W.M. (Tax Account #R994190050) includes two existing schools and is 11.67 acres. This property is located within the Orient Residential (OR) Zone District. The other property described as TL 100, Sec 19DA, T1S, R4E, W.M. has been used for a commercial business, has a small building on it and is 0.5 acres. This property is within the Orient Commercial Industrial (OCI) Zone District. The proposed development will be located along 302nd Avenue to the south of the existing East Orient School. The site is slightly sloped. The vicinity includes a mix of uses such as residential, commercial, farming and governmental uses.

3. **ORIENT RESIDENTIAL AND ORIENT COMMERCIAL INDUSTRIAL ZONE DISTRICTS:**

3.1. **Dimensional Standards and Development Requirements.**

* * *

3.1.1. **MCC36.3455(B) and 36.3550(B): Minimum Yard Dimensions - Feet**

Front	Side	Street Side	Rear
30	10	30	30

* * *

Maximum Structure Height - 35 feet

MCC 36.0005(L)(10): Lot Line (Front) - In the case of an interior lot, a line separating the lot from the street or accessway; in the case of a corner lot, a line separating the narrowest frontage of the lot from a street or accessway; and in the case of a flag lot, the lot line closest to and most nearly parallel with the street which serves the lot.

Applicant: Front yard setback for new addition is more than 30 feet. Side yard setback for new addition is more than 10 feet. Street side yard setback for new addition is more than 30 feet. Rear yard setback for new addition is more than 30 feet. New structure height is less than 35 feet.

Staff: As shown on the site plan (Exhibit 1.20) the proposed development meets these standards.

- 3.1.3. MCC36.3455(C) and 36.3550(C): The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.**

Applicant: Not Applicable.

Staff: In a memorandum dated December 20, 2004, Alison Winter, Multnomah County Transportation Planning Specialist (Exhibit 2.7), states a five foot dedication requirement and five foot easement dedication are needed for the 302nd Avenue Right of Way. The submitted plans (Exhibit 1.20) show that the front yard has been adjusted to provide the additional five feet of right of way.

Hearings Officer: Ms. Winter requested that the applicant also dedicate school property along Orient Drive for a future road widening project. The width of the requested dedication is approximately 10 feet – enough to bring Orient Drive to a width of 40 feet from centerline where it adjoins the subject property. The applicant has agreed to make this dedication of land to the County in a January 19, 2005 memorandum to George Plummer (Exhibit J-2).

* * *

- 3.1.4. MCC36.3455(E) and 36.3550(E): On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, required parking, and yard areas shall be provided on the lot.**

* * *

(2) Stormwater/drainage control systems are required for new impervious surfaces. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.

Applicant: Stormwater disposal systems offsite in easement areas reserved for that purpose. Sewage disposal consists of a holding tank pumped out daily. New stormwater/drainage control systems will be added for new impervious surfaces. A civil engineer has provided a signed memo stating that the(sic) of the stormwater drainage system including the detention

system has a rate of runoff from the lot for the 10 year 24 hour storm event that is no greater than that before the development.

Staff: The sewage disposal is provided through storage and disposal to an approved facility. Anne Cox, Natural Resource Specialist, Department Of Environment Quality (DEQ) has provided a copy of a Water Pollution Control Facilities Permit (Exhibit 3.1) for the school allowing the utilization of a holding tank system which is pumped and trucked daily to an approved disposal facility (City of Gresham sewage system). The intent of the sewage disposal standard is to provide for the safe disposal of sewage. The School district has provided for safe sewage disposal through the DEQ approved disposal plan.

In regards to stormwater management, the applicant has submitted a memorandum dated November 1, 2004 from David Humber, Registered Professional Engineer stating the following:

“The intent of this memo is to state the proposed storm water design for the addition to East Orient Elementary School has been designed to meet Multnomah County standards, MMC 36.3455 and 36.7030. This stormwater system has been designed to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.”

The applicant has submitted a revised plan (Exhibit 1.20) since this memo was submitted with a three pipe stormwater detention system design substituted for the one 36 inch pipe. These plans include the statement, “The storm water system has been designed to ensure that the rate of run off from the lot for the 10-year 24-hour storm event is no greater than before development.” These plans are stamped and signed by Mr. Humber.

This standard is met by the proposed development.

3.1.5. MCC36.3455(F) and 36.3550(F): Grading and erosion control measures sufficient to ensure that visible or measurable erosion does not leave the site shall be maintained during development. A grading and erosion control permit shall be obtained for development that is subject to MCC Chapter 29.

Applicant: *Grading and erosion control measures will be in place to ensure that visible or measurable erosion does not leave the site.*

Staff: A condition of approval will require the applicant to obtain a Grading and Erosion Control Permit prior to any soil disturbance related to this project.

3.1.6. MCC36.3455(G) and 36.3550(G): New and replacement exterior lighting fixtures shall be of the "cut off" or fully shielded type so that no light is emitted above the horizontal.

Applicant: *New/replacement exterior light fixtures shall be of the “cut off” or fully shielded type so that no light is emitted above the horizontal.*

Staff: The proposed lighting is directed downward and is shielded (Exhibit 1.15). The applicant has submitted an analysis by Samuel L. G. Backus, professional Engineer states that light trespass off the property has been minimized (Exhibits 1.15). The plans show the light spread from the parking area of less than 0.5 footcandles at the property line (Exhibit 1.20). The web site at <http://www.mts.net/~william5/library/illum.htm> explains the illumination levels of footcandles. The proposed development meets this standard for the parking area lighting. This standard is met. A condition of approval will require all lighting installed for the school be a fully shield type so that no light is emitted above the horizontal.

3.2. Lot of Record:

MCC 36.0005(L)(13) Lot of Record - Subject to additional provisions within each Zoning District, a Lot of Record is a parcel, lot, or a group thereof which when created and when reconfigured (a) satisfied all applicable zoning laws and (b) satisfied all applicable land division laws. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.

- (a) "Satisfied all applicable zoning laws" shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.**
- (b) "Satisfied all applicable land division laws" shall mean the parcel or lot was created:**

* * *

3. By a deed, or a sales contract dated and signed by the parties to the transaction, that was in recordable form prior to October 19, 1978; or

MCC 36.3470(A) In addition to the definition standards for a Lot of Record, for the purposes of this district the significant dates and ordinances for verifying zoning compliance may include, but are not limited to, the following:

- (1) July 10, 1958, SR and R zones applied;**
- (2) July 10, 1958, F-2 zone applied;**
- (3) December 9, 1975, F-2 minimum lot size increased, Ord. 115 & 116;**
- (4) October 6, 1977, RC zone applied, Ord. 148 & 149;**
- (5) October 13, 1983, zone change to RC for some properties, Ord. 395;**
- (6) May 16, 2002, Lot of Record section amended, Ord. 982**

Applicant: *The existing lot is a lot of record.*

Staff: Both properties appear on the October 6, 1977 zoning maps showing the properties were created prior to that date. In 1958 the property that the school is located on, Tax Lot 600, was designated as within the Single Family Residential (R-10) Zone District, as shown on the 1962 zoning maps (Exhibit 2.4) with a small portion of the property in the Apartment Residential (A-2) Zone District (Exhibit 2.5). The entire property was also labeled with Community Service (CS) designation. Since the property size is 11.67 it would have a minimum if it was created after 1958; and there was no minimum before 1958 the property was legally created.

The property on which the parking is proposed, described as TL 100, Sec 19DA, T1S, R4E, W.M. (R994191650), was designated in the Apartment Residential (A-2) Zone District from 1958 until 1965 (Exhibit 2.5) when it was changed to the Commercial -2 (C-2) Zone (Exhibit 2.6). Both districts allowed creation of a parcel with a 7000 square foot minimum lot size for a single family dwelling, commercial use did not have a minimum. The property appears on the 1977 Zoning Map (Exhibit 2.7) thus indicating it was created between 1966 and 1977. This property, at 0.5 acres, met the minimum lot size (7000 square feet) when the property was created. Both properties meet the standards to be a Lot of Record.

3.3. MCC 36.3480 Off-Street Parking and Loading:

Off-street parking and loading shall be provided as required by MCC 36.4100 through 36.4215.

Staff: See Section 8 of this report for the review of off-street parking with findings for applicable sections under MCC 36.4100 through 36.4215. This standard is met.

4. COMMUNITY SERVICE USE REVIEW

4.1. Community Service Use Approval Criteria

4.1.1. MCC 36.6010 (A) Is consistent with the character of the area;

Applicant: *The school addition is consistent with the character of the area. It will use materials similar to existing buildings such as horizontal siding, brick veneer and asphalt roof shingles.*

East Orient Elementary School presently exists on the east end of the site. West Orient Middle School presently exists on the southwest corner of the site with playfields separating the two buildings. The proposed addition is an expansion to East Orient Elementary School, expanding to the south along SE 302nd Avenue. Similar brick materials are being used to marry the addition to the existing along with the painting of the new addition to match the existing building. The parking lot is being moved to the south to make room for the addition. The general area around the site of the existing school building is agricultural farming and nurseries. Fields within a mile to the north of the existing school are being converted to single family housing on oversized lots. The property to the immediate north and south of the existing school is residential. The property to the east is a nursery and the property to the west is shared play fields with West Orient Middle School at the southwest corner of the property. West Orient Middle School fronts Orient Drive and East Orient Elementary School fronts SE 302nd Avenue. There is a small portion of property that the Gresham-Barlow School District does not own along the south and southwest portions of this property that are residential and small commercial. The existing school building utilizes brick veneer, 1x4 T&G vertical wood siding with over hanging low slope gable roofs. The existing building is one story in height. The proposed addition will match the existing brick veneer in kind. In place of the vertical wood siding, hardboard horizontal siding is proposed due to better weather resistance than the original siding. Asphalt shingles are proposed in place of the built-up roofing products of the existing building. This requires a minimum 3:12 roof pitch,

which is what is proposed. The mechanical units are being housed under the proposed addition roof. The cooling system condensing units will be on the building grounds screened from surrounding neighboring property to limit both vision and noise. The proposed building is a one story facility with vaulted ceilings in the large spaces allowing for the use of natural daylighting and to create the mechanical loft. The surrounding buildings on adjacent properties are low, small commercial or one to two story residential units with wood siding and asphalt shingles.

