



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

1900 SW 4th Avenue, Suite 5000  
Portland, Oregon 97201  
503-823-7300  
Fax 503-823-5630  
TTY 503-823-6868  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** July 7, 2009  
**To:** Interested Person  
**From:** Mark Walhood, City Planner 503-823-7806  
*[mwalhood@ci.portland.or.us](mailto:mwalhood@ci.portland.or.us)*

**NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 09-123234 CU HDZM**  
**CEDARWOOD SCHOOL ANNEX/PARKING COURT**

**GENERAL INFORMATION**

**Applicant:** Benjamin Kaiser (503) 234-4718  
The Kaiser Group, Inc.  
5229 NE MLK Jr. Blvd., Ste. 101  
Portland, OR 97211

**Owner:** Ben Root, Board Chair  
Western Valley Waldorf Association, Inc.  
3030 SW 2<sup>nd</sup> Avenue  
Portland, OR 97201

**Site Address:** 3030 SW 2ND AVE

**Legal Description:** EXC N 5' OF W 56' LOT 7 BLOCK 77 EXC W 56' LOT 8 BLOCK 77 SW 1/4 OF BLOCK 77, CARUTHERS ADD; W 56' OF N 5' OF LOT 7 BLOCK 77 W 56' OF LOT 8 BLOCK 77, CARUTHERS ADD

**Tax Account Nos.:** R140907740, R140907780

**State ID Nos.:** 1S1E10BC 00900, 1S1E10BB 09900

**Quarter Section:** 3329

**Neighborhood:** South Portland NA., contact Jim Davis at 503-248-9820.

**Business District:** None

**District Coalition:** Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

**Zoning:** **R2** (Multi-Dwelling Residential 2,000), **South Portland Historic District, Historic Landmark**

**Case Type:** **CU HDZM** (Concurrent Conditional Use and Historic Design Review, with Modifications through Historic Design Review)

**Procedure:** **Type II**, an administrative decision by BDS Staff that can be appealed to the Hearings Officer (Conditional Use portion) and/or the Landmarks Commission (Historic Design Review and Modifications portion).

**Proposal:** Cedarwood School proposes to modify the existing, approximately 10,000 square-foot Neighborhood House Annex Building to better accommodate the needs of the school. The alterations include a full seismic upgrade to the building, ADA/accessibility improvements, new windows and doors, reconfiguration of the surface parking area, a new bike parking shelter, landscaping, and signage. The Annex Building sits directly north of the original (Historic Landmark) Neighborhood House structure (A. E. Doyle, 1910), on a half-block site fronting SW 2<sup>nd</sup> Avenue, directly east of Lair Hill Park. The Annex was designed by Morris H. Whitehouse & Associates and built 16 years later in 1926.

The school presently operates under a Conditional Use approval from 2000 (LUR 00-00548 CU AD HDZ). This prior approval, with conditions, approved a school use for grades kindergarten through 8, with a maximum of 12 classrooms, 294 students, and 20 employees, and use of the school for community meetings. No changes are proposed to this prior-approved intensity of school use in the current application. The Type II Conditional Use Review is required because of the exterior alterations near the annex, including the reconfigured parking area, bike parking shelter, walkways, etc., which amount to a 7% increase in exterior improvement area at the site (33.281.050.B).

*Because the site is in an Historic District, and because alterations to an Historic Landmark valued at \$368,000 are proposed, a Type II Historic Design Review is also required (33.445.140.A, 33.846.060.B.2.b).* Exterior alterations associated with the project include the following:

- Reconfiguration of the existing parking area into a new brick-paved, 9-space parking area, including consolidation of driveway access at a widened (20'-0" wide) curb cut in SW Porter St.;
- Installation of a raised concrete planter and stormwater planter at the north edge of the parking area, 3'-0" tall concrete and glass block bollards, and a retaining wall at the west edge of the parking area topped by a 3'-0" tall steel guardrail;
- A new 8'-0" tall flat-roofed steel bike parking structure covering 13 bike parking spaces on a concrete slab, west of the parking area adjacent to the sidewalk in SW 2<sup>nd</sup> Avenue. The bike parking would be accessed via the existing curb cut from SW 2<sup>nd</sup> Avenue;
- New landscaping in the raised planters, along the west edge of the parking area, and retention of existing mature cypress trees and landscaping abutting the sidewalk in SW 2<sup>nd</sup> Avenue;
- A new cast glass sign, up-lit with LED strip lighting under the glass, atop the concrete raised planter abutting SW Porter Street;
- A new concrete stair leading from the parking area up to SW 2<sup>nd</sup> Avenue, a new metal gate connecting the Neighborhood House to the Annex Building, and a brick walkway connecting the Annex to the parking area and SW Porter St.; and
- Exterior alterations to the Annex Building include the following:
  - New and replacement aluminum clad wood double-hung windows in the brick façade facing SW 2<sup>nd</sup> Avenue;
  - New inset window and door openings on the interior/concrete facades of the Annex, with aluminum clad wood double-hung, fixed, and sliding windows set within brick-paneled vertical bays;
  - A new suspended painted steel awning with a translucent polycarbonate cover and concealed fluorescent downlight fixtures on the east/interior façade of the Annex;
  - New rooftop mechanical equipment atop the Annex roof with opaque screening, and a new skylight;
  - A waterproof elastomeric paint coating on the Annex exterior, and repair and replacement of the glass block windows on the north façade closest to SW Porter Street; and
  - Re-location of an existing steel stair between the Neighborhood House and Annex 8'-0" to the west, and new egress doors accessing the stair from the inset wing connecting the Neighborhood House and Annex; and

- A new vertical wall clad in painted elastomeric stucco concealing elevator equipment on the inset wing connecting the Neighborhood House and Annex.

The applicant has also requested two concurrent Modifications through Historic Design Review to the following development standards:

- *R2 Zone Institutional Use Setback (33.120.275/Table 120-5)*: Institutional Uses in the R2 zone are required to maintain a 10'-0" setback from the perimeter street lot lines for structures. The proposed bike parking shelter is located 4'-0" from the lot line in SW Second Avenue. The applicant has requested a Modification to reduce the setback for the bike parking shelter from 10'-0" to 4'-0"; and
- *Perimeter Parking Lot Landscaping (33.266.130.G.2)*: Perimeter parking lot landscaping is required between the surface parking and the abutting street lot lines, at 5'-0" deep to the L2 landscape standard. The L2 standard requires groundcover materials, trees, and either continuous row of 3'-0" tall shrubs or a 3'-0" tall solid wall. On the north side of the parking area the planters include groundcover and trees, but no continuous row of shrubs, and the westerly planter only has a planting depth of approximately 3'-6". The west edge of the parking area features a solid retaining wall over 4'-0" high, and retention of existing arborvitae, but in the area abutting the bike shelter the landscaping does not achieve a 5'-0" depth. In order to allow the landscaping as proposed, the applicant has requested a Modification to this standard.

#### **Relevant Approval Criteria:**

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

- **33.815.105**, Conditional Use Approval Criteria for Institutional Uses in R Zones;
- The *Lair Hill Historic Conservation District Design Guidelines*; and
- **33.846.070**, Modifications Considered During Historic Design Review.

## **ANALYSIS**

**Site and Vicinity:** The site is the western half of a block in the South Portland Neighborhood of Southwest Portland. It faces SW Second Avenue between SW Woods and Porter Streets. There is a multi-story brick building built in 1910 (Neighborhood House) as a school with a lower addition to the rear and north (Annex). A parking lot is located in the northwest corner of the site with curb cuts to both SW Porter Street and SW Second Avenue. The land area between the Annex and parking lot and adjacent streets includes landscaping with shrubs, trees, and groundcover plants. The land between the Neighborhood House and SW Woods Street includes two raised concrete planters on the west end of the building, and concrete paving providing access to a steel exterior stairway and gated service alley/trash bin storage area. Areas between the buildings and SW Second Avenue have been provided with low redwood gates and planting boxes, cordoning off sitting and play areas from the sidewalk. An unroofed wooden arbor structure has been positioned exactly at the southwest corner of the site, between the building and the intersection of SW Second Avenue and Woods Street.

The site is located between SW 1<sup>st</sup> Avenue and SW Barbur Boulevard, both arterial streets with bus routes connecting to the downtown, a short walk to the north. These abutting streets have both transit and bikeway designations in the City of Portland Transportation System Plan (TSP). Although the site falls within the Lair Hill Pedestrian District in the TSP, all abutting streets contain only local transit and bikeway designations. All abutting streets have full improvements. Southwest Second Avenue is closed directly in front of the school building, and has pavers with grass and trees in place of the roadway. This makes SW Second Avenue in front of the off-street parking lot a dead-end roadway.

Mixed low- and medium-density residential development is found to both the south and north of the site. There is commercial development (office buildings) to the east, facing SW First Avenue. West, across SW Second Avenue, is a vacant multi-story brick building that held the

Children’s Museum (since moved to Washington Park). Lair Hill Park, a small neighborhood park with a playground, occupies the full block upon which the former Children’s Museum sits.

