



MULTNOMAH COUNTY

**Department of Environmental Services
Transportation and Land Use Planning Division
2115 SE Morrison Street
Portland, OR 97214 Phone: (503) 248-3043**

DECISION OF THE PLANNING DIRECTOR

DESIGN REVIEW OF BONNIE SLOPE SCHOOL

Case File No.: DR 3-97

(June 4, 1997)

Proposal: Design Review application for the conversion of an existing building into a small alternative school approved under CS 3-96 for use by the Washington County Education Service District and Beaverton School District.

Location: Approximate address: 10351 NW Thompson Rd, Portland

Tax Roll

Description: T1N, R1W, Section 26, Tax Lot '11'

Owner : Beaverton School District
16650 SW Merlo Road
Beaverton, OR 97006

Applicant: Dull Olson Weekes Architects, Carl Bean
319 SW Washington Street, Suite 200
Portland, OR 97006

Zoning: Rural Residential (RR) and Community Service (CS).

Approval

Criteria: Multnomah County Code (MCC): MCC 11.15.7850 Design Criteria.

DECISION: **Approval, subject to conditions,** Design Review for construction of new facilities approved under Multnomah County Board Order CS 5-95, based on the findings and conclusions contained herein.

CONDITIONS OF APPROVAL

Final Design Review approval will occur upon demonstration and compliance with the following conditions of approval:

1. The applicant shall comply with all Conditions of Approval specified by the Hearings Officer in CS 3-96.
2. Prior to commencement of work under this approval the applicant shall submit a revised Final Design Review plan and narrative to include the following:
 - a. Clearly identify the location of bus loading and unloading areas at the back of the building and submit an on site circulation plan demonstrating bus movements required and how they will reduce hazardous conditions caused by vehicular/pedestrian conflicts. *[Condition #6 CS 3-96 -Hearings Officer Decision; CS 3-96, Staff Report, page 6; MCC .6108 & .6132(C)]*
 - b. The applicant shall develop and submit an “on-site” drainage system to manage the run-off from paved areas and building roofs. The system shall utilize a french drain system, drainage swale or other on-site drainage system. The entire system shall be clearly identified.*[CS 3-96, Condition 4&5; MCC 6108 & 6132 (D); MCC .7850(6)]*
 - c. Curbs shall be identified to define egress and access on the outer boundary (opposite the island) of the circular drop off area in front of the building. *[CS 3-96, Condition 6 H.O.; MCC 11.15.6132]*
 - d. Identify the location of mail delivery and refuse (garbage cans) and demonstrate how they will be buffered or screened to minimize adverse impacts on neighboring properties. *[MCC 11.15.7850(A)(7)]*
3. All areas for parking and maneuvering of vehicles shall be marked in accordance with an approved plan as modified under Condition 2, above, and continually maintained.
4. Except as otherwise specified in the above conditions, this approval is based on the applicants submitted testimony, site plan, and findings contained in the Staff Report. The applicant shall be responsible for implementing the development plan as presented and approved. This approval does not include expansion of the building or approval of signage.
5. This approval will become void 18 months from the date this decision becomes final.

For questions about Conditions of Approval or to schedule an appointment, contact Phil Bourquin, at 248-3043.

FINDINGS

I. BACKGROUND AND DESCRIPTION OF PROPOSAL

The building was a school from 1938 to 1978. In 1979 the School was converted to the District Print Shop.

The Beaverton School District has obtained a Community Service Use approval which is subject to Design Review. The use of the building and parcel was approved under the CS. The Design Review elements subject to review at this time include refurbishment of parking and drives; small expansion of drives to better utilize parking; new site access drive; new fence on north boundary.

II. 11.15.7850, DESIGN REVIEW CRITERIA

MCC .7850(A): Approval of a final design review plan shall be based on the following criteria:

(1) Relation of Design Review Plan Elements to Environment.