Staff: The school is located within the Community of Orient. The character of the area is a mix of uses including residential, commercial, farm and government uses (two schools and a fire station). The proposed development is an addition to an existing school that was established prior to zoning. Comprehensive Plan Policy 31 encourages a long range approach for community facilities, encouraging the expansions at locations reinforcing orderly and timely development and efficient provision of public services and facilities. The addition allows the School District to continue to serve the educational needs of the rural student population with a nearby facility. The school is located on a site that will provide for the School district needs into the future. The proposed addition will match the existing school building in architectural style. The addition is consistent with the existing development and character of the area with its mix of uses including the existing school and the nearby middle school. This criterion is met.

4.1.2. MCC 36.6010 (B) Will not adversely affect natural resources;

Applicant: *The school addition will not adversely affect natural resources. Some trees will be relocated to another site. More trees will be added to the landscape than will be taken out. The new bus turnaround is located on an open area of the lot. The new plan will improve water runoff with the addition of stormwater detention. There will be no significant grade changes.*

The south portion of the property had a small commercial, residential style, building on it that has been removed. A parking lot is proposed for this portion of the property to replace the parking lot in the area of the proposed addition. This parking lot will be used for teacher and volunteer parking. The perimeter of the parking lot to the south, east and west will be screened with bushes that will be high enough to screen car headlights from the surrounding property owners. At present the existing school building has a drainage problem at the bus exit from the parking lot onto SE 302nd Avenue. The rain water for a portion of SE 302nd Avenue drains onto the property and has caused minor flooding at the storage rooms and shower areas of the existing gym. With the new addition, this water run off will be eliminated. The rain water run off due to the addition of the proposed structure and the parking lot will be detained under the paving areas in detention piping. The existing landscaping within the existing parking lot will be removed. The addition will be fully landscaped along the west and east elevation. Two tree planting islands are proposed within the new parking lot.

Staff: The proposed development will be located on properties that have been previously developed. For this reason impact to natural settings is minimal. In an email dated 12/16/04 the applicant stated that, "I talked with Dave Humber of MGH, our civil engineers, and he

said that the code required trap catch basin has been specified for all new catch basins draining the parking lot.” The trap catch basin will trap pollutants that run off the parking area surface improving the water quality of the water that leaves the site. This will be an improvement over the currently existing parking area. The applicant is also proposing a stormwater detention system that will slow the release of stormwater entering the nearby stream. This is a benefit because it reduces the flashiness of the stream during heavy storms with slower release of stormwater leaving the site reducing flooding and scouring downstream. Given the improvement of the catch basin and the distention of stormwater the proposed development should have a positive impact on natural resources. This criterion is met.

4.1.3. MCC 36.6010 (C) Will not conflict with farm or forest uses in the area;

Applicant: *The school addition will not conflict with farm/forest uses in the area. The school and parking lot are existing conditions. The new school addition and relocated parking lot will not be a change in use. The new parking lot will be located on the newly acquired commercial lot.*

The original East Orient school building was constructed on this site over 50 years ago. The expansion of the site to the south is onto property that housed a commercial business. Therefore, farmland and forests are not affected because the site was not being used for farm/forest uses at the present time.

Staff: The proposal is an addition to an existing school. The subject property is located within the Community of Orient and is surrounded by residential and commercial properties on three sides. Across 302nd Avenue is land that is being farmed with nursery crops on property zoned Multiple Use Agriculture - 20. There are no known conflicts between the existing school and the farming activity. Schools are often located in areas where active farming takes place. These uses are not known to have resulted in conflict in the past. This criterion is met.

4.1.4. MCC 36.6010 (D) Will not require public services other than those existing or programmed for the area;

Applicant: *The school addition will not require public services other than those existing for the area.*

Since an existing school facility is present on the site, there are existing public services for the site. These existing services will be expanded to serve the new addition. The City of Gresham is requiring the addition of a fire hydrant be added within the new parking lot and that the existing building and the new addition are required to be fully sprinkled.

Staff: Anne Cox, Natural Resource Specialist, Department of Environment Quality has provided a copy of a Water Pollution Control Facilities (WPCF) Permit for sewage disposal system utilized by the school. The system includes a holding tank which is pumped and trucked daily to an approved disposal facility (City of Gresham sewage system).

The school is served by Pleasant Valley Water District. The applicant has submitted a form from the water district signed by Cynthia Zinser, Manager, Pleasant Valley Water District stating that the district will provide service to the school via a six inch line.

The applicant has submitted a Fire District Review form signed by Mike Kelly, Deputy Fire Marshall, City of Gresham Fire Department District 10, which questions whether there is adequate water pressure for fire fighting purposes (Exhibit 1.8). Mr. Kelly also states the School District, "will need to provide fire flow and additional hydrant." The applicant has submitted a flow test information sheet showing flow at 1300 gallons per minute but has not provided information from the Fire District that this flow is adequate for fire suppression. The applicant needs to demonstrate that the water flow will be adequate to serve the new use for fire protection and the location of a new fire hydrant is satisfactory. The applicant will need to provide a statement from the City of Gresham Fire Department District Fire Marshall that the flow is adequate and the location of the new hydrant is satisfactory. The applicant has not provided such documentation. This criterion has not been met.

4.1.5. MCC 36.6010 (E) Will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable;

Applicant: *The site is outside of a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife. The original school building has been on the site for over 50 years. The school addition will be located outside a big game winter habitat area.*

Staff: The school is not within a big game area. Criterion is met.

4.1.6. MCC 36.6010 (F) Will not create hazardous conditions;

Applicant: *Elementary School facilities have not historically been considered to be hazardous. The proposed addition is an extension of the existing school building housing the school offices, a new library facility and counseling offices. These functions are not hazardous. The rest of the proposed work is for a new parking lot to replace the lot that the addition is proposed to be built upon. The school addition will not create any hazardous conditions.*

Staff: There are no hazardous conditions that staff is aware of related to the proposed development, other than the concern of inadequate water flow for fire protection. If the applicant can provide evidence that the City of Gresham Fire Department District 10 Fire Marshall finds that flow is adequate and the location of the new hydrant is satisfactory, this criterion would be met. Without that information this criterion is not met.

4.1.7. MCC 36.6010 (G) Will satisfy the applicable policies of the Comprehensive Plan;

Applicant: *It is assumed that existing East Orient Elementary School and West Orient Middle School facilities satisfy the applicable policies of the Comprehensive plans. An addition is being proposed to East Orient Elementary, which should not affect this assumption. The school addition will satisfy applicable policies of comprehensive plan.*

Staff: See Section 5 of this report for detailed findings which address each applicable Comprehensive Plan Policy. For Policy 38, the applicant needs to demonstrate that the water flow will be adequate to serve the new use for fire protection by providing a statement from the City of Gresham Fire Department District Fire Marshall that flow is adequate and the location of the new hydrant is satisfactory. The applicant has not provided such documentation. This criterion has not been met.

4.1.8. MCC 36.6010 (H) Will satisfy such other applicable approval criteria as are stated in this Section.

Applicant: *It is assumed that both school facilities and the proposed addition to East Orient still satisfy other applicable approval criteria as stated in this Section. A public school facility is an allowable use of this section and the facility will still remain a public school facility when the proposed project is completed. The school addition will satisfy approval criteria as are stated in the section.*

Staff: Section 4.2 addresses other applicable approval criteria for this section. Each of the applicable criteria have been met.

4.1.9. MCC 36.6010 (I) The use is limited in type and scale to primarily serve the needs of the rural area.

Applicant: *The use of the school addition is limited in type and scale to primarily serve the needs of the rural area. The school district provided the street addresses of all students. Student locations were then located on an area map as a dot. The urban growth boundary received from Multnomah County was then superimposed. Final count for urban students was 133. Final count for rural students was 234. The majority of the students live outside the Urban Growth Boundary.*

The purpose of the proposed addition is in part due to the growing residential population in the area and the influx of additional students to both school facilities. As stated in item A above, the materials being proposed are of the scale and type as the existing school facility and the surrounding buildings.

Staff: The applicant has demonstrated that the school primarily serves the needs of students which live in the rural area (Exhibit 1.4). This criterion is met.

4.2 Community Service Use Restrictions

A building or use approved under MCC 36.6015 through 36.6050 shall meet the following requirements:

4.2.1. MCC 36.6020 (A) Minimum yards in EFU, CFU, MUA-20, RR, OCI, OR and PH-RC, Districts:

(1) Front yards shall be 30 feet.

(2) Side yards for one-story buildings shall be 20 feet; for two-story buildings, 25 feet.

(3) Rear yards shall be as required in the district.

Staff: The proposed development meets these setback requirements.

* * *

4.2.2. MCC 36.6020 (C) Minimum Site Size:

(3) Elementary public schools shall be on sites of one acre for each 75 pupils or one acre for each two and one-half classrooms, whichever is greater.

Staff: The applicant submitted an address roster indicating there are 383 students which would require a 5.1 acre minimum site size (Exhibit 1.4). The building plans show sixteen classrooms which would require 6.4 acre minimum site size (Exhibit 1.11). The subject properties are 11.67 acres and 0.5 acres for a total of 12.17 acres with additional adjacent School District property of 3.51 acres. The properties are shared with the middle school which has no minimum acreage requirements. With the 6.4 acre minimum site size requirement for the elementary school roughly half of the property meets the requirement. This standard is met.

4.2.3. MCC 36.6020 (D) Off-street parking and loading shall be provided as required in MCC 36.4100 through 36.4215.

Staff: Section 7 of this report addresses Off-street parking and loading findings as required in MCC 36.4100 through 36.4215. This standard is met.

4.2.4. MCC 36.6020 (E) Signs for Community Service Uses pursuant to the provisions of MCC 36.7400 through 36.7505.

Staff: Section 8 of this report addresses signs pursuant to the provisions of MCC 36.7400 through 36.7505. This standard is met.

5. APPLICABLE COMPREHENSIVE PLAN POLICIES

5.1 Comprehensive Plan Policy 7: Rural Center

The County shall encourage the location of suitable uses within a rural center by:

- 1. Measuring the need for a use based upon the primary intent of the center.**
- 2. Determining that sufficient land exists within a center to accommodate the needed uses and maintaining a measurement of absorption rate of vacant lands.**
- 3. Establishing development standards commensurate with the rural nature of the area.**
- 4. Ensuring that adjacent natural resource areas are minimally impacted.**

Hearings Officer: This policy appears to be primarily directed at County planning for rural centers. The evidence submitted by the applicant and staff demonstrate that there is a clear

need for the school use proposed by this application. Providing for the use in the location of an existing school is the best way to meet that need.