**Zoning:** The Residential 2,000 (R2) base zone allows for residential development at a density of one unit per 2,000 square feet of site area. Institutional Uses, including schools, are allowed in the R2 zone once approved through the Conditional Use process.

**Land Use History:** City records indicate the following prior land use reviews at the site:

- *CU 36-69* – Amended Conditional Use Review for a parking area, including allowing screening along SW Porter to be placed on the property line, and waiving the low ground cover requirement along SW Porter St. only;
- *HL 36-80* – Landmarks Commission review of a proposal to replace side doors on the Neighborhood House. No further information, including decision language and conditions of approval, if any, were found in City records for this case;
- *LUR 00-00548 CU AD HDZ* – Approved Conditional Use, Adjustment, and Historic Design Review for the Cedarwood School, subject to conditions of approval; and
- *LU 03-106048 HDZ* – Approved Historic Design Review for exterior work including a new concrete ramp and stair at the south elevation, a new steel egress stair at the north elevation, three new egress doors on the north elevation, and through-bolts with decorative washers at numerous locations.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **May 26, 2009**. The following Bureaus have responded:

- The *Bureau of Environmental Services* (BES) has reviewed the proposal and provided informational comments, but no objections or recommended conditions of approval. Sanitary (combination) sewers are available in SW Second Avenue and SW Woods. All stormwater runoff generated from the project must meet the requirements of the City of Portland’s Stormwater Management Manual (SWMM) current at the time of building plan review. The BES has reviewed the stormwater information provided by the applicant, including information regarding a stormwater planter with overflow to a drywell to manage stormwater from the redeveloped parking lot. The Site Development (BDS) staff has conceptually approved this concept, based on the infiltration testing results and with specific requirements. If flow testing results for the drywell at the time of construction are not satisfactory, the overflow from the planter may be directed to the public sewer. Further development of the property will be subject to BES standards and requirements during the building permit process.

The Willamette Watershed Team recently conducted an assessment of the watershed in this area. This assessment identifies opportunities to protect and improve watershed health in the Marquam-Woods subwatershed. The document, entitled *Marquam-Woods Improvement Strategies* identifies the Cedarwood School property as a stormwater management opportunity. In addition to the proposed parking lot stormwater planter, the report suggests the building’s roof runoff could be managed through the use of an eco-roof.

Exhibit E.1 contains staff contact and additional information.

- The *Site Development Section of the Bureau of Development Services* has reviewed the proposal and provided informational comments, but no objections or recommended conditions of approval. Site Development reviewed the geotechnical and stormwater reports provided by the applicant. The geotechnical information provided is sufficient for the purposes of this land use review, although additional details may be required during the building permit process. Based on the results of the infiltration testing included in the geotechnical report, the approval criterion for stormwater services can be met using on-site infiltration, although additional infiltration testing may be required during the building permit process. The proposed vegetated planter with overflow to a

drywell is acceptable, provided that the drywell is installed in accordance with the recommendations of the geotechnical engineer to ensure that the drywell depth corresponds to the better draining sand layer located at 24 feet below existing grade. Special instructions by the geotechnical engineer and drywell flow testing will be required at the time of construction. If flow testing results are not satisfactory, then overflow will need to be directed to the public sewer system, with BES approval.

The applicant is advised that Underground Injection Control (UIC) registration with the Oregon Department of Environmental Quality will be required for the drywell. Also, erosion prevention and sediment control requirements found in Title 10 apply to both site preparation work and development. Full compliance with the Title 10 regulations is the responsibility of the property owner, the developer, and the builders. Please refer to the City of Portland *Erosion and Sediment Control Manual* for additional information regarding these requirements.

Exhibit E.2 contains staff contact and additional information.

- The *Development Review Section of Portland Transportation* has reviewed the application for potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services. The proposed changes will not have any impacts on transportation facilities. Transportation recommends that the applicant provide additional bike parking beyond the minimum required to mitigate for the reduction in on-site vehicle parking. All frontages are improved to City standards. No dedications or street improvements will be required. There will be no increase in student levels beyond those approved in the previous CU review. The transportation system will be able to safely support the proposal in addition to the existing uses in the area.

System Development Charges (SDC's) may be assessed for this development. Curb cuts and driveway construction must meet the requirements in Title 17. The Title 17 driveway requirements will be enforced during the review of building permits. Portland Transportation has no objection to approval of the request. Exhibit E.3 contains staff contact and additional information.

- The *Police Bureau* has reviewed the proposal and determined that they are capable of serving the proposed use at this time; however concerns and recommendations have been identified. The concerns are that change or development of land often adds residences, activity, or businesses to an area. Over time, these increases accumulate and have an adverse impact on the Police Bureau's ability to provide the same level of service to an area. Increases in persons and vehicles often create situations of increased need for law enforcement both during the day and night. Specific recommendations to address these accumulative effects include the following:
  - Review the Comprehensive Plan for impact on police and/or emergency services and factor additional resources into the equation;
  - Crimes that target schools can be reduced when adjustments are made toward environmental design;
  - Reporting crimes, such as graffiti, allows the Police Bureau to monitor and respond to this type of activity. All graffiti violations should be reported to the Police Bureau;
  - The Police Bureau recommends that the Office of Neighborhood Involvement (ONI) be contacted to assist with increased awareness toward safety designs and community meetings focused around school activities. More specifically, a Crime Prevention through Environmental Design (CPTED) evaluation that assesses the day and night conditions in and around the site would be helpful; and
  - Prior to construction, the Police Bureau recommends that the applicant work with the Precinct Commander on any public safety issues or concerns identified.

Exhibit E.4 contains staff contact and additional information.

**STAFF NOTE:** The above letter from the Police Bureau have been provided to the applicant, who is encouraged to coordinate with the Police Bureau and ONI on the issues. Because the relevant Police ‘service adequacy’ criterion has been satisfied, the above concerns regarding graffiti, CPTED evaluations, and ongoing coordination of safety concerns do not directly impact the Conditional Use Review in this application. Also, a full review of the Comprehensive Plan regarding Police Services or allocation of resources to the Police Bureau is outside the authority of this application: such analyses or requests would have to occur through a legislative project in the Bureau of Planning and Sustainability, or through direct budgetary action of City Council.

- The *Water Bureau* has reviewed the proposal and provided comments. The site is served from a water main in SW 2<sup>nd</sup> Avenue. As there are no proposed new water services, nor changes to existing ones, the Water Bureau has no objections to any of the proposed actions listed in the mailed notice. Exhibit E.5 contains staff contact and additional information.
- The *Life Safety (Building Code) Section of the Bureau of Development Services* has provided comments. This project is being managed by Anna Thorn, Development Liaison with BDS. A preliminary meeting with Life Safety occurred in March 2009. The current proposal is not significantly different than the drawings provided last March. A complete Life Safety plan review will be provided at the time of building permit submittal. No objections or conditions of approval were noted. Exhibit E.5 contains staff contact and additional information.
- The *Fire Bureau* has responded with a note that the applicant will be required to meet all Fire Code requirements through the building permit process. No specific concerns, objections, or recommended conditions of approval were noted. Exhibit E.7 contains staff contact and additional information.
- The *Urban Forestry Division of Portland Parks and Recreation* has responded to the proposal with no concerns or objections (Exhibit E.8).

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on May 26, 2009. One written response has been received from the Land Use Chair of the South Portland Neighborhood Association (SPNA). The letter reads as follows: “Per notification dated May 26, 2009, the South Portland Neighborhood Association objects to two items which we have no memory of seeing: (1) the sign and (2) the gate between the two buildings. Unless drawings are submitted we will have no other choice but to exercise further rights which are inherent to our neighborhood association’.

**STAFF RESPONSE:** While the SPNA has identified two areas of concern, no specific issue or objection has been identified in terms of the relevant Historic Design Review, Modification, or Conditional Use criteria. The design of the sign and gate will be discussed later in this report under findings for the Historic Design Review. In general, minor changes to the design often can occur between the mailed notice and the final decision. Also, the applicant has provided the SPNA copies of their revised plans, but the comment period was not extended sufficiently for the SPNA to provide additional comments. The SPNA or any other citizen also has the ability to come to the 1900 SW 4<sup>th</sup> Avenue building and view the original files, or request additional copies of the plans at any time during the comment period.

## ZONING CODE APPROVAL CRITERIA

### **Chapter 33.815, Conditional Uses**

#### **Purpose of Conditional Use Review**

Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. They are subject to the conditional use

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

### **33.815.105 Institutional and Other Uses in R Zones**

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

- A. Proportion of Household Living uses.** The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the Household Living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the Household Living category and is specifically based on:
1. The number, size, and location of other uses not in the Household Living category in the residential area; and
  2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.