- (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.**

Finding: The applicant is proposing no new structures or buildings at this time. The Community Service Permit (CS 3-96) included a 300 sq. foot addition, however, the addition has not been included in this application. The addition may be approved through a future design review prior to the expiration of the original CS approval. Modifications proposed to the existing building are limited to those required to meet ADA, Fire, Life & Safety, or other Building Code Requirement. Visually the site has not changed in 28 years. The proposal does not include removal of any trees. The existing parking areas are in poor condition and are proposed to be reconditioned. The net area of land paved will not exceed existing quantities. The applicant is proposing minimal additional pavement adjacent to existing paved areas along the southeast, southwest, and northwest portions of the school. The fence will be setback from the road and will not interfere with line of sight of vehicles.

- (b) The elements of the design review plan should promote energy conservation and provide protection from adverse climactic conditions, noise, and air pollution.**

Finding: The proposed improvement would be subject to building and energy code requirements which are much more stringent than those in effect when the existing building was constructed. Returning the building to a school is more energy efficient than siting a new school as less materials, equipment and manpower are necessary.

- (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.**

Finding : The submitted plans identify the location and configuration of the proposed improvements. Proper location of these features is required to ensure that all systems function appropriately.

- A new curb and landscaped island is proposed to help define the drop-off area and assist in the appropriate circulation of traffic.
- The site plan labeled C1.0 and received by the Planning Office on April 16, 1997 identifies the drainage systems (roof drains, culverts and catch basins) and is stamped by a State of Oregon Registered Professional Engineer. The drainage system will be adequate to accommodate the proposed improvements.
- Ingress and egress has been reviewed by John Dorst of the Multnomah County Transportation Division. The proposed points of access are consistent with County standards.

(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.

Finding: The proposed fence will provide safety between students playing on the open space areas and vehicular traffic along Thompson Road. The location of the fence is consistent with sight distance requirements as determined by County Transportation. Egress and access will be defined and provides adequate site distance for egress on to Thompson Road.

(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.

Finding: The School will be required to comply with ADA requirements through the City of Portland Building Permit process. Design Review Plan A2.1 clearly identifies a handicapped parking area to the rear of the building, new handicap ramps (with profile), a handicapped accessibility route between parking areas and ramps, and identifies that all existing drinking fountains will be replaced with new ADA Drinking Fountains.

(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.

Finding: The applicant does not propose any site grading or excavation and no existing contours will be modified. No trees are proposed to be removed or disturbed.

- (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.**

Finding: The Multnomah County Transportation Department has determined access at the points identified on the site plan are the most practicable locations for safety purposes due to site distance and the curved configuration of Thompson Road. The parking areas are existing and a handicapped area has been defined and accessible.

The applicant states in the submitted narrative, "Existing pedestrian circulation around the building will not change". The use of the property is going from a print shop to a school. Additional handicapped parking is being provided and students will be bussed to and from the school with loading and unloading taking place on site. Staff finds the presence of children, teachers and busses will alter existing pedestrian circulation patterns.

The applicant has failed to identify the location of bus loading and unloading areas at the back of the building and submit an on site circulation plan demonstrating bus movements required and how they will reduce hazardous conditions caused by vehicular/pedestrian conflicts. A condition of approval addressing bus loading and circulation will be necessary to ensure compliance with this code criteria.

Additional findings related to this approval criteria are addressed in Section III of this report under "Off Street Parking Requirements".

- (6) Drainage – Surface drainage systems shall be designed so as not to adversely affect neighboring properties or streets.**

Finding: The project does not propose an increase of impervious surface or alteration of existing grades or drainage patterns. Catch basins and Storm sewer notes have been identified on the plan C1.0 and stamped by a State of Oregon Registered Professional Engineer.

However, Condition #5 of CS 3-96 requires specifically, "As part of design Review, the applicant shall develop and submit an on-site drainage system to manage the run-off from paved areas and building roofs. The system shall utilize a french drain system, drainage swale or other on-site drainage system approved by the Planning and Building Department".

The identification of a catch basin, roof drain, or culvert is not adequate evidence to conclude a drainage system has been developed to effectively manage run-off from paved areas and the building "on-site". A condition of approval requiring more

specific details is necessary to ensure compliance with this criteria and Condition #5 of CS 3-96.