5.2. Comprehensive Plan Policy 13: Air, Water and Noise Quality

Multnomah County, recognizing that the health, safety, welfare, and quality of life of its citizens may be adversely affected by air, water and noise pollution, supports efforts to improve air and water quality and to reduce noise levels. Therefore, if a land use proposal is a noise sensitive use and is located in a noise impacted area, or if the proposed use is a noise generator, the following shall be incorporated into the site plan:

- 1. Building placement on the site in an area having minimal noise level disruptions.**
- 2. Insulation or other construction techniques to lower interior noise levels in noise-impacted areas.**

Applicant: 1. Building placement on the site will create minimal noise level distractions to adjacent areas. 2. Insulation will be used to lower interior noise levels in noise impacted areas.

Staff: In addressing water quality the applicant submitted an email dated 12/16/04 (Exhibit 1.19) the applicant stated that, "I talked with Dave Humber of MGH, our civil engineers, and he said that the code required trap catch basin has been specified for all new catch basins draining the parking lot." The trap catch basin will trap pollutants that run off the parking area surface improving the water quality of water that leaves the site.

The proposed building location is more than 100 feet from the adjacent residential restructures. The applicant will install insulation to lower noise levels from with the building. This policy is met.

5.3. Comprehensive Plan Policy 14: Developmental Limitations

The County's policy is to direct development and land form alterations away from areas with development limitations except upon a showing that design and construction techniques can mitigate any public harm or associated public cost and mitigate any adverse effects to surrounding persons or properties. Development limitations areas are those which have any of the following characteristics:

- A. Slopes exceeding 20%;**
- B. Severe soil erosion potential;**
- C. Land within the 100 year flood plain;**
- D. A high seasonal water table within 0-24 inches of the surface for 3 or more weeks of the year;**
- E. A fragipan less than 30 inches from the surface;**
- F. Land subject to slumping, earth slides or movement.**

Applicant:

- A. Slopes do/will not exceed 20%.*
- B. No severe soil erosion potential anticipated.*
- C. Land not within 100 year flood plain.*

- D. No high seasonal water table.*
- E. No fragipan within 30" from surface.*
- F. No land subject to slumping, earth slides or movement.*

Staff: The applicant states that none of these conditions exist on the site. This policy is met.

5.4. Comprehensive Plan Policy 31: Community Facilities and Uses

- 5.4.1. A. The County's policy is to: Support the siting and development of a full range of community facilities and services by supporting the location and scaling of community facilities and uses meeting the needs of the community and reinforcing community identity.**

Applicant: *The school addition to support a full range of community services.*

Staff: The school located in the rural community of Orient reinforces the community identity of Orient. The addition to the school is needed to serve the needs of the surrounding rural area. The school provides meeting space for community functions. This policy is met.

- 5.4.2. B. The County's policy is to: Encourage community facilities siting and expansion at locations reinforcing orderly and timely development and efficient provision of all public services and facilities.**

Applicant: *The school addition is at an efficient location for community services*

Staff: The proposal is a addition to an existing school providing for an orderly development. The addition is needed to serve educational needs of students in the nearby area, predominately rural area students. The policy is met.

- 5.4.3. C. The County's policy is to: Encourage land use development which support the efficient use of existing and planned community facilities.**

Applicant: *The school addition will support a range of community uses*

Staff: The proposed addition makes efficient use of existing and planned community facilities. The addition will make use of the existing infrastructure and provide for its continued use. This policy is met.

- 5.4.4. D. The County's policy is to: Support the development of a unified approach to long range community facilities planning and capital investment programming in Multnomah County.**

Applicant: *The school addition adds to existing community facilities.*

Staff: The addition to the school supports the long range use of the existing facilities. This policy is met.

5.4.5. E. The County's policy is to: Classify community facilities according to their function and scale of operations.

Minor Community: Grade School

Applicant: *School addition classified as Minor Community.*

Staff: The school is classified a Minor Community facility. This policy is met.

5.4.6. F. The County's policy is to: Locate community facilities on sites with average site grades consistent with a project's scale and impacts, site slope requirements by scale are:

<u>Scale</u>	<u>Average Site Slope Standard</u>
Minor Community	10%

Applicant: *School addition located on average slope site.*

Staff: The subject property is relatively flat with less than 10 percent slope. This policy is met.

5.4.7. G. The County's policy is to: Support the location of community facilities on existing transportation systems with volume capacities and modal mix splits available and appropriate to serve present and future scales of operation.

Applicant: *School located near existing transportation system. Stops located on SE Orient Drive (bus route 84).*

Staff: In a memorandum dated December 20, 2004, Alison Winter, Multnomah County Transportation Planning Specialist, states a five foot dedication requirement and a five foot easement dedication are needed for the 302nd Avenue Right-of-Way. The applicant shows those dedications on the plans. These dedications will bring the right-of-way width up to standard required right of way width.

Ms. Winter also states as a requirement: "Dedicate the necessary right of way to achieve 40 feet to centerline along the site's SE Orient Drive frontage to Multnomah County. The preferred right-of-way for this Rural Arterial Facility is 80 feet. The applicant is required to dedicate the necessary right of way in order to achieve a proportional share of this standard."

When there is an increase in impacts resulting from an increase in trips to a county road, the County Road Rules require the applicant to provide a pro-rata share of improvement costs. County Road Rule 6.100(A): Dedication Requirement states: "The owner is responsible for a pro-rata share, as determined by the County Engineer, of right-of-way and easement dedications necessary to bring the affected, existing, created or planned public streets and other facilities within and abutting the development to current County standard. The dedication of the required easements and right-of-way may be conditions of approval of Design Review or any other development permit related to the proposal."

The right-of-way dedications will be used to improve the roadway to serve the growing travel demand, which in part will be generated by this proposal. For Dolan findings in regards to dedications see Exhibit 2.8. The applicant shows those dedications on the plans (Exhibit 1.20). These dedications will bring the right-of-way width to standard.

The proposed access is on a collector street. There is no routing to a neighborhood street. East Orient Elementary School is located near a Tri-Met bus stop. The proposal includes loading and unloading area for school buses which provide transport to the students.

This policy can be met through conditions of approval requiring the right-of-way dedication.

Hearings Officer: The applicant consented to the imposition of a requirement to dedicate right-of-way for SE Orient (Exhibit J-2), as well as to dedicate right-of-way and an easement for 302nd Avenue. These dedications assure compliance with this approval criterion.

5.4.8. H. The County's policy is to: Restrict the siting of community facilities in locations where site access would cause dangerous intersections or traffic congestion considering the following:

1. Roadway capacities
2. Existing and projected traffic counts
3. Speed limits
4. Number of turning points

Applicant: *School addition not located near dangerous intersections or traffic congestion.*

Staff: The proposal includes consolidating three driveways along 302nd Avenue, currently serving the properties, into one driveway. This will reduce the number of points of potential conflict along the roadway, thus improving the safety and efficiency of the road system in the vicinity of the site.

In a memorandum dated December 20, 2004, Alison Winter, Multnomah County Transportation Planning Specialist, states a five foot dedication requirement and five foot easement dedication are needed for the 302 Avenue Right of Way. The applicant shows those dedications on the plans (Exhibit 2.7). These dedications will bring the right of way width up to standard required right of way width. The right-of-way dedications will be used to serve the growing travel demand, which in part will be generated by this proposal. For Dolan findings in regards to the dedications see Exhibit 2.8.

With the improvements listed the site access will be improved providing for safer with less potential for congestion at the access point. The additional right of way width will allow for road improvements in the future if necessary. This standard will be met by the proposed development through these improvements.

5.4.10. J. The County's policy is to: Support community facilities siting and development at sites of a size which can accommodate the present and future uses and is of a shape

which allows for a site layout in a manner which maximizes user convenience, energy conservation, and pedestrian and bicycle access to and within the site.

Applicant: *Site layout maximizes user convenience, energy conservation and pedestrian and bicycle access to and within the site.*

Staff: The East Orient Elementary School was originally sited about 50 years ago. The proposed addition will support this Policy. There is additional area on the subject property for future expansion should that be necessary.

5.5. Comprehensive Plan Policy 37: Utilities

5.5.1. Water/Disposal Systems:

- A. Shall be connected to a public sewer and water system, both of which have adequate capacity; or**
- B. Shall be connected to a public water system, and the Oregon Department of Environmental Quality (DEQ) will approve a subsurface sewage disposal system on the site; or**
- C. Shall have an adequate private water system, and the Oregon Department of Environmental Quality (DEQ) will approve a subsurface sewage disposal system; or**
- D. Shall have an adequate private water system, and a public sewer with adequate capacity.**

Applicant: *Site has a public water system and DEQ has approved a plan for removing sewage daily from the site from a holding tank.*

Staff: The sewage disposal is provided through storage and disposal to an approved facility. Anne Cox, Natural Resource Specialist, Department Of Environment Quality (DEQ) has provided a copy of a Water Pollution Control Facilities Permit (Exhibit 3.1) for the school allowing the utilization of a holding tank system which is pumped and trucked to an approved disposal facility (City of Gresham sewage system). The intent of the sewage disposal standard is to provide for the safe disposal of sewage. The School district has provided for safe sewage disposal through the DEQ approved disposal plan. This policy has been met.

5.5.2. Drainage

- E. Shall have adequate capacity in the storm water system to handle the run-off; or**
- F. The water run-off shall be handled on the site or adequate provisions shall be made; and**
- G. The run-off from the site shall not adversely affect the water quality in adjacent streams, ponds, lakes or alter the drainage on adjoining lands.**

Applicant: *The water runoff shall be handled on the site or adequate provisions shall be made. The runoff from the site will not adversely affect the water quality in adjacent waterways.*

Hearings Officer: The staff findings of compliance with this criterion are set out in Exhibit H-4 and are incorporated by reference herein.

The applicant submitted revised plans after the hearing closed. Those plans have not been certified. A requirement of certification has been added as a condition of this approval.

5.6. Comprehensive Plan Policy 38: Facilities

5.6.1. Fire Protection

- B. There is adequate water pressure and flow for fire fighting purposes; and**
- C. The appropriate fire district has had an opportunity to review and comment on the proposal.**

Applicant: *The appropriate fire district has had an opportunity to review and comment on the proposal.*

Staff: The applicant has submitted a Fire District Review form signed by Mike Kelly, Deputy Fire Marshall, City of Gresham Fire Department District 10, which questions whether there is adequate water pressure for fire fighting purposes (Exhibit 1.8). Mr. Kelly also states the School District, "will need to provide fire flow and additional hydrant." The applicant has submitted a flow test information sheet showing flow at 1300 gallons per minute but has not provided information from the Fire District that this flow is adequate for fire suppression. The applicant needs to demonstrate that the water flow will be adequate to serve the new use for fire protection and the location of a new fire hydrant is satisfactory. The applicant will need provide a statement from the City of Gresham Fire Department District Fire Marshal that the flow is adequate and the location of the new hydrant is satisfactory.