**Findings:** The school currently operates in a building that was built for non-residential purposes in 1910, and has been used for non-residential purposes ever since. Primary and accessory uses that have occupied the site include a school, club, gym, community center, social center, offices, day care, and child care. The school also currently operates under a Conditional Use approval from 2000, and no changes to the grade levels, number of students, faculty or staff, or other operational factors are proposed with this application. The 2000 approval (LUR 00-00548 CU AD HDZ) allowed a school for kindergarten through 8<sup>th</sup> grade, with a maximum of 12 classrooms, 294 students, 20 employees, and use of the school for community meetings.

Adaptive re-use of the annex will not involve additional uses beyond what was approved in 2000 for the site. Existing programming will be re-located into the annex so that the school can function, under existing entitlements, at full capacity with 12 classrooms. Impacts to services (particularly transportation) should not adversely impact the surrounding neighborhood, per the Transportation Demand Management Program with the additional mitigation proposed: 15 additional bicycle parking spaces to offset 3 of the 12 required vehicle spaces, for a net total of 9 vehicle spaces and 50% subsidy for faculty and staff monthly bus pass costs, as the site is well-served by public transit.

The proposal does not alter the existing proportion of residential and non-residential uses in the neighborhood. The intensity and scale of the proposed use has also been reviewed and approved in the past, and will maintain the historical non-residential use of the site. Adaptive re-use of the annex building will not significantly lessen the overall residential appearance and function of the area. *Therefore, this criterion is met.*

### **B. Physical compatibility.**

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

2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, and landscaping; or
3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

**Findings:** There are no City-designated scenic resources on the site, indicated by the absence of any “s” or Scenic Resource Protection overlay zoning. For the purposes of B.1, therefore, this criterion does not apply.

The Cedarwood facility is composed of the Neighborhood House of 1910, and an annex building built in 1926. The proposal involves interior and exterior renovations of the annex building, but will not significantly alter the size or scale of the structure. The only changes to the building’s mass and scale include the re-location westward of an existing exterior metal stair between the buildings, and a small addition of approximately 500 square feet at the third floor, for a new corridor linking the elevator shaft to the Neighborhood House. Other exterior changes include reconfiguration of the surface parking lot at the northwest corner of the site, ADA access ramps and walkways, recessed windows and door openings, new brick cladding accents, a projecting steel awning, covered bike parking along SW 2<sup>nd</sup>, bollard lighting in the parking area, and a new monument sign facing SW Porter Street. These proposed alterations of the building itself will not significantly change the relationship between the annex and the surrounding area. The use of brick in the recessed openings and a false arch within three of the openings will help visually and architecturally tie these ‘secondary’ annex facades into the historic style of the Neighborhood House and the brick annex façade closest to SW 2<sup>nd</sup> Avenue. The alterations to the annex introduce human-scaled and proportioned architectural characteristics seen in the surrounding neighborhood, including recessed window openings, operable windows, covered entries, and brick cladding.

Lowering the parking lot finished surface grade by 4 feet and closing vehicular access from SW 2<sup>nd</sup> Avenue creates a better separation of the parking area from the street, reinforcing the pedestrian character of the public sidewalks in both SW Porter and SW 2<sup>nd</sup>. These changes will improve the appearance of the structure, and increase the visual compatibility of the school with the historic surrounding neighborhood.

Because of existing development on the site, in 2000 an Adjustment was approved to reduce the minimum landscaping on the site from 20% to 5.8%. Conditions of approval in 2000 required additional planted areas be provided on the west half of the south edge of the school, as well as at the south half of the west edge of the school (at the SW corner). This landscaping has been installed. Landscaping improvements to the surface parking lot, however, were never completed as required by a condition of approval. The applicant has indicated that with the new landscaping surrounding the reconfigured parking area, the site will now include 7.3% landscaping. Because of this modest increase in proposed landscaped area, no additional Adjustment is required.

Landscaping abutting the annex is relatively sparse, and in many places exists in an unkempt, weedy condition. The area directly west of the brick Annex façade is shown on the landscape plan as grass, but this area has actually been provided with a small wooden perimeter fence, a sandbox, and the groundcover material has been replaced with dirt and mulch, although several large rhododendron shrubs remain. On the remaining north and west edges of the annex, the perimeter landscaping consists of several arborvitae shrubs and overgrown, unkempt weeds. The adjacent planting strips in the right-of-way are in a similarly neglected condition.



The proposal includes two new vegetated planters along the north edge of the parking area, three new street trees abutting the annex, and retention of the other existing landscaped areas. A narrow planting bed with trellises and vines is provided at the west edge of the parking area, with plants that will, over time, climb the adjacent low fence. The excavation and retaining wall at the new parking area will provide some natural screening of this space, especially when viewed from SW 2<sup>nd</sup> Avenue. Several mature arborvitae (*Thuja Occidentalis*) shrubs of tree height along the SW 2<sup>nd</sup> Avenue frontage are shown to remain, straddling either side of the proposed new bike shelter. An Adjustment to the parking lot landscaping standard is discussed in further detail, later in this decision.

Although the proposed landscaping could increase the compatibility of the site with the surrounding area, and mitigate the appearance of the reconfigured parking lot, this will only occur if the planting areas in poor or denuded condition are restored or re-planted. In addition, the weedy area between the northernmost edge of the annex and the sidewalk in SW Porter Street is not shown as landscaped, which is important to this edge of the site because the abutting sidewalk does not include a planting strip, and because it is the first impression of the property when approaching from the east. In order to ensure that the site is landscaped as shown on the landscape plan, to clarify that the denuded sandbox/play requires re-planting, and to ensure restoration of groundcover or lawn in the planting strips straddling public sidewalks in SW Second Avenue and SW Porter Street, a condition of approval requiring such will be applied.

*With the condition of approval ensuring landscaping is installed as discussed above, this criterion can be met.*

**C. Livability.** The proposal will not have significant adverse impacts on the livability of nearby residential zoned lands due to:

1. Noise, glare from lights, late-night operations, odors, and litter; and
2. Privacy and safety issues.

**Findings:** Evening school and community events have been, and will continue to be, part of the school operations. In addition, the neighborhood association will be allowed to use the annex when not used for school events. The school has indicated willingness to enter into a Good Neighbor Agreement with the South Portland Neighborhood Association (SPNA) to limit weekday evening use until 10pm Sunday through Thursday, and Friday and Saturday until midnight. The applicant indicates that currently only one school function, the annual auction, runs until approximately midnight. This program of evening and community events is the same as that approved and reviewed in the 2000 Conditional Use review. The size of the area proposed for non-school events is small enough so that additional parking beyond that proposed for school activities is not required, as there is adequate on-street parking and the site is well served by mass transit.

New outdoor lighting includes concealed fluorescent downlights within the new canopy structure, and interior lighting of the new monument sign facing SW Porter Street. The new canopy lighting has been designed to direct light downwards onto the walking surfaces adjacent to the annex, without light spillover onto adjacent properties or the street. The new monument sign includes up-lighting of the mottled glass surface of the sign, and will not create glare conditions for adjacent properties, pedestrians, or passing motorists.

Garbage is now kept in a service alley on the east side of the Neighborhood House, with a sight-obscuring fence separating the service alley from SW Woods Street. To

meet screening requirements in the base zone (33.120.250.B), the trash areas must continued to be stored in this area, fully screened from the street and abutting properties.

Locations of new window openings in the annex and the annex entry doors will have little or no privacy impacts on nearby residential development, as the openings will either face west toward Lair Hill Park or the parking lot to the north. The nearest residence to the area of work is directly to the north, across SW Porter Street. Lowering the finish grade of the parking lot and using a combination of opaque and semi-opaque hard screening and landscaping will greatly improve the appearance of the annex from the street level, reducing headlight glare and visual impacts to the surrounding homes and neighborhood. Entry lighting and lighting cast from the new windows and openings will increase the sense of security and safety in the vicinity of the annex and parking lot. The use of brick paving and rejuvenation of the landscaping adjacent to the annex and parking lot will help this non-residential activity better fit with the green, historic character of the nearby surrounding homes and gardens.

*Based on the above considerations, this criterion is met.*

#### **D. Public services.**

1. The proposal is supportive of the street designations of the Transportation Element of the Comprehensive Plan;
2. The transportation system is capable of supporting the proposal in addition to the existing uses in the area. Evaluation factors include street capacity, level of service, and other performance measures; access to arterials; connectivity; transit availability; on-street parking impacts; access restrictions; neighborhood impacts; impacts on pedestrian, bicycle, and transit circulation; safety for all modes; and adequate transportation demand management strategies;
3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.

**Findings:** The 2000 Conditional Use Review approved Adjustments to eliminate on-site loading and on-site bus loading. These past approvals remain in place. The Development Review Division of Portland Transportation (PBOT) has reviewed the proposal for potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services. The proposed changes will not have any impacts on transportation facilities. All frontages are improved to City standards. No dedications or street improvements will be required. There will be no increase in student levels beyond those approved in the previous Conditional Use review. The transportation system will be able to safely support the proposal in addition to the existing uses in the area.