- (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.**

Finding: The design review plan fails to identify the location of mail delivery and refuse (garbage cans). The submitted plan identifies a mail box in the legend but cannot be found on the site. Additionally it is the applicants burden to identify these locations and demonstrate how they will be buffered or screened to minimize adverse impacts on neighboring properties.

Staff concludes conditions of approval are necessary to ensure this criteria will be met.

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

Finding: Development Plan C1.0 (Additions and Modifications) does not identify any utilities proposed above ground. The Plan does identify an under ground utility vault under TOPO Notes, item 14 . The criteria has been met.

- (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.**

Finding: No signs or graphics have been proposed in this application therefore the criteria is not applicable at this time.

MCC 11.15.7870 - Expiration of Approval: (A) Design review approval shall expire in 18 months from the date of final design review approval, however upon application a six month extension may be granted by the Planning Director upon written findings that the applicable provisions of this ordinance are satisfied. The Director's Decision may be appealed as provided by MCC 11.15.8290. Failure to apply for an extension shall result in expiration of the approval.

III. CS 3-97- COMPLIANCE WITH CONDITIONS OF COMMUNITY SERVICE APPROVAL:

The Community Service Approval granted by the Multnomah County Board of Commissioners resulted in a number of specific conditions to be satisfied at the

Design Review Phase. These conditions can be found as Conditions 4, 5, 6, 7, and 8 of Hearings Officer, Liz Fancher's January 7, 1997 Decision, and as follows:

- (4) Approval is granted upon the condition that the Owner apply for and obtain Multnomah County Design Review approval for the proposed use, prior to issuance of any building permit or use of the property for "at risk" students. During such review, the Owner shall demonstrate that the proposed design complies with Comprehensive plan Policy #14.**

Finding: On May 22, 1997 the applicant submitted a response to Policy 14 as follows:

Policy No. 14, Development 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%;

Applicant: Slopes that exceed 20% (reference the existing conditions topographic and contour map)

Staff: The applicant has not submitted into the record an existing conditions topographic and contour map to refer to. David J. Reece of Dull Olson Weeks Design inc. stated by phone on June 3, 1997, the civil site plan C1.0 also includes this information.

B. Severe soil erosion potential;

Applicant: Severe soil erosion based on the existing site conditions and existing vegetation.

C. Land within the 100 year flood plain;

Applicant: Land within the 100 year flood plain according to the topographic survey elevation of 623 ft.

D. A high seasonal water table within 0-24 inches of the surface for more than 3 or more weeks of the year;

Applicant: Any evidence based on the existing information available that there is any high water table within 0-24 inches for more than 3 weeks of the year.

Staff: The "Soils Survey of Multnomah County, Oregon", 1983, prepared by the US Soils Conservation Service identifies the Soils on the site as 8D-Cascade Urban land complex. Based on the Survey, undisturbed areas of Cascade soils have a water table to within 30 inches during December to April. The water is perched on the fragipan.

Staff concludes the site has a potentially high water table for more than 3 weeks a year which may pose drainage problems. The CS approval required an on site drainage system be developed as well as demonstration of compliance with this policy. Staff finds the applicants burden has not been met, but could through conditions of approval.

E. A fragipan less than 30 inches from the surface; and

Applicant: A fragipan less than 30 inches from the surface according to the Soil Conservation Service Soil Survey of Multnomah County Sheet No.11 that shows the map unit symbol of 8D indicating the soil type to be Cascade-Urban Land Complex.

Staff: The site has a fragipan less than 30 inches from the surface which is indicative of a development limitation. The applicant will be require to submit a plan to han all water comming from buildings and paved areas on-site.

F. Lands subject to slumping, earth slides or movement.

Applicant: Lands subject to slumping, earth slides or movement according to the Soil Conservation Service Soil Survey of Multnomah County Table 16 and 18 for Building Site Development and Construction Materials.

- (5) As part of design review, the applicant shall develop and submit an on-site drainage system to manage the run-off from paved areas and building roofs. The system shall utilize a french drain system, drainage swale or other on-site drainage system approved by the Planning and Building Departments.**

Finding: The applicant has not submitted an on site drainage plan consistent with this condition of approval.