Hearings Officer: Exhibit H-7 shows that Mike Kelly of the Gresham Fire Marshal's Office has approved the site plan development as outlined in Exhibit H-7 and that there is adequate water pressure and flow for fire fighting purposes.

5.6.2. Police Protection

- D. The proposal can receive adequate local Police protection in accordance with the standards of the jurisdiction providing police protection.**

Applicant: *The proposal can receive adequate local Police protection in accordance with the standards of the jurisdiction providing police protection.*

Staff: The applicant has submitted a Police Services Review form which was by the Multnomah County Sheriff's Department signed by Lieutenant Dave Rader, Operations,

Law Enforcement stating that the level of police service available to the proposed project is adequate. This Policy is met.

5.6.3. Comprehensive Plan, West of the Sandy River Rural Plan Element Policy 7: Rural Center

- 1. The school addition is needed within this rural center to accommodate growing student population.**
- 2. Sufficient land exists on the site to accommodate the use.**
- 3. Development of the land will not compete with the rural nature of the area.**
- 4. Adjacent natural resource areas will be minimally impacted.**

Applicant: *The purpose of this project is to relieve West Orient Middle of overcrowding. The fifth graders at the Middle School are to be moved to East Orient. Four additional classrooms are needed at East Orient Elementary to accommodate these additional students. The existing library is too small. The gym and cafeteria areas are sufficient. The office area is too small for the student increase. It was decided that with some reallocation of existing spaces, four classrooms could be obtained within the existing building with the construction of a new library, main office and support staff offices and a Resource classroom. The existing kindergarten classrooms would be moved into the existing library space. The location of the new library will allow for better meeting spaces within the building for after hour meetings. The new library will also be constructed of a size that will be equitable to the Gresham-Barlow School District standards for present day libraries. The proposed building is in character with the rest of the facility and the addition could not be any larger for the proposed location on the existing site.*

Staff: The applicant has stated that the addition is needed to serve the educational needs of the students. The property exceeds 12 acres providing sufficient land to accommodate the use. The school serves predominately rural students providing them with a school located near their homes. As discussed in the finding under Section 4.1.2. of this report the development should reduce impacts to natural resources by facilities installed to catch pollution runoff from the parking area and to detain stormwater water run off and release it at a slower rate. This Policy is met.

6. DESIGN REVIEW

6.1 Design Review Criteria

MCC 36.7050 (A):Approval of a final design review plan shall be based on the following criteria:

6.1.1. MCC 36.7050(A)(I): Relation of Design Review Plan Elements to Environment.

- 6.1.1.1. MCC 36.7050(A)(I)(a): The elements of the design review plan shall relate harmoniously to the natural environment and existing buildings and structures having a visual relationship with the site.**

Applicant: *School addition will relate harmoniously to natural environment and existing buildings and structures having a visual relationship with the site. New structure will use similar materials and be similar in mass to the existing school. New landscape shall utilize native plants and materials.*

The general area around the site of the existing school building is agricultural farming and nurseries. Fields within a mile to the north of the existing school are being converted to single family housing on oversized lots. The property to the immediate north and south of the existing school is residential. The property to the east is a nursery and the property to the west is shared play fields with West Orient Middle School at the southwest corner of the property. West Orient Middle School fronts Orient Drive and East Orient Elementary School fronts SE 302nd Avenue. There is a small portion of property that the Gresham-Barlow School District does not own along the south and southwest portions of the property that are residential and small commercial. The surrounding buildings are low, small commercial or one to two story residential units with wood siding and asphalt shingles.

The existing school building utilizes brick veneer, 1x4 T&G vertical wood siding with over hanging low slope gable roofs. The existing building is one story in height. The proposed addition will match the existing brick veneer in kind. In place of the vertical wood siding, hardboard horizontal siding is proposed due to better weather resistance than the original siding. Asphalt shingles are proposed in place of existing built-up roofing products. This requires a minimum 3:12 roof pitch, which is what is proposed. The mechanical units are being housed under the proposed addition roof. The cooling system condensing units will be on the building grounds screened from surrounding neighboring property to limit both vision and noise. The proposed building is a one story facility with vaulted ceilings in the large spaces allowing for the use of natural daylighting and to create the mechanical loft.

Staff: The proposal is to match the addition to the existing building design as described above by the applicant. The new building site is currently used for the parking area. The parking area will be moved to a previously developed parcel to the south. The development will result in minimal removal of trees as shown on the plans (Exhibits 1.11 and 1.20) necessary for the development. There will be several trees and shrubs planted along the property boundaries surrounding the new parking area transitioning the site from the school use to private residential properties. This criterion has been met.

6.1.1.3. MCC 36.7050(A)(1)(b): The elements of the design review plan should promote energy conservation and provide protection from adverse climatic conditions, noise, and air pollution.

Applicant: *Building to promote energy conservation and provide protection from adverse climactic conditions, noise and air pollution. New addition uses daylighting to promote energy conservation. Electronic ballasts and occupancy sensors will also be installed. New trees will be added to provide shade and provide as a buffer for both noise and air pollution.*

The proposed addition will utilize natural lighting during peak student use. Windows have been provided on the east, west and south elevations for natural lighting. The clearstory windows have been provided with light shelves to reflect light deeper into the building spaces. Trees have been planned along the east and west elevations to provide for shading of the windows to cut down on the harsh bright light and heating requirements. The lighting system within the building will be designed to react with the natural daylighting by dimming lights to the point of turning off when daylighting is available. There will be no additional noise pollution or air pollution generated with this school expansion.

Staff: The applicant states that energy conservation methods will be used in the construction of the building. The proposal will increase the number of parking spaces on site by six. There should be no measurable change in noise or air pollution resulting from the proposed development. The proposal includes planting 15 trees (more than twice the amount to be removed) and a substantial number of shrubs. Six of the trees and most of the shrubs will be planted adjacent to the parking area to buffer the school parking from the adjacent private residential properties (Exhibit 1.11). The stormwater drainage system has been designed to process the 10 year storm event with no increase in flow off the property (Exhibit 1.20). This criterion has been met.

6.1.1.2. MCC 36.7050 (A) (l) (c) Each element of the design review plan shall effectively, efficiently, and attractively serve its function. The elements shall be on a human scale, inter-related, and shall provide spatial variety and order.

Applicant: *Each element will serve its function, be at a human scale, be interrelated and provide spatial variety and order. New addition is at a human scale similar to surrounding residences in the area. The new addition uses similar materials to surrounding residences and the existing school building and is similar in height to the existing school building.*

The purpose of this project is to relieve West Orient Middle of overcrowding. The fifth graders at the Middle School are to be moved to East Orient. Four additional classrooms are needed at East Orient Elementary to accommodate these additional students. The student support facilities (library, office, gym and cafeteria) will also have to be analyzed for their appropriate sizes. The existing library is too small. The gym and cafeteria areas are sufficient. The office area is too small for the student increase. It was decided that with some reallocation of existing spaces, four classrooms could be obtained within the existing building with the construction of a new library, main office and support staff offices and a Resource classroom. The existing kindergarten classrooms would be moved into the existing library space. The location of the new library will allow for better meeting spaces within the building for after hour meetings. The new library will also be constructed of a size that will be equitable to the Gresham-Barlow School District standards for present day libraries. The proposed building is in character with the rest of the facility and the addition could not be any larger for the proposed location on the existing site.

Staff: The proposed addition to the school will be a one story 6,500 square foot addition. The proposal is to provide additional space for the existing school so as to better serve the function of providing an adequate facility for the education of the school's increasing population base. The addition is designed to match the existing building. It is connected to the existing school and will be used for administration with portions of the existing building remodeled into classrooms. The school is designed with a main hallway linking four wings that jut out to the west with open outdoor space between each wing (Exhibit 1.11). The gymnasium abuts and parallels the main hallway along its eastside. The proposed addition will be located at the south end of the hallway. This design provides each of the classrooms with windows for natural light. This criterion is met.

6.1.2. MCC 36.7050 (A) (2) Safety and Privacy - The design review plan shall be designed to provide a safe environment, while offering appropriate opportunities for privacy and transitions from public to private spaces.

Applicant: *The school addition provides a safe environment. New entry is located farther from the street than the previous entry was located. This is due to safety concerns for the children regarding the proximity to 302nd. Loading and trash are located away from the entry and neighboring residences. The school addition provides privacy and a transition from public to private in various degrees. One can sit on a built in bench near the front entry under the canopy or sit on the lawn under existing trees on the east lawn. The canopy provides a transition from the more public sidewalk to the more private interior.*

The existing building's main entrance is being relocated to the new addition so that the students and staff will be entering the building at the same location by the main office. The new office will have better visual contact with the parking lot and bus drop-off/pick-up for student safety. All students attending East Orient Elementary School are either bussed or driven to the site. There are no sidewalks along SE 302nd Avenue for students to walk to school. A larger expanse of concrete sidewalk will be provided for student circulation around the building for bus loading. The majority of the bus loading has been moved further to the west putting it further away from the street for student safety. There is a better separation between staff parking and buses. Presently, the buses have to line up in the middle of the parking aisle, which hinders the movement of any parked car while buses are on site, though this is only for about 15 minutes, twice a day. The new proposed parking lot is set back from SE 302nd Avenue further than the present parking lot, allowing for more green space as a separation. The new parking lot will have plants that grow above the level of car headlights to protect adjacent properties from headlights during the fall and winter. The existing play grounds will remain to the west of the existing school building with a separation from the bus turnaround area by fencing. This fencing as well as the building walls is where the private to public separation occurs. The trash and recycling area will be screened from the road by the new addition and the fencing creating the trash enclosure will have slats within the fencing material to further screen from the immediate surroundings. This trash enclosure also is used to screen the delivery area, which has not been changed from its existing present location. The mechanical units are within the proposed addition shell with the exception of the condensing units, which are located in an alcove that has been created between the existing building and the proposed addition. This alcove is not visible to any of the immediate neighboring facilities or houses.