The PBOT does, however, recommend that the applicant provide additional bike parking beyond the minimum required to mitigate for the reduction in on-site vehicle parking. Total bike parking required includes 15 long- or short-term term spaces to replace 3 of the required 12 vehicle parking spaces. In addition, 20 long-term spaces are required for the school itself, for a total of 35 spaces. Only 13 bike parking spaces are shown on the site plan, so 22 additional bike parking spaces are required. Because the 22 missing bike parking spaces are long-term spaces, they could be provided either in racks outside the building, or in a locked room within the school building. In order to ensure that the required bike parking is provided, a condition of

approval will be applied ensuring that the 22 additional required long-term bike parking spaces be provided prior to any occupancy of the remodeled annex. This condition will also require the necessary documentation of the 22 additional bike parking spaces (floor or site plans, rack details, etc.) be provided prior to issuance of any building permits for the project. Because the applicant has already provided the minimum amount of covered long-term bike parking with the new shelter, and because individual freestanding racks are detached from the building and under 6'-0" tall, no additional building permit or Historic Design Review are likely to be required for the extra 22 bike parking spaces.

The applicant had an existing Transportation Demand Management (TDM) Program approved in 2000, and reinforced by a condition of approval. The condition required implementation of the TDM Program, including appointment of a Transportation Coordinator responsible for implementing and monitoring the program, and preparing and distributing to parents and staff a handout that outlines drop-off/pick-up procedures and encourages carpooling and alternate modes of transportation. To ensure that the school continues to operate with the TDM Program as approved in 2000, this condition of approval will be re-applied in this decision.

The Water Bureau has reviewed the proposal and responded without objections, noting adequate water supply in adjacent streets for the proposed use. The Fire Bureau has reviewed the proposal and responded without objections. The Police Bureau has reviewed the proposal and determined that they are capable of serving the proposed use at this time; however concerns and recommendations were raised. The Police have recommended that the applicant work with the Office of Neighborhood Involvement (ONI) to conduct a Crime Prevention through Environmental Design (CPTED) evaluation of the site, and that follow-up work with the Police Precinct Commander occur to address any public safety issues or concerns identified. Although these concerns and recommendations are not requested to be included as conditions of approval, an advisory condition will be included to memorialize these Police Bureau concerns.

Finally, the proposed sanitary waste disposal and stormwater management methods have been reviewed by the Bureau of Environmental Services (BES), who has no objections to the proposal. There are sanitary sewers available in streets adjacent to the annex, and the use of a combination flow-through planter and drywell is conceptually approvable to the BES. During permitting, the applicant will be required to document conformance with the City of Portland Stormwater Management Manual, as well as other City and State regulatory requirements. If flow testing results for the drywell at the time of construction are not satisfactory, the overflow from the planter may be directed to the public sewer.

*With the conditions of approval noted above regarding additional bike parking, continued implementation of the TDM Program, and memorializing the recommendations of the Police Bureau, this criterion is met.*

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

**Findings:** The site is within the boundaries of two adopted plans: the Southwest Community Plan of 2000 (SWCP), and the Corbett-Terwilliger-Lair Hill Policy Plan of 1977 (CTLHPP). The proposal is consistent with the Land Use and Urban Form Goal of the SWCP by enhancing the pedestrian environment near the annex with new landscaping, and by incorporating human-scaled, historic design elements (new windows, brick surfaces, false arches) into the project. The proposal is consistent with the Transportation Goal of the SWCP by maintaining the existing public sidewalks adjacent to the site, and by providing additional bike parking. Similarly,

the proposal is consistent with the CTLHPP by addressing traffic in residential neighborhoods through conditions ensuring adequate bike parking, and continued implementation of a Transportation Demand Management (TDM) Program.

*Therefore, this criterion is met.*

**SUMMARY FINDING FOR CONDITIONAL USE REVIEW:** The proposal involves the adaptive re-use of the neglected 1926 Annex to the 1910 Neighborhood House, a Historic Landmark. With a prior approval in 2000, and no change to the student, staff, or faculty levels at this time, there is no significant change in the intensity of the use, or the relationship between residential and non-residential uses in the neighborhood. Conditions of approval have been applied to ensure establishment or restoration of landscaping at the perimeter of the site, to provide the required amount of bike parking, to continue the prior TDM Program, and to relay the recommendations of the Police Bureau regarding further consideration of safety issues. With these conditions, the request is able to meet the relevant Conditional Use criteria.

### **Chapter 33.846, Historic Reviews**

#### **Purpose of Historic Design Review**

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

#### **Historic Design Review Approval Criteria**

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

**Findings:** The site is located within the South Portland Historic District. Therefore the proposal requires historic design review approval. The relevant approval criteria are the Lair Hill Historic Conservation District Design Guidelines.

#### **Lair Hill Historic Conservation District Design Guidelines**

Historically, Lair Hill was a neighborhood of residences and small businesses. Many of the businesses, such as the numerous groceries on First Avenue, primarily served the surrounding neighborhood. Lair Hill provided for many of the daily needs of its residents with a library, stores, places of worship, and even a settlement house. Public transportation- first trolleys, then buses- was readily available. The private automobile was not needed as a primary source of transportation. Thus, the streets contained a great deal of pedestrian activity.

The Lair Hill streetscape is full of visual interest. The lively facades, porches, entryways, and even small storefronts are inviting to the passerby. The architecturally rich street facades, with their ornate detailing and celebration of entrances serve to provide the visual cohesiveness and quality of neighborliness characteristic to the district.

A great variety of architectural styles appeared as the neighborhood evolved over a period of time. Yet there remain enough elements in common to create a neighborhood that is visually continuous but that contains highly individualized areas.

Today, the neighborhood is still primarily made up of small-scale residences and businesses. Buildings of worship, the settlement house and a neighborhood grocery still exist. But many of these buildings, and the newer office buildings, now serve people who do not live in the neighborhood. Yet, the streets still reflect the more leisurely pace of the first part of the century. Neighborhood residents have worked to limit the automobile through-traffic. Many residents still walk to visit neighbors, shop or catch a bus. The intimate relationship between the passerby and the surrounding buildings still exists.

The following guidelines are specific elements to be incorporated into building design. Each

guideline relates to goals, which are aims agreed upon by the neighborhood, that will maintain the special historic qualities of Lair Hill in ways appropriate to current times. For an in-depth discussion of each goal and how it relates to the guidelines, see the Lair Hill Historic Conservation District Design Guidelines.

*Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.*

### **1. How the Building Relates to the Street. How the Building Relates to Adjacent Buildings.**

**Front Yard.** A distance equal to the average of the front setbacks of the immediately adjacent buildings. Where there are no adjacent buildings, the recommended setback is 8’.

**Side Yard.** Average of adjacent setbacks. If no adjacent buildings, the recommended setback is 5’.

**Rear Yard.** Average of adjacent setbacks. If no adjacent buildings, the recommended setback is 15’

**Findings:** There are no changes to the placement or location of the annex building, which has a setback of approximately 12’-0” from the SW 2<sup>nd</sup> Avenue lot line, and a zero setback from the SW Porter Street lot line. The area between the parking lot at the northwest corner of the site and the street is being improved with new perimeter landscaping, signage, and pedestrian connections, helping to activate this neglected area, improving the visual and functional relationship between the annex, the street, the adjacent neighborhood. *Therefore, this guideline is met.*

### **2. Parking**

1. It is strongly recommended that parking be in the building structure.
2. No ground floor street façade should be composed solely of parking or parking accesses. Ground floor facades must have pedestrian entrances and/or windows. (see Guideline 6)
3. On-site parking should be appropriately landscaped so as to screen the parking.
4. On-site parking should not completely fill any front or rear yard.
5. No parcel of land should be converted solely for parking.

**Findings:** The existing sloped surface parking lot will be reconfigured, including a modest excavation of the parking area below grade as viewed from SW 2<sup>nd</sup> Avenue, where the brick parking surface will be 4’-6” below the adjacent grade via a retaining wall. Rejuvenated perimeter landscaping, new raised concrete planters, a fence with climbing vines, and a new covered bike shelter will be located between the parking area and the street. New pedestrian access walkways will be provided from the annex to both adjacent streets. *Therefore, this guideline is met.*

### **3. Building Shape – Height.** No building height should exceed three stories or forty-five feet.

**Findings:** The only vertical addition to the annex building is an enclosed hallway corridor at the top floor, providing connections from the internal annex elevator to the Neighborhood House. The 505 square foot addition rises 8’-0” above the existing annex roof, to a height of just over 40’-0” above grade. The hallway addition is located at the interior of the site, set back 26’-0” from the façade facing SW 2<sup>nd</sup> Avenue, and approximately 43’-0” from the closest annex parapet to the north, reducing visual impacts of this addition from the adjacent streets. *Therefore, this guideline is met.*

**4. Building Shape – Massing.** Buildings that are fifty feet or longer should be divided into modules of twenty-five feet, or less, in length. This modulation can be created by changes in the façade plane. (See “B Architectural Specifics.”)