- (6) As a part of final Design Review, the Bonnie Slope School shall develop, submit and obtain approval of an on-site parking and circulation plan that complies with the County Code(particularly MCC 11.15.6100-.6148) and which reduces any hazardous conditions caused by vehicular/pedestrian conflicts.**

Finding: Staff has determined the following parking requirements have not been satisfied:

MCC 11.15.6108 - 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 permit or other required permit...

MCC 11.15.6132 -Improvements- (B)(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.

MCC 11.15.6132 (C) -Marking - All areas for parking and maneuvering of vehicles shall be marked in accordance with the approved plan required under MCC .6180, and such markings shall be continually maintained.

MCC 11.15.6132 (D) - Drainage - All areas for parking and maneuvering of vehicles shall be graded and drained to provide the disposal of all surface water on the lot.

MCC 11.15

Finding: The submitted plans fail to identify the circulation layout and parking locations for busses. Additional on-site drainage has not been addressed. The circular passenger drop off area does not identify curbing along the outside edges opposite the island as is required and necessary in defining the access and drop of boundaries.

Conditions will require the applicant clearly identify the location of bus loading and unloading areas at the back of the building and submit an on site circulation plan demonstrating bus movements required and how they will reduce hazardous conditions caused by vehicular/pedestrian conflicts. *[also see, Condition #6 CS 3-96 -Hearings Officer Decision; CS 3-96, Staff Report, page 6; MCC .6108 & .6132(C)]*

The applicant will be required to develop and submit an “on-site” drainage system to manage the run-off from paved areas and building roofs. The system will be required to utilize a french drain system, drainage swale or other on-site drainage system. The entire system shall be clearly identified.*[CS 3-96, Condition 4&5; MCC 6108 & 6132 (D); MCC .7850(6)]*

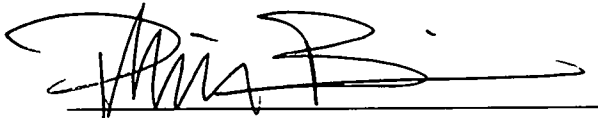
Curbs will be required to be identified on the plan and implimented in order to define egress and access on the outer boundary (opposite the island) of the circular pick-up/drop-off area in front of the building. *[CS 3-96, Condition 6 H.O.; MCC 11.15.6132]*

CONCLUSIONS

With the addition of Conditions of Approval, the Design Review plans submitted comply with the approval criteria of MCC 11.15.7850.

In the matter of DR 3-97

Multnomah County Department of Environmental Services
Transportation and Land Use Planning Division



By Phil Bourquin, *Planner*

For: Kathy Busse, *Planning Director*

NOTICE

State law requires a public notice (by mail) to nearby property owners and to any recognized Neighborhood Association of a Planning Director decision which applies discretionary or subjective standards or criteria to land use or development permit applications. The notice must describe the method to challenge the staff decision; and, if appealed, the County must hold a public hearing to consider the merits of the application. ORS 197.763, ORS 215.416(11)

The Administrative Decision(s) detailed above will become final unless an appeal is filed within the 10-day appeal period which starts the day after the notice is mailed. If the 10th day falls on Saturday, Sunday, or a legal holiday, the appeal period extends through the next full business-day. If an appeal is filed, a public hearing will be scheduled before a County Hearings Officer pursuant to Multnomah County Code section 11.15.8290 and in compliance with ORS 197.763. To file, complete an Appeal of Administrative Decision form, and submit to the County Planning Division Office, together with a \$100.00 fee and supplemental written materials (as needed) stating the specific grounds, approval criteria, or standards on which the appeal is based. To review the application file(s), obtain appeal forms, or other instruction, call the Multnomah County Planning Division at (503) 248-3043, or visit our offices at 2115 SE Morrison Street, Portland, Oregon, 97214 [hours: 8:30 a.m. – 4:30 p.m.; M—F].

The appeal period ends June 16, 1997 at 4:30 p.m.