Staff: The applicant has described the safety aspects of the development and the transition from public to private in the statement above. The proposal improves safety for the students through better visual monitoring opportunity of arrivals and departures location, reduces the conflicts between busses and automobiles and separates the play area from the vehicular area. The applicant describes transition from public to private which is improved through the planting of trees and shrubs adjacent to the edge of the parking area along the property boundaries (Exhibit 1.11). Additionally the trash and recycling area as well as the loading area will be screened from the road and adjacent properties. This criterion has been met.

6.1.3. MCC 36.7050 (A) (3) Special Needs of Handicapped - Where appropriate, the design review plan shall provide for the special needs of handicapped persons, such as ramps for wheelchairs and braille signs.

Applicant: *The school addition provides for the special needs of handicapped persons with wheelchair ramps onto the sidewalk and a striped crosswalk to the sidewalk. Three handicapped spaces with signs are provided in the parking lot. Handicapped bathrooms and drinking fountains are located inside the building as is interior HC signage.*

The proposed school addition acknowledges the special needs of the handicapped person with wheelchair ramps onto the sidewalk and a striped crosswalk to the building from four handicap parking spaces, two that are van accessible. The new floor slab of the addition will be set at the same elevation as the connecting corridor within the existing building. A new health room with a toilet room is proposed that will be fully handicap accessible. A handicap drinking fountain will be installed along with a new unisex staff toilet. Signage for the unisex toilet will be provided along with the handicap parking signage. A handicap accessible ramp has been installed as a second exit from the proposed addition. Sidewalks and the handicap lane across the parking lot have been designed to meet the 2% cross slope.

Staff: The applicant describes the measures that will be taken to meet the special needs of handicap persons. This criterion is met.

6.1.4. MCC 36.7050 (A) (4) Preservation of Natural Landscape - The landscape and existing grade shall be preserved to the maximum practical degree, considering development constraints and suitability of the landscape or grade to serve their functions. Preserved trees and shrubs shall be protected during construction.

Applicant: *Landscape and existing grading will be preserved to the maximum degree. Existing trees at north are being relocated offsite. Southernmost trees are staying as a buffer to the neighboring residence. A few trees are being removed that are located where the new parking lot will be. More trees are being added than will be taken away from the site. Grading is being preserved as much as possible to allow new parking lot to be constructed.*

Four of the existing parking lot trees were purchased by a private individual and have been relocated to another site. Existing trees along the east side of the existing building are to be protected during the construction. The fir trees at the southeast end of the proposed parking lot are to be protected and preserved during construction. The small bushes within the

existing parking lot are being removed and replaced with new landscaping for the flag circle and around the proposed building. More trees and landscaping will be added than will be removed from the site. The green area between the proposed building and SE 302nd Avenue and the parking lot and SE 302nd Avenue have been landscaped with plants that are hardy and drought tolerant to better protect against plant death once the plants have been established after a couple of years. The site will be regraded to accomplish the optimum handicap access to the proposed addition allowing the new addition to be set at the existing building floor level where the two buildings join. The site will not have deep or high retaining walls. All contours at the property lines will be maintained. The water drainage problem at the existing building in the south east corner of the existing building will be eliminated with the proposed addition. A handicap assisted door opener will be provided to assist the opening of the main entrance doors. Handicap approved door hardware is being provided at each new door.

Staff: The applicant has described preservation of the existing landscaping which is practicable for the proposed development. While the site will need to be graded it is relatively flat to begin with thus the amount of grading will be minimal. For trees slated to be protected, to prevent damage to their roots, the grading within their drip lines should be the minimal amount necessary to install the development feature. The limits of the grading should be marked to assure that excess grading does not take place. This criterion can be met through a condition of approval.

6.1.5. MCC 36.7050 (A) (5) Pedestrian and Vehicular circulation and Parking - The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and the arrangement of parking areas in relation to buildings and structures, shall be designed to maximize safety and convenience and shall be harmonious with proposed and neighboring buildings and structures.

Applicant: *Location and number of points of access to site, interior circulation patterns, arrangement of parking areas to be designed for maximum safety. There is one access point to site for both buses and cars. The new bus turnaround is located at the NW corner of the parking lot. Bus parking is separated from the parking lot by the driveway. A new sidewalk is located in front of the school linking it with 302nd. A sidewalk within the parking lot on the eastern edge of the site is provided for pedestrians to walk from their cars to the school. The parking lot is primarily for staff. Staff, will arrive prior to buses and leave after buses have taken children home for the day. New landscape provides a buffer at property lines.*

The existing parking lot is being moved to the south onto a recently purchased lot allowing for staff parking to occur in this new lot. The bus pick-up and drop-off will be along the south of the new addition and continuing to a bus turnaround to the west of the new addition. The bus loading area is between the parking lot and the addition. Since the parking area is for staff parking, the teachers should be in the facility during the time the buses arrive and depart. Therefore the amount of traffic in the parking lot should be at a minimum during the time the buses are on site. The new school entrance will be part of the new addition. This entrance is more internally directed to move the students further from SE 302nd Avenue.

Staff: The applicant has described the proposed vehicular and pedestrian circulation as well as the plans clearly showing these requirements. The circulation plan provides for a reduction of automobile and bus conflicts. The buses will unload close to the school entrance way. The plans show two crosswalks to provide for safety of pedestrians. Proposed new landscape provides a buffer at property lines. This criterion is met.

6.1.6. MCC 36.7050 (A) (6) Drainage - Surface drainage and stormwater systems shall be designed so as not to adversely affect neighboring properties or streets. Systems that insure that surface runoff volume after development is no greater than before development shall be provided on the lot.

Applicant: *Drainage and stormwater systems will not affect neighboring properties or streets. Drainage to be collected onsite in a detention area. See civil drawings and statement from engineer that runoff to be no greater than that before development. A civil engineer has provided details of the on site drainage detention area. See attached.*

The surface drainage for the new parking lot and water runoff for the addition will be collected and detained on the site prior to moving west to West Orient where there is another detention system prior to leaving the site to the west. There exists a problem area on the site where the runoff from SE 302nd Avenue enters the site at the present bus loading area. This runoff will occasionally flood a portion of the existing building. The addition will take care of this condition by developing a depression and an area drain to catch the runoff that occurs in this area after the regrading. Refer to the civil drawings and statement from the civil engineer that runoff will be no greater than before the development.

Staff: The applicant has submitted a memorandum dated November 1, 2004 from David Humber, Registered Professional Engineer stating the following:

“The intent of this memo is to state the proposed storm water design for the addition to East Orient Elementary School has been designed to meet Multnomah County standards, MMC 36.3455 and 36.7030. This stormwater system has been designed to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.”

The applicant has submitted a revised plan (Exhibit 1.20) since this memo was submitted with a three pipe stormwater detention system design substituted for the 36 inch pipe. These plans in the statement, “The storm water system has been designed to ensure that the rate of run off from the lot for the 10-year 24-hour storm event is no greater that before development.”

The plans show the downspout at the northeast corner of the addition to be connected to the public stormwater system. This downspout should be connected to the stormwater detention system instead. This can be included as a condition of approval.

6.1.7. MCC 36.7050 (A) (7) Buffering and Screening - Areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like),

loading and parking, and similar accessory areas and structures shall be designed, located, buffered or screened to minimize adverse impacts on the site and neighboring properties.

Applicant: *Loading and refuse areas to be screened to minimize adverse impacts on site. Landscape buffers are provided at south and west edge of parking lot to shield adjacent residences. Trash enclosure is screened and delivery area is located behind new addition wall and further screened by screened trash enclosure. Mechanical units are located inside the building in a mechanical loft. Mail is indoor delivery.*

Landscape buffers are provided along the south and west edges of the parking lot to shield adjacent properties. The trash enclosure is screened with slat fencing. The delivery area is not being relocated from its present location, but the new trash enclosure and the addition itself will create screening of the delivery area. The mechanical units are located within the proposed addition shell with the exception of the condensing units that have been located in an alcove developed between the existing building and the new addition. This alcove screens the units from adjacent property owners and SE 302nd Avenue. All new electrical wiring to proposed site lighting will be buried and an existing light pole with over head wiring will be removed with this addition. The mail delivery will be delivered to the building interior.

Staff: The applicant has described the measures proposed to screen the development from the neighboring properties. The trash and recycling area as well as the loading area located about 65 feet from neighboring property. These uses will be screened from the road and adjacent properties by the building and by a slatted fence enclosure. The applicant is proposing landscaping including trees and shrubs surrounding the parking area along the property boundaries (Exhibit 1.11). The proposed landscaping will provide a buffer and screen the parking lot area from adjacent properties. This criterion has been met.

6.1.8. MCC 36.7050 (A) (8) Utilities - All utility installations above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.

Applicant: *Utility installations above ground are all preexisting. If any are needed during construction they will be located underground so as to minimize adverse impacts on neighboring properties.*

The proposed addition is attached to the existing building, which allows all existing utilities to be extended to the new building. The existing electrical wires to an existing light pole and then onto the building will be removed. All utilities to the site improvements will be buried.

Staff: Any additional utilities are proposed to be located underground. This criterion is met.

6.1.9. MCC 36.7050 (A) (9) Signs and Graphics - The location, texture, lighting, movement, and materials of all exterior signs, graphics or other informational or directional features shall be compatible with the other elements of the design review plan and surrounding properties.

Applicant: *Signs/graphics to be compatible with other elements on the site. The existing school sign is being relocated to a new access point. It is similar in materials to existing building. Signage on building to include building address. Two new "No Parking" signs to be added per Multnomah County request. Handicapped parking signs to be provided per local jurisdictional requirements. Handicap parking signs are to be provided per the local jurisdictional requirements. Pavement marking will be provided for handicap and pedestrian crosswalk areas. Address numbers are to be included on the southeast corner of the addition.*

Staff: The applicant is proposing to relocate the existing sign identifying the school adjacent to the access point. The sign includes a brick base and a sign made of wood (Exhibit 1.16).

6.2. Required Minimum Standards: Required Landscape Areas

The following landscape requirements are established for developments subject to design review plan approval:

6.2.1. MCC 36.7055 (C) (1) A minimum of 15% of the lot area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subpart 3 of this subsection.

Applicant: *15% of the lot will be landscaped. Per drawing L 1 17.8% of the area is landscaped.*

Staff: The proposed plan (Exhibit 1.11) exceeds the required 15 percent. This standard is met.

6.2.2. MCC 36.7055 (C) (2) All areas subject to the final design review plan and not otherwise improved shall be landscaped.

Applicant: *All other unimproved areas to be landscaped.*

Staff: All others areas are landscaped as shown on the aerial photo labeled Exhibit 2.3. This standard is met.