**Findings:** There is no change to the massing or placement of the primary annex facades which face adjacent streets. The L-shaped annex addition is already broken down into two distinct street-facing facades at or near the lot line, and the two interior facades facing the parking lot. *Therefore, this guideline does not apply.*

#### 5. Building Shape – Roof Shape.

1. Pitched roofs should have a pitch of at least 6:12.
2. Flat roofs should be surrounded by a parapet.

**Findings:** The annex building has a flat roof, which is surrounded by an existing parapet. No changes are proposed to the primary roof structure, with the exception of the flat-roofed hallway enclosure at the third floor, which has the appearance, scale, and placement of a rooftop penthouse or mechanical enclosure. Adding a distinct parapet to this element would give undue visual importance to this secondary rooftop element. Similarly, two new rooftop screens surrounding three air conditioning units on the annex are proposed with simple vertical panel screens, inset from the perimeter building parapets. The new hallway enclosure and mechanical screens will be provided with a gray paint finish, as proposed elsewhere on the annex, with the color designed to match the concrete base of the Neighborhood House south façade. New skylights are also proposed on both the annex and Neighborhood House, but will be concealed behind existing building parapets. *Therefore, this guideline is met.*

#### 6. Architectural Specifics – Entryways.

1. All buildings should have a permanently protected entryway. (Awnings are not permanent protection).
2. On corner lots the main entrance should be on the nearest major street.
3. All main entrances should face the street.

**Findings:** The existing main Neighborhood House entry facing SW 2<sup>nd</sup> Avenue will not be altered. A new secondary entrance for the annex building will be provided underneath a projecting painted metal canopy. Both the existing primary (Neighborhood House) and secondary (annex) entries face the adjacent streets. *Therefore, this guideline is met.*

#### 7. Architectural Specifics – Windows.

1. Wood sash is the preferred window material.
2. No pane of glass in any window unit should be larger than 30” wide by 84” high.
3. Windows on wood buildings should be surrounded by exterior trim on the top and sides that is 5 ½” minimum width.
4. Glass should be clear or stained.

**Findings:** No changes are proposed to the original windows of the Neighborhood House. The new inset windows and doors on the annex building are constructed of a combination of wood, metal clad wood, and aluminum. The existing concrete surface of all but the west-facing brick façade of the annex will be repaired and provided with a waterproof elastomeric paint, continuing the distinction of these facades from the brick found elsewhere on the site. The existing glass block windows on the north annex façade will be replaced with new glass block. All new glazing is clear glass, and new window and doors all have vertical proportions, in keeping with the original structures on the site and the surrounding neighborhood. The unique inset condition of the new window openings on the concrete facades of the annex will provide a contrast to the form and design of the brick and trimmed wood openings found elsewhere on the structure, avoiding a false sense of historical development for the structure. *Therefore, this guideline is met.*

**8. Architectural Specifics – Siding.** Horizontal wood siding, brick or stucco should be used for exterior finish. Vertical wood siding may be used in board and batten form. Shingles should

only be used in conjunction with horizontal wood siding. The use of rough sawn finishes is discouraged.

#### **9. Architectural Specifics – Exterior Finish.**

1. Wood siding and shingles should be finished with a full-bodied paint, preferably of a semi-gloss finish.
2. Staining of wood shakes/shingles used for roofing is acceptable. Otherwise staining is not a preferred finish.

**Findings for Guidelines 8 and 9:** The existing exterior concrete finish of the annex structure will be repaired and provided with a new paint finish, maintaining the exterior character of the building while allowing for new window and door openings. *Therefore, this guideline is met.*

**10. Other Building Components.** Where appropriate, new buildings should incorporate architectural detailing from the building components listed [below]:

- a. Dormers
- b. Bays
- c. Bracketing
- d. Cornice
- e. trim

**Findings:** The project involves the adaptive re-use of an existing structure. *Therefore, this guideline does not apply.*

#### **11. Plantings.**

1. New buildings should be landscaped and the landscaping should include the parking strip.
2. No exposed plastic or bark mulch (except in rose beds or beds of other acid loving plants) should be used as a permanent ground cover.
3. New ground cover planting should be in sufficient density to fill out the area planted within a season or two. (Ex. Ivy should be spotted 12” to 18” apart or less.) Larger shrubs and smaller trees should infill no later than five years and sooner if possible.
4. Existing trees should be left in place if possible and appropriate.

**Findings:** New perimeter landscaping at the reconfigured parking area will provide a green buffer between the parking the adjacent streets. Existing tall arborvitae shrubs along the SW 2<sup>nd</sup> Avenue frontage will be retained. As noted under the Conditional Use findings above, however, much of the landscaping at the perimeter of the site has either been neglected or removed. In order to address this situation, a condition of approval will ensure that all areas shown to be landscaped will be installed as proposed, as well as two areas between the annex and SW Porter Street where weedy material exists today, but no new landscaping has been identified. *With the condition of approval ensuring rejuvenated landscaping at the perimeter of the property along the sidewalks abutting the annex, this guideline can be met.*

#### **12. Fences.**

1. Fences should be below 42” in height and of an open pattern.
2. Chain link fences should not be erected unless used as a trellis.

**Findings:** A 3’-6” tall open metal fence, materially matching a new gate between the Neighborhood House and annex, is proposed along the west edge of the parking area, atop a retaining wall. No chain link fencing is proposed. *Therefore, this guideline is met.*

**SUMMARY FINDING FOR HISTORIC DESIGN REVIEW:** The proposal involves a sensitive, contemporary adaptive re-use of the 1926 annex to the 1910 Neighborhood House, utilizing an

combination of new window and door forms that are both appropriate to the unadorned concrete interior walls of the annex, while also incorporating details, materials, and colors found on existing structures. With approval granted based on the proposed drawings and details, and ensuring adequate landscaping at the perimeter of the site, the relevant guidelines can be met.

### **33.846.070 Modifications Considered During Historic Design Review**

The approval criteria for modifications considered during historic design review are:

- A. Better meets historic design review approval criteria.** The resulting development will better meet the approval criteria for historic design review than would a design that meets the standard being modified; and
- B. Purpose of the standard.**
1. The resulting development will meet the purpose of the standard being modified; or
  2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

**Findings:** The applicant has proposed two modifications, including one to reduce the perimeter setback along SW 2<sup>nd</sup> Avenue from 10'-0" to 4'-0" for the proposed bike parking shelter, and to modify the perimeter landscaping on the north and west edges of the reconfigured parking area.

**R2 Zone Institutional Use Setback:** The relevant purpose statement for this setback modification is as follows: *"The intent is to maintain compatibility with and limit the negative impacts on surrounding residential areas"* (33.120.275.A excerpt).

The new bike parking racks and shelter are placed along the SW 2<sup>nd</sup> Avenue frontage, directly west of the reconfigured parking area. The closest point of the new bike shelter is located 4'-0" from the street lot line, or 6'-0" into the otherwise required setback. The location of this bike shelter along the SW 2<sup>nd</sup> Avenue sidewalk is not immediately adjacent to or across the street from the nearby homes to the north and south, but is directly across the street from Lair Hill Park. The bike parking shelter will have access from the street through a re-purposed curb cut that currently serves the surface parking lot. Using this curb cut exclusively for bike versus auto traffic will have lesser impact on the surrounding neighborhood, by confining vehicle access to the parking to a single street frontage. The bike parking shelter was also re-located from the originally-proposed location further to the north, in order to respond to neighborhood concerns regarding preservation of several large arborvitae shrubs, which will be preserved on either side of the shelter. The bike parking use and the appearance of the structure is more compatible with the surrounding residential area than a parking lot access point, and the structure will not have significant impacts on the neighborhood. In addition, the bike parking structure and low fence with climbing vines behind the structure will better screen the parking area beyond from the street and Lair Hill Park across the street, allowing the arrangement to better meet Lair Hill Conservation District Design Guideline 2 (screen parking) than would a layout which included exclusively landscaping, as would otherwise be required.

*Therefore, for the purposes of the modification to allow the bike parking shelter in the setback, these criteria are met.*

**Perimeter Parking Lot Landscaping:** The relevant purpose statement for the parking landscape modification is as follows: *"The setback and landscaping standards:*

- *Improve and soften the appearance of parking areas;*
- *Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;*



- *Provide flexibility to reduce the visual impacts of small residential parking lots;*
- *Direct traffic in parking areas;*
- *Shade and cool parking areas;*
- *Reduce the amount and rate of stormwater runoff from vehicle areas;*
- *Reduce pollution and temperature of stormwater runoff from vehicle areas; and*
- *Decrease airborne and waterborne pollution.” (33.266.130.A excerpt).*

The required parking screening at the north and west edges of the reconfigured parking lot includes 5'-0" of landscaping to the L2 standard. This standard requires continuous groundcover material, a 3'-0" tall installation of either shrubs or solid masonry wall, and trees. The proposal includes raised concrete planters on the north side of the parking lot that includes groundcover and trees, but not shrubs, and the westerly planter has as depth of 3'-6". Along the west edge, a 4'-0" retaining wall screens the parking area, but in the area abutting the new bike shelter the landscaping is only approximately 2'-0" deep.