6.2.3. MCC 36.7055 (C) (3) The following landscape requirements shall apply to parking and loading areas:

6.2.3.1 MCC 36.7055 (C) (3) (a) A parking or loading area providing ten or more spaces shall be improved with defined landscaped areas totaling no less than 25 square feet per parking space.

Applicant: *Parking area will have 25'-0" of landscape area per parking space. Per the site plan square footage of the new parking area 1200 sf is required. 1423 sf is being provided.*

Staff: The applicant calculations show this standard is met by the proposed development (Exhibit 1.20).

- 6.2.3.2. MCC 36.7055 (C) (3) (b) A parking or loading area shall be separated from any lot line adjacent to a street by a landscaped strip at least 10 feet in width, and any other lot line by a landscaped strip at least 5 feet in width.**

Applicant: *Parking will be separated from street lot line by 30'-0" of landscape area.*

Staff: The plans show this standard is met (Exhibit 1.20).

- 6.2.3.3. MCC 36.7055 (C) (3) (c) A landscaped strip separating a parking or loading area from a street shall contain:**
- 1. Street trees spaces as appropriate to the species, not to exceed 50 feet apart, on the average;**
 - 2. Low shrubs, not to reach a height greater than 3'0", spaced no more than 5 feet apart, on the average; and**
 - 3. Vegetative ground cover.**

Applicant: *Street trees to be located 50'-0" apart. Low shrubs to be spaced 5'-0" apart and be less than 3'-0" in height. Groundcover to be used.*

Staff: The plans show this standard is proposed to be met and condition of approval can require the standard be met.

- 6.2.3.4. MCC 36.7055 (C) (3) (d) Landscaping in a parking or loading area shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area.**

Applicant: *Landscape areas will be uniformly distributed.*

Staff: The plans meet this standard.

- 6.2.3.5. MCC 36.7055 (C) (3) (e) A parking landscape area shall have a width of not less than 5 feet.**

Applicant: *Parking landscape area will be at least 5 feet.*

Staff: The plans meet this standard.

- 6.2.4. MCC 36.7055 (C) (4) Provision shall be made for watering planting areas where such care is required.**

Applicant: *Not applicable. Drought tolerant plants to be provided. Quick disconnects to be provided in planting areas. Hose bibs to be located on building walls.*

Staff: Drought tolerant plants are to be planted reducing the need for watering. Water connections will be provided should the plants need watering. This standard is met.

6.2.5. MCC 36.7055 (C) (5) Required landscaping shall be continuously maintained.

Applicant: *Gresham Barlow School District to maintain landscape.*

Staff: This requirement can be met through a condition of approval.

6.2.6. MCC 36.7055 (C) (6) Maximum height of tree species shall be considered when planting under overhead utility lines.

Applicant: *Maximum height of trees will be less than overhead utility lines.*

Staff: The landscape plan shows the proposed trees for the front landscape area are *Cercis canadensis*. This species is a drought tolerant; deciduous tree that grow to about 20 to 30 feet in height as described by the North Carolina State University Extension website (www.ces.ncsu.edu/depts/hort/consumer/factsheets/trees-new/cercis_canadensis.html). The short maturity height of these trees meets this standard.

MCC 36.7055 (C) (7) Landscaped means the improvement of land by means such as contouring, planting, and the location of outdoor structures, furniture, walkways and similar features.

Staff: We have used this definition for the landscape requirement findings.

7. OFF-STREET PARKING AND LOADING

7.1. MCC 36.4115: Continuing Obligation.

The provision for and maintenance of off-street parking and loading facilities without charge to users shall be a continuing obligation of the property owner. No building or any other required permit for a structure or use under this or any other applicable rule, ordinance or regulation shall be issued until satisfactory evidence in the form of a site development plan, plans of existing parking and loading improvements, a deed, lease, contract or similar document is presented demonstrating that the property is and will remain available for the designated use as a parking or loading facility.

Applicant: *The property owner to provide and maintain offstreet parking/loading facilities without charge to users.*

Staff: The continuing obligation can be required through a condition of approval.

7.2. MCC 36.4120: Plan Required.

A plot plan showing the dimensions, legal description, access and circulation layout for vehicles and pedestrians, space markings, the grades, drainage, setbacks, landscaping

and abutting land uses in respect to the off-street parking area and such other information as shall be required, shall be submitted in duplicate to the Planning Director with each application for approval of a building or other required permit, or for a change of classification to O-P.

Applicant: Site plan to be submitted to Planning Director.

Staff: The applicant has submitted plans that show the required features (Exhibit 1.11 and 1.20). This standard is met.

7.3. MCC 36.4125: Use of Space.

7.3.1. MCC 36.4125: (A) Required parking spaces shall be available for the parking of vehicles of customers, occupants, and employees without charge or other consideration.

Applicant: Required parking spaces to be available to occupants without charge.

Staff: This requirement can be met through a condition of approval.

7.3.2. MCC 36.4125: (B) No parking of trucks, equipment, materials, structures or signs or the conducting of any business activity shall be permitted on any required parking space.

Applicant: No parking of trucks, equipment, materials, signs or conducting of business activity to be permitted on any required parking space.

Staff: This requirement can be met through a condition of approval.

7.3.3. MCC 36.4125: (C) A required loading space shall be available for the loading and unloading of vehicles concerned with the transportation of goods or services for the use associated with the loading space.

Applicant: A required loading space to be available for loading/unloading of vehicles at NW corner of addition.

Staff: The plans show a designated loading space. This standard is met.

7.3.4. MCC 36.4125: (D) Except for residential and local commercial districts, loading areas shall not be used for any purpose other than loading or unloading.

Applicant: Loading space to be used only for loading/unloading of vehicles.

Staff: This requirement can be met through a condition of approval.

7.3.5. MCC 36.4125: (E) In any district, it shall be unlawful to store or accumulate equipment, material or goods in a loading space in a manner which would render such

loading space temporarily or permanently incapable of immediate use for loading operations.

Applicant: *No storage of any items will be permitted in designated loading areas.*

Staff: This requirement can be met through a condition of approval.

7.4. MCC 36.4130: Location of Parking and Loading Spaces.

7.4.1. MCC 36.4130 (A) Parking spaces required by this Section shall be provided on the lot of the use served by such spaces.

Applicant: *Parking is located on lot.*

Staff: The proposed plans show the parking is located on a separate lot. This requirement can be met through combining the properties as one parcel. This requirement can be met through a condition of approval.

* * *

7.4.2. MCC 36.4130 (C) Loading spaces and vehicle maneuvering area shall be located only on or abutting the property served.

Applicant: *Loading space is located on lot.*

Staff: The proposed plans show vehicle maneuvering area is located on a separate lot. This requirement can be met through combining the properties as one parcel. This requirement can be met through a condition of approval.

7.5. Improvements Required:

MCC 36.4135(A) Required parking and loading areas shall be improved and placed in condition for use before the grant of a Certificate of Occupancy under MCC 36.0525, or a Performance Bond in favor of Multnomah County equivalent to the cost of completing such improvements shall be filed with the Planning Director.

MCC 36.4135(B) Any such bond shall include the condition that if the improvement has not been completed within one year after issuance of the Certificate of Occupancy, the bond shall be forfeited.

Any bond filed hereunder shall be subject to the approval of the Planning Director and the County Attorney.

Applicant: *Required parking/loading areas to be finished before Certificate of Occupancy to be granted.*

Staff: The applicant states it is the plan to finish the parking and loading area prior to

requesting a Certificate of Occupancy. This requirement would include landscaping because landscaping is included as a requirement for a parking area as stated under MCC 36.4200 (Section 7.15 of this report). A condition of approval can require this standard be met.

7.6. Existing Spaces.

MCC 36.4150 Off-street parking or loading spaces existing prior to July 26, 1979 may be included in calculating the number of spaces necessary to meet these requirements in the event of subsequent enlargement of the structure or change of use to which such spaces are accessory. Such spaces shall meet the design and improvement standards of this Section.

***Applicant:** Existing parking spaces prior to July 26, 1979 to be included in the parking calculations.*

Staff: There are 12 parking spaces located at the front of the school (northeast corner) in the student private vehicle drop-off area. This area will not be altered by this proposal and will remain the same. These parking spaces will be included.

7.7. Standards of Measurement.

7.7.1. MCC 36.4160 (A) Square feet means square feet of floor or land area devoted to the functioning of the particular use and excluding space devoted to off-street parking and loading.

Staff: This definition was used for square foot measurements for this report.

7.7.2. MCC 36.4160 (B) When a unit or measurement determining the number of required off-street parking or off-street loading spaces results in a requirement of a fractional space, any fraction up to and including one-half shall be disregarded, and any fraction over one-half shall require one off-street parking or off-street loading space.

Staff: This standard has been applied to finding in this report.

7.8. Design Standards: Scope.

7.8.1. MCC 36.4165 (A) The design standards of this section shall apply to all parking, loading, and maneuvering areas except those serving a single or two-family residential dwelling or mobile home on an individual lot.

***Applicant:** Not applicable since the addition is not residential or a mobile home.*

Staff: The design standards of this section apply to the proposed development.

7.8.2. MCC 36.4165 (B) All parking and loading areas shall provide for the turning, maneuvering and parking of all vehicles on the lot. After July 26, 1979 it shall be

unlawful to locate or construct any parking or loading space so that use of the space requires a vehicle to back into the right-of-way of a public street.

Applicant: *The loading space does not require a vehicle to back into a right of way.*

Staff: All parking proposed new parking and maneuvering areas will be on the property. This standard is met.

7.9. Access.

- 7.9.1. MCC 36.4170 (A) Where a parking or loading area does not abut directly on a public street or private street approved under MCC 36.7700 et seq., the Land Division Chapter, there shall be provided an unobstructed paved drive not less than 20 feet in width for two-way traffic, leading to a public street or approved private street. Traffic directions therefore shall be plainly marked.**

Applicant: *Parking abuts directly on a public street. The site plan has been revised to allow for a 20'-0" width at the access point to the site exclusive of the bus width. Buses have been relocated so as to be located behind the 30 foot front yard setback for loading and parking. See revised drawing A3.*

Staff: The proposed plans show a design that exceeds the 20 foot width requirement for access. The proposal includes a bus entrance that hugs the northern curb and a vehicle lane south of that. The exit for the buses and other vehicles is shared. A condition of approval can require these lanes be marked.

- 7.9.2. MCC 36.4170 (B) Parking or loading space in a public street shall not be counted in fulfilling the parking and loading requirements of this section. Required spaces may be located in a private street when authorized in the approval of such private street.**

Applicant: *No parking proposed on the public street.*

Staff: No parking related to the school is proposed on the street. This standard is met.