The proposed parking area layout and landscaping will contain vehicle access and circulation onto a single curb cut from SW Porter Street, versus the two curb cut arrangement existing today, increasing the safety of the parking area, and reducing visual impacts from SW 2<sup>nd</sup> Avenue. One of the two raised planters along the north edge of the parking will also serve as a stormwater planter, and the climbing vine planting area at the west edge will accept stormwater from the bike shelter roof structure. The raised concrete planters themselves rise from 1'-0" to 2'-0" above grade when viewed from the sidewalk, and the Common Rush, Hinoki Cypress, and Japanese Snowbell plantings will provide a green visual barrier that exceeds the 3'-0" screening requirement in the standard. Similarly, the retaining wall, low metal fence, and climbing vines on the west edge of the parking will provide equal or greater visual screening for the parking area than would a landscape plan meeting the standard. Retention of the existing arborvitae shrubs along the SW 2<sup>nd</sup> Avenue sidewalk will provide additional visual screening for the parking area from the west. The applicant has received conceptual approval for the stormwater management methods, including use of the raised stormwater planter, from the relevant City agencies. The location of the parking area on the north side of the annex building, as well as the arborvitae shrubs, fence with climbing vines, and cluster of trees in the new raised planters will provide significant shading and cooling effects for the parking area. With the exception of the area occupied by the driveway onto SW Porter Street, where no landscaping is required, the proposed perimeter plantings will effectively reduce the visual impact of the parking from the adjacent sidewalks, streets, and residential zones to a level that would otherwise be achieved by 5'-0" of L2 landscaping. Finally, the proposed perimeter landscaping, raised planters, retaining wall, low fence, and bike parking structure allow the proposal to better meet Lair Hill Conservation District Guidelines 2 (Parking) and 11 (Plantings) than would a planting plan complying with the standard.

*Therefore, for the modification to perimeter parking lot landscaping, these criteria are met.*

## **DEVELOPMENT STANDARDS**

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

**NOTE:** A wooden gazebo structure, over 6'-0" tall, has been installed at the southwest corner of the property without benefit of the required Historic Design Review. Depending on the size

and height of the structure, and how it is or is not attached to the main building, a building permit may also be required. The height and scale of the structure in this location also does not comply with the R2 zone institutional use setback standard for accessory structures (33.120.275, 33.120.280), so either a modification or adjustment will be required. This structure is not shown on the submitted plans or addressed in the narrative, and was constructed in the recent past. The applicant was provided with the option of delaying this decision to incorporate the legalization of this structure through this review, but opted to address the issue at a later time. Until this structure is either removed or legalized through the process of obtaining the required Historic Design Review and/or building permits, the structure is potentially subject to (complaint-based) enforcement actions.

## CONCLUSIONS

The proposal involves the continuation of an existing conditional school use at the historic Neighborhood House site, with no changes to the previously-approved levels of intensity with regards to students, faculty, staff, or community events. The reconfiguration of the parking lot alone has triggered the Conditional Use, since the gross increase in floor area involved in the adaptive re-use of the annex is under 1,500 square feet. The conditional use criteria are able to be met with conditions of approval ensuring adequate bike parking, guaranteeing new or rejuvenated landscaping at the perimeter of the site along the sidewalks, and carrying forward a transportation-related condition from the prior Conditional Use decision. An advisory condition has been included with (optional) recommendations from the Portland Police Bureau, to coordinate in an ongoing way regarding safety issues. The adaptive re-use of the annex building has been completed in a sensitive and contextual manner which respects the historic design vocabulary of the property, and both setback and landscape modifications are able to meet the relevant criteria. With the conditions of approval as noted, the request is able to meet the relevant criteria and should be approved.

## ADMINISTRATIVE DECISION

**Approval of Conditional Use Review** (33.281.050.B) for the adaptive re-use of the 1926 annex to the Neighborhood House for Cedarwood School. Cedarwood School will continue to operate under the parameters approved previously in 2000, with grades kindergarten through 8, a maximum of 12 classrooms, 294 students, 20 employees, and use of the school for community events.

**Approval of Historic Design Review** (33.445.140.A) for alterations to the landmark Neighborhood House and Annex site, in the South Portland Historic District, including the following specific elements:

- Reconfiguration of the existing parking area into a new brick-paved, 9-space parking area, including consolidation of driveway access at a widened (20'-0" wide) curb cut in SW Porter St.;
- Installation of a raised concrete planter and stormwater planter at the north edge of the parking area, 3'-0" tall concrete and glass block bollards, and a retaining wall at the west edge of the parking area topped by a 3'-0" tall steel guardrail;
- A new 8'-0" tall flat-roofed steel bike parking structure covering 13 bike parking spaces on a concrete slab, west of the parking area adjacent to the sidewalk in SW 2<sup>nd</sup> Avenue. The bike parking would be accessed via the existing curb cut from SW 2<sup>nd</sup> Avenue;
- New landscaping in the raised planters, along the west edge of the parking area, and retention of existing mature cypress trees and landscaping abutting the sidewalk in SW 2<sup>nd</sup> Avenue;
- A new cast glass sign, up-lit with LED strip lighting under the glass, atop the concrete raised planter abutting SW Porter Street;
- A new concrete stair leading from the parking area up to SW 2<sup>nd</sup> Avenue, a new metal gate connecting the Neighborhood House to the Annex Building, and a brick walkway connecting the Annex to the parking area and SW Porter St.; and
- Exterior alterations to the Annex Building include the following:

- New and replacement aluminum clad wood double-hung windows in the brick façade facing SW 2<sup>nd</sup> Avenue;
- New inset window and door openings on the interior/concrete facades of the Annex, with aluminum clad wood double-hung, fixed, and sliding windows set within brick-paneled vertical bays;
- A new suspended painted steel awning with a translucent polycarbonate cover and concealed fluorescent downlight fixtures on the east/interior façade of the Annex;
- New rooftop mechanical equipment atop the Annex roof with opaque screening, and a new skylight;
- A waterproof elastomeric paint coating on the Annex exterior, and repair and replacement of the glass block windows on the north façade closest to SW Porter Street; and
- Re-location of an existing steel stair between the Neighborhood House and Annex 8'-0" to the west, and new egress doors accessing the stair from the inset wing connecting the Neighborhood House and Annex; and
- A new vertical wall clad in painted elastomeric stucco concealing elevator equipment on the inset wing connecting the Neighborhood House and Annex.

**Approval of a Modification through Historic Design Review** to reduce the R2 zone institutional setback from 10'-0" to 4'-0" (33.120.275) for the proposed bike parking rack and shelter.

**Approval of a Modification through Historic Design Review** to the perimeter parking lot landscape standard, reducing the depth of the landscaping in one raised planter along the north edge from 5'-0" to 3'-6", and reducing the depth along the west edge of the parking area from 5'-0" to approximately 2'-0" (33.266.130.G.2), where the landscaping abuts the new bike shelter.

The above approvals are granted based on the approved plans and drawings, Exhibits C.1 through C.14, each exhibit being signed and dated July 2, 2009, and subject to the following conditions (applicable conditions for each review noted in parentheses):

- A. (All) As part of the building permit application submittal, the following development-related conditions (B through E) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 09-123234 CU HDZM." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED – No field changes allowed."
- B. (CU and HDZ) The applicant must install all landscaping as identified on the landscape/site plan and via staff notes on the plan, including re-planting of the denuded sandbox/play area immediately west of the annex, and restoration of groundcover or lawn in the planting strips straddling the public sidewalks in SE Second Avenue and SW Porter Street.
- C. (CU) The applicant must provide the 22 additional required long-term bike parking spaces prior to any occupancy of the remodeled annex. During the building permit review process, and prior to issuance of any permits, the necessary documentation showing conformance with bike parking standards, the necessary documentation for these 22 additional spaces (floor or site plans, rack details, signage, etc.) must be provided.
- D. (CU) The existing Transportation Demand Management (TDM) Program shall continue to be implemented with all school functions and operations. To support the success of the TDM Program, Cedarwood School shall:
  - Appoint a Transportation Coordinator who will be responsible for implementing and monitoring the program, and making adjustments as necessary; and

- Prepare and distribute to parents and staff a handout that outlines drop-off/pick-up procedures and encourages carpooling and alternate modes of transportation.
- E. (CU) The Police Bureau recommends that the applicant work with Mary Tompkins in the Office of Neighborhood Involvement (ONI) to complete a Crime Prevention through Environmental Design (CPTED) evaluation of the day and night conditions in and around the site. The Police Bureau further recommends that the applicant then work with Precinct Commander Mike Reese on any public safety issues or concerns identified.