7.10. Dimensional Standards.

- 7.10.1. MCC 36.4175 (A) Parking spaces shall meet the following requirements:**

- (1) At least 70% of the required off-street parking spaces shall have a minimum width of nine feet, a minimum length of 18 feet, and a minimum vertical clearance of six feet, six inches.**
- (2) Up to 30% of the required off-street parking spaces may have a minimum width of eight-and-one-half feet, a minimum length of 16 feet, and a vertical clearance of six feet if such spaces are clearly marked for compact car use.**
- (3) For parallel parking, the length of the parking space shall be 23 feet.**
- (4) Space dimensions shall be exclusive of access drives, aisles, ramps or columns.**

Applicant: *All parking spaces are 9'-0" minimum width, 1 8'-0" minimum length and have a vertical clearance of 8'-6". Less than 30% of parking spaces are 8'-6" minimum width, 16'-0" minimum length and have a vertical clearance of 6'-0". Seven compact spaces provided out of 58 parking spaces total. No parallel parking spaces.*

Staff: The proposed plan demonstrates that this standard is met by the proposed development.

7.10.2. MCC 36.4175 (B) Aisle width shall be not less than:

- (1) 25 feet for 90 degree parking,**
- (2) 20 feet for less than 90 degree parking, and**
- (3) 12 feet for parallel parking.**
- (4) Angle measurements shall be between the center line of the parking space and the center line of the aisle.**

Applicant: *Aisle width is 25'-0" minimum width for 90 degree parking. No less than 90 degree parking. No parallel parking spaces.*

Staff: The proposed plan demonstrates that this standard is met by the proposed development.

7.10.3. MCC 36.4175 (C) Loading spaces shall meet the following requirements:

(1)

District	Minimum Width	Minimum Depth
All	12 Feet	25 Feet

(2) Minimum vertical clearance shall be 13 feet.

Applicant: *Loading space is at least 12'-0" wide, 25'-0" deep and has a vertical clearance of 13'-0".*

Staff: The proposed plan demonstrates that this standard is met by the proposed development.

7.11. Improvements

7.11.1. MCC 36.4180 (A) Surfacing

(1) All areas used for parking, loading or maneuvering of vehicles shall be surfaced with two inches of blacktop on a four inch crushed rock base or six inches of portland cement or other material providing a durable and dustless surface capable of carrying a wheel load of 4,000 pounds.

Applicant: *All surfaces for parking/loading will be 2 " blacktop over 4" gravel base.*

Staff: The applicant states that the proposed parking will be paved with blacktop to meet this standard. This standard is met.

7.11.2. MCC 36.4180 (B) Curbs and Bumper Rails

(1) All areas used for parking, loading, and maneuvering of vehicles shall be physically separated from public streets or adjoining property by required landscaped strips or yards or in those cases where no landscaped area is required, by curbs, bumper rails or other permanent barrier against unchanneled motor vehicle access or egress.

(2) The outer boundary of a parking or loading area shall be provided with a bumper rail or curbing at least four inches in height and at least three feet from the lot line or any required fence.

Applicant: *All areas for parking/loading to be separated from public streets by landscaped strips. Outer boundary of parking to have 4" curb and be at least 3'-0" from lot line or fence.*

Staff: The applicant states and the plans show that the required curbs will be installed for the outer boundary of the parking area. The plans show a landscaping strip separating the parking area from the right of way. This standard is met.

7.11.3. MCC 36.4180 (C) Marking - All areas for the parking and maneuvering of vehicles shall be marked in accordance with the approved plan required under MCC 36.4120, and such marking shall be continually maintained.

Applicant: *All areas for parking/maneuvering to be marked under 36.4120.*

Staff: This standard can be met through a condition of approval.

7.11.4. MCC 36.4180 (D) Drainage - All areas for the parking and maneuvering of vehicles shall be graded and drained to provide for the disposal of all surface water on the lot.

Applicant: *All parking areas to be graded/drained of water.*

Staff: This standard can be met through a condition of approval.

7.12. MCC 36.4185 Lighting.

Any artificial lighting which may be provided shall be shielded or deflected so as to not shine into adjoining dwellings or other types of living units, and so as not to create a hazard to the traveling public on any street.

Applicant: *All artificial lighting to be shielded so as to not shine into adjacent dwellings. Light spread calculations will be indicated on the site plan sheet A3. The lights are cutoff fixtures, so there should be very little light trespass. It is less than 0.5 footcandles at the property line. See attached letter and "cutsheets" showing schematic of proposed lighting and evidence that this requirement has been met from Sam Backus, Electrical Engineer per*

discussion with George Plummer.

Staff: The proposed lighting is direct downward and is shielded. The applicant has submitted an analysis by Samuel L. G. Backus, Professional Engineer which states that light trespass off the property has been minimized (Exhibits 1.15 and 1.20). This standard is met.

7.13. MCC 36.4190 Signs.

Signs, pursuant to the provisions of MCC 36.7465.

Applicant: *Signs will comply with 36.7465.*

Staff: See Section 8 of this report for the findings addressing MCC 36.7465. This standard is met.

7.14. MCC 36.4195 Design Standards: Setbacks.

(A) Any required yard which abuts upon a street lot line shall not be used for a parking or loading space, vehicle maneuvering area or access drive other than a drive connecting directly to a street.

(B) A required yard which abuts a street lot line shall not be paved, except for walkways which do not exceed 12 feet in total width and not more than two driveways which do not exceed the width of their curb cuts for each 150 feet of street frontage of the lot.

Applicant: *Buses have been relocated so as to be located behind the 30 foot front yard setback for loading and parking. See revised drawing A3. Parking spaces within the 30'-0" setback have been removed. See revised drawing A3.
B. Yard along street lot line will not be paved.*

Staff: The plans demonstrate that the required yards adjacent to the parking are proposed to be landscaped with curbing preventing maneuvering of vehicles in these areas.

7.15. MCC 36.4200 Landscape and Screening Requirements.

(A) The landscaped areas requirements of MCC 36.7055 (C) (3) to (7) shall apply to all parking, loading or maneuvering areas which are within the scope of design standards stated in MCC 36.4165 (A).

Applicant: *The landscaped areas will comply with 36.7055 (C) 3-7.*

Staff: See Section 6.2.3. for findings for MCC 36.7055 (C) (3) to (7).

7.16. MCC 36.4205 Minimum Required Off-Street Parking Spaces.

* * *

(B) Public and Semi-Public Buildings and Uses

(7) Primary, Elementary, or Junior High and Equivalent Private or Parochial School - One space for 84 square feet of floor area in the auditorium, or one space for each 12 seats or 24 feet of bench length, whichever is greater.

Applicant: New school addition complies with B-7. Existing square footage of gym = 4,598 SF/84 = 54 spaces required. There are 10 existing spaces in north parking lot. There are 45 proposed parking spaces = 55 total spaces provided.

Staff: The plans show there are 44 parking spaces in the new proposed parking area and 10 spaces in the existing drop off area, for a total of 54 parking spaces. This standard is met.

8. SIGNS

8.1. MCC 36.7445: Base Zone Sign Regulations.

Signs are allowed in unincorporated Multnomah County depending on the zoning district in which a property is situated as described in MCC 36.7450. Signs are allowed on properties that are zoned OP, PD, and LF or have CS designations to the extent that signs are allowed in the underlying zoning district except as provided herein. Signs are allowed in the SPA subdistricts to the extent provided for in the regulations for each such subdistrict.

Applicant: *Not applicable.*

Staff: The property with the existing school building on it has a CS designation (TL 600, Sec 19AD, T1S, R4E, W.M. Tax Account #R994190050). The base zone for this property is Orient Residential (OR) Zone District. The property which the parking is proposed will be included in the CS designation if this request is approved (TL 100, Sec 19DA, T1S, R4E, W.M. Tax Account #R994191650). The base zone for this property is Orient Commercial Industrial (OCI) Zone District.

8.2. Exempt Signs.

MCC 36.7420: The following signs are exempt from the provisions of this Chapter, but may be subject to other portions of the County Code:

- (A) Signs not oriented or intended to be legible from a right of-way, private road or other private property;**
- (B) Signs inside a building, except for strobe lights visible from a right-of-way, private road or other private property;**
- (C) Signs legally erected in the right-of-way in accordance with MCC 29.500 through 29.583, the Rules For Street Standards adopted thereunder, and Administrative Rules and Regulations pursuant to MCC 15.225 through 15.236;**
- (D) Building numbers required by the applicable street naming and property numbering provisions in Multnomah County Code;**
- (E) Signs carved into or part of materials which are an integral part of the building;**

- (F) Flags on permanent flag poles which are designed to allow raising and lowering of the flags;
- (G) Banners on permanent poles which are designed and intended as a decorative or ornamental feature;
- (H) Painted wall decorations and painted wall highlights;
- (I) Bench advertising signs which have been lawfully erected

Applicant: *The following proposed signs to be exempt: building numbers, existing school name sign on building, flagpole, existing street sign legally erected in landscaped area at entrance to existing school.*

Staff: There are exempt signs on the property.

8.3. Signs Generally in the OR Zones.

For all uses and sites in the above listed zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 36.7460 through 36.7500.

8.3.1. MCC 36.7450(A): Free Standing Signs:

- (1) Allowable Area - Free standing signs are allowed .25 square feet of sign face area per linear foot of site frontage, up to a maximum of 40 square feet.
- (2) Number - One free standing sign is allowed per site frontage.
- (3) Height - The maximum height of a free standing sign is 16 feet.
- (4) Extension into the Right-Of-Way - Free standing signs may not extend into the right-of-way.

MCC 36.7505(GG)(1): Sign Related Definitions and Figures. -

Sign Face Area: The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (see MCC 36.7505 Figure 3). Sign area does not include foundations, supports, and other essential structures which are not serving as a backdrop or border to the sign. Only one side of a double faced sign is counted.

Applicant: *Only 1 sign allowed. Existing sign complies. Less than 16'-0" in height. Existing sign complies. Does not and will not extend into right of way.*

Staff: The existing sign with the school's name will be relocated as the plans show. Currently the sign sits on a foundation made of bricks matching the school. The sign face appears from applicant submitted photograph (Exhibit 1.16) to be at maximum three feet tall by about six feet wide. The sign face area is at maximum 18 square feet substantially less than the 40 square feet allowed. The sign is well below the maximum height of sixteen feet. The proposed location of the sign as shown on the plans (Exhibit 1.20) shows the sign as outside the right of way, however, the plans indicate the sign would be within a transportation easement. The sign will have to be moved west to a location outside the

easement. A condition of approval will require the sign to be located outside the easement unless approved by County Right of Way Program. This standard is met.