**Staff Planner: Mark Walhood**

**Decision rendered by:**  **on July 2, 2009.**

By authority of the Director of the Bureau of Development Services

**Decision mailed: July 7, 2009.**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on April 22, 2009, and was determined to be complete on **May 15, 2009.**

*Zoning Code Section 33.700.080* states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on April 22, 2009.

*ORS 227.178* states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on September 12, 2009.**

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appealing this decision.** This decision may be appealed to the Hearings Officer (Conditional Use portion) and/or the Landmarks Commission (Historic Design Review and Modifications portion), which will hold a public hearing. *In the appeal filing, the applicant must identify the approval criteria at issue in the appeal, to determine the appropriate appeal review body or bodies.* Appeals must be filed **by 4:30 PM on July 21, 2009** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision(s) of the Hearings Officer and/or Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Hearings Officer and/or Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed,* The final decision may be recorded on or after **July 22, 2009 – (the day following the last day to appeal).**
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034  
 For further information on your recording documents please call the Bureau of Development Services  
 Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

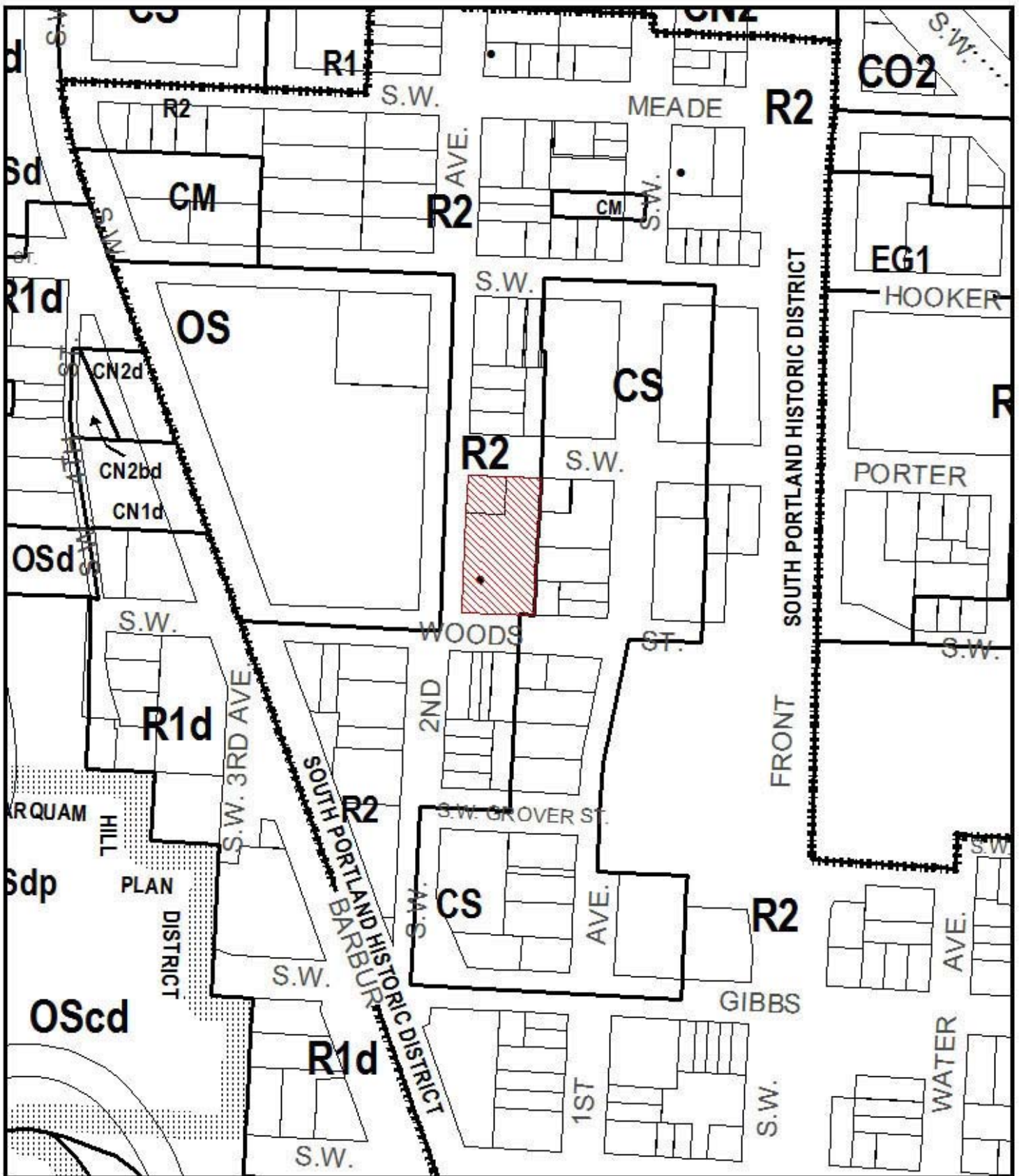
### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statements
  1. Original narrative
  2. Supplemental narrative, rec'd. 5/15/09
  3. Stormwater information and utility plans, rec'd. 6/3/09
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Cover Sheet
  2. Existing Condition Photos – reference only
  3. Existing Condition Photos and Vicinity Plan – reference only
  4. Landscape/Site Plan (attached)
  5. Ground Floor Plan
  6. Second Floor Plan
  7. Third Floor Plan
  8. Roof Plan
  9. West Elevation (attached)
  10. North Elevation (attached)
  11. North Façade Sections and Details – 1 of 2
  12. North Façade Sections and Details – 2 of 2 (attached)
  13. Sign Detail Sheet
  14. Lighting Cut Sheets – ten pages total
  15. Original Plan Set – NOT APPROVED, FOR REFERENCE ONLY
- D. Notification information:
  1. Mailing list
  2. Mailed notice
- E. Agency Responses:
  1. Bureau of Environmental Services
  2. Site Development Section of the Bureau of Development Services
  3. Portland Bureau of Transportation
  4. Police Bureau
  5. Water Bureau
  6. Life Safety (Building Code) Section of the Bureau of Development Services
  7. Fire Bureau
  8. Urban Forestry Division of Portland Parks and Recreation
- F. Correspondence:
  1. Letter with concerns from Jim Davis, SPNA Land Use Chair, rec'd. 6/16/09
  2. Inquiry and staff response from James Gardner, regarding annex canopy color, rec'd. 5/29/09
- G. Other:


1. Original LU application form, tax account information and receipt
2. Site History Research, including copy of LUR 00-00548 CU AD HDZ
3. Fee Refund information
4. Incomplete Letter from staff to applicant, sent 5/6/09
5. E-mail from staff to applicant regarding need for additional stormwater information, sent 6/3/09
6. E-mail correspondence between staff and applicant regarding outstanding issues, 6/24/09
7. Site photos showing fenced/sandbox area and gazebo at SW corner
8. E-mail correspondence from applicant to SPNA regarding gate and sign information, 6/17/09