8.3.2. MCC 36.7450(B): Signs Attached to Buildings:

- (1) Total Allowable Area - The total allowable area for all permanent signs attached to the building is determined as follows:
Eighteen square feet of sign face area is allowed, or .25 square feet of sign face area per linear foot of the occupant's primary building frontage, whichever is more.**
- (2) Individual Sign Face Area - The maximum size of an individual sign within the total allowable area limit is 50 square feet.**
- (3) Types of Signs - Fascia, marquee, awning and painted wall signs are allowed. Projecting roof top and flush pitched roof signs are not allowed.**
- (4) Number of Signs - There is no limit on the number of signs if within the total allowable area limit.**
- (5) Extension into the Right-Of-Way - Signs attached to buildings may not extend into the right-of-way.**

Applicant: *No signs to be attached to building other than exempt signs.*

Staff: No signs other than exempt signs are proposed to be attached to the building. This standard is met.

8.3.3. MCC 36.7450 (C) Sign Features

Permanent signs may have the following features:

- (1) Signs may be indirectly or internally illuminated.**
- (2) Electronic message centers are not allowed.**
- (3) Flashing signs are not allowed.**
- (4) Rotating signs are not allowed.**
- (5) Moving parts are not allowed.**

Applicant: *No applicable sign features proposed*

Staff: The applicant states none of these features are proposed. This standard is met.

8.3.4. MCC 36.7450 (D) Additional Signs Allowed - In addition to the sign amounts allowed based on the site and building frontages, the following signs are allowed in all zoning districts for all usages:

- (1) Directional signs pursuant to MCC 36.7490.**

Applicant: *Directional signs proposed*

Staff: The applicant states that directional signs are proposed but does not indicate the type or location. Directional signs may be needed in the parking lot or near the school. These types of sign are allowed.

8.4. Applicability.

MCC 36.7460 :All signs allowed under the base zone provisions must comply with the development regulations of the following Sections.

Applicant: *Not applicable*

Staff: These requirements are applicable. See the following sections for the required findings. The proposed development meets this standard.

8.5. Sign Placement.

8.5.1. MCC 36.7465 (A): Placement

All signs and sign structures shall be erected and attached totally within the site except when allowed to extend into the right-of-way.

Applicant: *All signs to be located on the site.*

Staff: The proposed location of the sign as shown on the plans (Exhibit 1.20) shows the sign as outside the right of way, however, the plans indicate the sign would be within a transportation easement. The sign will have to be moved west to a location outside the easement. A condition of approval will require the sign to be located outside the easement unless approved by County Right of Way Program. This standard is met.

8.5.2. MCC 36.7465 (B): Frontages

Signs allowed based on the length of one site frontage may not be placed on another site frontage. Signs allowed based on a primary building frontage may be placed on a secondary building frontage.

Applicant: *Not applicable since sign is located on only one frontage.*

Staff: The proposed signs are located on the subject properties. This standard is met.

8.5.3. MCC 36.7465(C): Vision Clearance Areas

(1) No sign may be located within a vision clearance area as defined in subsection (C)(2) below. No support structure(s) for a sign may be located in a vision clearance area unless the combined total width is 12 inches or less and the combined total depth is 12 inches or less.

(2) Location of vision clearance Areas - Vision clearance areas are triangular shaped areas located at the intersection of any combination of rights-of-way, private roads, alleys or driveways. The sides of the triangle extend 45 feet from the intersection of the vehicle travel area (See MCC 36.7505 Figure 2). The height of the vision clearance area is from three feet above grade to ten feet above grade.

Applicant: Signs will not be located in a vision clearance area.

Staff: No sign is proposed within the clear vision area. This standard is met.

* * *

8.5.4. MCC 36.7465(G): Parking Areas

(1) Unless otherwise provided by law, accessory signs shall be permitted on parking areas in accordance with the provisions specified in each district, and signs designating entrances, exits or conditions of use may be maintained on a parking or loading area.

(2) Any such sign shall not exceed four square feet in area, one side. There shall not be more than one such sign for each entrance or exit to a parking or loading area.

Applicant: Accessory signs to be under 4 SF (1 sign for each entry/exit).

Staff: A condition of approval can require that such signs not exceed four square feet and limit the signs to one for each entrance or exit to a parking or loading area.

8.5.5. MCC 36.7490: Directional Signs.

Directional signs shall comply with the following provisions:

Maximum Sign Face Area:	Six Square Feet
Types of Signs Allowed:	Free Standing, Fascia, Projecting, Painted Wall
Maximum Height:	Free Standing 42 Inches Fascia and Projecting 8 Feet
Extensions into R/W:	Not Allowed
Lighting:	Indirect or Internal
Flashing Lights:	Not Allowed
Electronic Message Centers:	Not Allowed
Moving or Rotating Parts:	Not Allowed

Applicant: Directional signs will comply with section.

Staff: The applicant state the sign will comply with these standards. A condition of approval can require these standards be met.

9. EXHIBITS

9.1 Exhibits submitted by the Applicant

- Exhibit 1.1: Application Form submitted 8/10/04 (page);
- Exhibit 1.2: Faxed copy of application form with the property owner's signature submitted 8/10/04 (1 page);
- Exhibit 1.3: Narrative addressing criteria, standards and Comprehensive Plan Policies, submitted 8/10/04 (12 pages);
- Exhibit 1.4: Analysis of residence location of the students, submitted 8/10/04 (9 pages)
- Exhibit 1.5: Site plans and architectural plans of existing development and proposed development, submitted 8/10/04 (9 pages);
- Exhibit 1.6: Police Services Review form signed by Lt. Dave Rader, Operations – Law Enforcement, Multnomah County, submitted 8/10/04 (1 page);
- Exhibit 1.7: Certification of Water Service form signed by Cynthia Zanser, Manager, Pleasant Home Water District, submitted 8/10/04 (1 pages);
- Exhibit 1.8: Fire District Review form signed by Deputy Fire Marshal, submitted 8/10//04 (1 page);
- Exhibit 1.9: Letter dated July 8, 2004 from Tom Hanna, Viking Automatic Sprinkler Company providing water flow test information for the site, submitted 8/10/04 (3 pages);
- Exhibit 1.10: Revised narrative submitted 9/29/04 (14 pages);
- Exhibit 1.11: Revised site plans and architectural plans (oversized set of plans labeled Exhibit 1.11o and stored at County Land Use Planning) submitted 9/29/04 (7 pages);
- Exhibit 1.12: Revised narrative submitted 11/2/04 (15 pages);
- Exhibit 1.13: Revised plans including a Detention Pipe Detail 11/2/04 (3 pages);
- Exhibit 1.14: Memorandum dated November 1, 2004 from David Humber PE, MGH Planning and Engineering Associates, addressing stormwater detention system submitted 11/2/04 (2 pages);
- Exhibit 1.15: Letter dated October 29, 2004 from Samuel L. G. Backus, PE, Power Wave Engineering, Inc., addressing lighting submitted 11/2/04 (2 pages);
- Exhibit 1.16: Photo of the existing East Orient School sign submitted 11/2/ 04 (1 page);
- Exhibit 1.17: Vicinity map and photos for character of the area analysis submitted 11/2/04 (46 pages);
- Exhibit 1.18: Addendum to the narrative submitted 12/16/04 (1 page).
- Exhibit 1.19: Email memo dated December 16, 2004 from Ray Totten submitted 12/16/04 (1 page);
- Exhibit 1.20: Revised site plans for parking and drainage (oversized set of these plans labeled Exhibit 1.20o and stored at County Land Use Planning) submitted 12/17/04 (3 pages).

9.2 Exhibits included by the County

- Exhibit 2.1: County Assessor's Record for the subject property (2 page);
- Exhibit 2.2: County Zoning Map (1 page);
- Exhibit 2.3 2002 aerial photo of the site (1 page);

- Exhibit 2.4: Zoning Map for zone district designation for Tax Lot 600, Tax Account #R994190050 from 1958 through Oct 5, 1977 (1 page);
- Exhibit 2.5: Zoning Map for zone district designation for Tax Lot 600, Tax Account #R994191650 from 1958 through 1965 (1 page);
- Exhibit 2.6: Zoning Map for zone district designation for subject properties from 1965 through October 5, 1977 (1 page);
- Exhibit 2.7: Memorandum dated May 26, 2004 from Alison Winter, Transportation Planning Specialist (2 pages);
- Exhibit 2.7: Memorandum dated December 20, 2004 from Alison Winter, Transportation Planning Specialist (4 pages);
- Exhibit 2.8: Memorandum dated December 20, 2004 from Alison Winter, Transportation Planning Specialist addressing Dolan findings for right of way dedications (2 pages);
- Exhibit 2.9: Footcandles and Lux for Architectural Lighting (An introduction to Illuminance)

9.3 Exhibits submitted by others

- Exhibit 3.1: Fax dated September 09, 2004 from Anne Cox, Natural Resources Specialist, Water Quality Source Control, Northwest Region, Department of Environmental Quality submitted 9/09/04 (6 pages).

9.4 Exhibits Submitted at the 1/14/05 Hearing

- Exhibit H-1: Exhibit List
- Exhibit H-2: January 1, 2005 Letter to George Plummer from Kathy Taggart
- Exhibit H-3: Aerial Photograph of Subject Property
- Exhibit H-4: Memorandum from George Plummer to Liz Fancher dated January 14, 2005
- Exhibit H-5: Memorandum from Alison Winter to George Plummer dated January 13, 2005
- Exhibit H-6: Revised Site Plan submitted by the applicant
- Exhibit H-7: November 17, 2005 Letter from R. Ray Totten to Al Lajimodiére, City of Gresham Building Department
- Exhibit H-8: Revised Building Elevations submitted by the applicant

9.5 Exhibits Submitted After the Hearing

- Exhibit J-1: Transmittal from Ray Totten to George Plummer dated January 18, 2005 with revised plan sheet A3 and cover letter
- Exhibit J-2: Memorandum from Michelle Moore, CFO Gresham Barlow School District No. 10JT to George Plummer dated January 19, 2005
- Exhibit J-3: Memorandum from George Plummer to Liz Fancher dated January 20, 2005
- Exhibit J-4: E-mail memorandum from Alison Winter to George Plummer dated January 25, 2005