**The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-7300 (TTY 503-823-6868).**



# ZONING

 Site

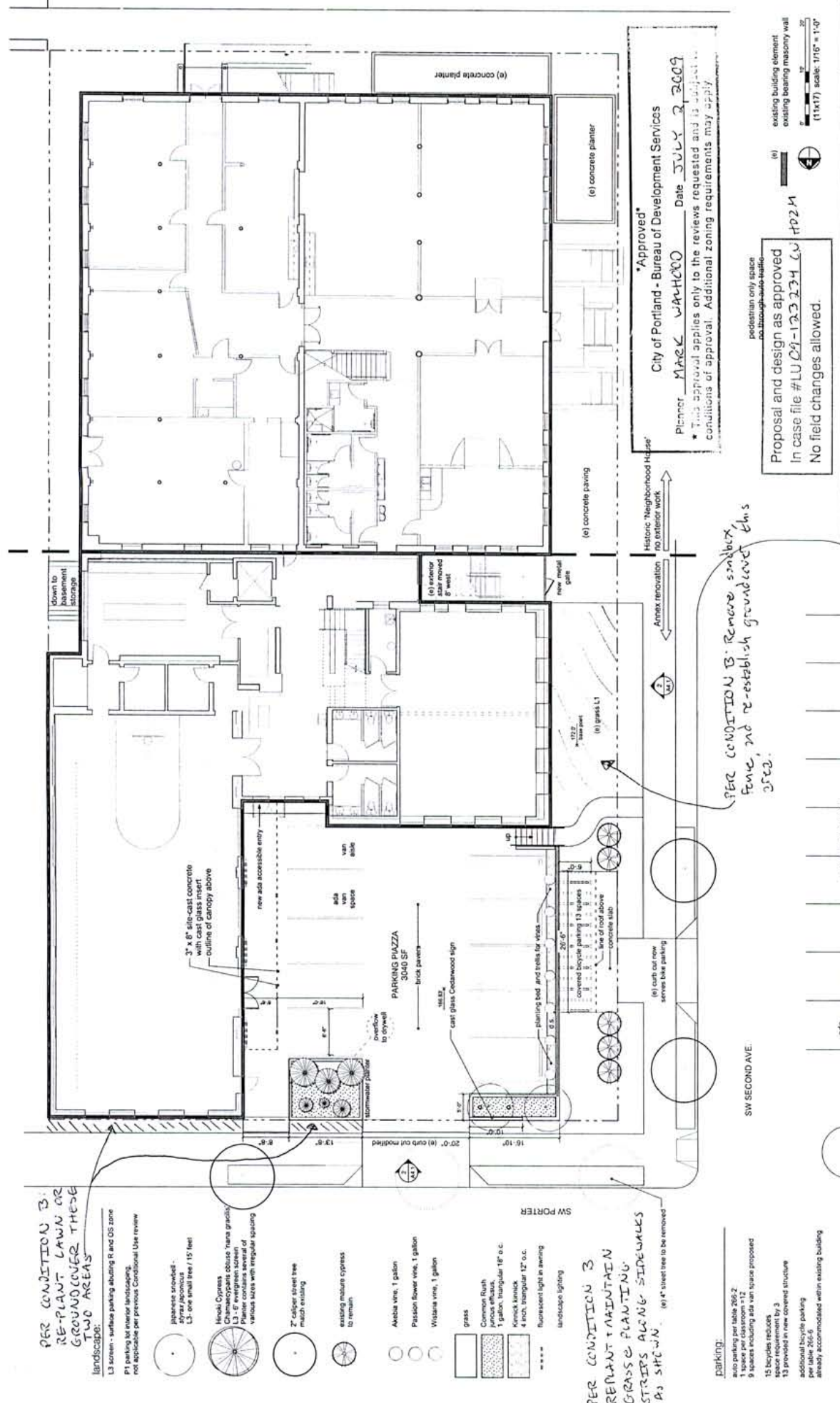
 Historic Landmark



This site lies within the:  
SOUTH PORTLAND HISTORIC DISTRICT

File No.	LU 09-123234 CU HDZM
1/4 Section	3329
Scale	1 inch = 200 feet
State_Id	1S1E10BC 900
Exhibit	B (May 22, 2009)





**PER CONDITION B:**  
 RE-PLANT LAWN OR  
 GRASS COVER THESE  
 TWO AREAS

- landscaping:**
- L3 screen - surface parking abutting R and OS zone
  - P1 parking lot interior landscaping
  - not applicable per previous Conditional Use review
- Japanese snowdrop
  - L3 - one small tree / 15 feet
  - French Cypress
  - obscure trees grass
  - L3 - 6' evergreen screen
  - Planter contains several of various sizes with irregular spacing
  - 2" caliper street tree match existing
  - existing mature cypress to remain

- Azalea vine, 1 gallon
- Passion flower vine, 1 gallon
- Wisteria vine, 1 gallon
- grass
- Common Rush
- prince of wales
- 1 gallon triangular 18" o.c.
- Kennel kumdo
- 4 inch triangular 12" o.c.
- fluorescent light in awning
- landscape lighting

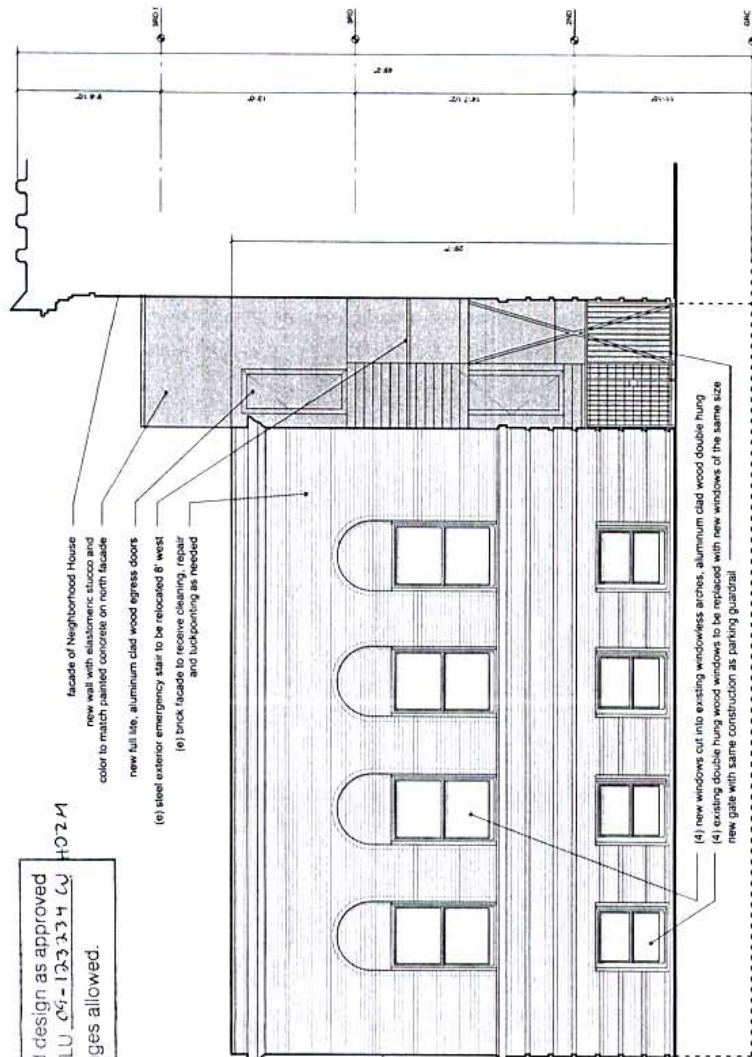
**PER CONDITION B:**  
 RE-PLANT MAINTAIN  
 GRASS PLANTING  
 STRIPS ALONG SIDEWALKS  
 AS SHOWN

- parking:**
- auto parking per table 206.2
  - 9 spaces including ada van spaces proposed
  - 15 bicycles including
  - 3 spaces reserved for covered structure
  - 15 provide in new covered structure
  - additional bicycle parking
  - already accommodated within existing building

**\*Approved\***  
 City of Portland - Bureau of Development Services  
 Planner **MAREK WATKIN** Date **JULY 3, 2009**  
 \* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

pedestrian only space  
 no through auto traffic  
 existing building element  
 existing bearing masonry wall  
 (11417) scale: 1/16" = 1'-0"

Proposal and design as approved  
 In case file # LU 09-123234 CU HDZM  
 No field changes allowed.

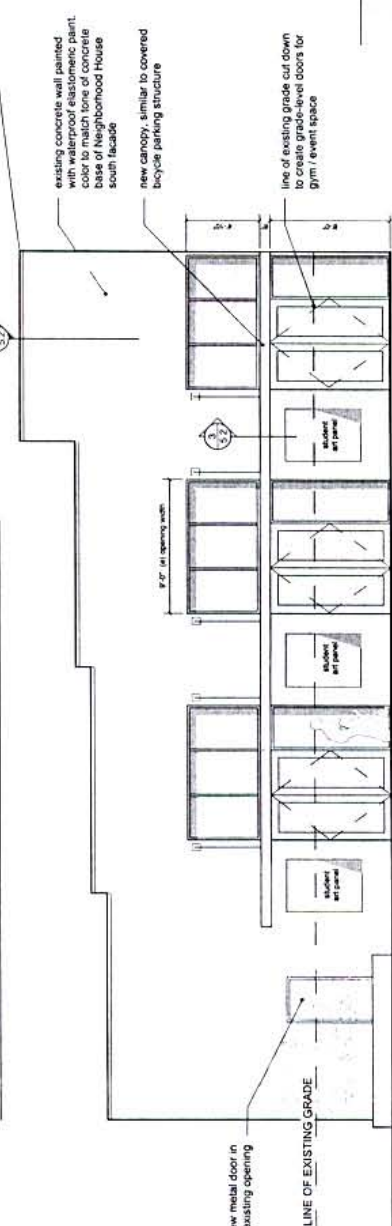


Proposal and design as approved  
 in case file # LU 09-123234 CU HDZM  
 No field changes allowed.

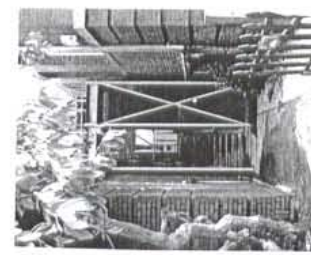
\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner: MARIC WATHOOD Date: July 2, 2009  
 This approval applies only to the reviews requested and is not a guarantee of approval. Additional zoning requirements may apply.

existing cypress trees, healthy, straight ones to remain  
 new bike parking cover, painted 8" high steel permitter frame (4-1/2" x 8")  
 steel column supports for bike parking cover  
 new steel guardrail along parking plaza, replacing wall: 2 1/2 x 1 1/2" steel top and bottom rail with 1/2" x 2 1/2" flat bar pockets spaced 4' o.c.  
 school sign, see n. elevation

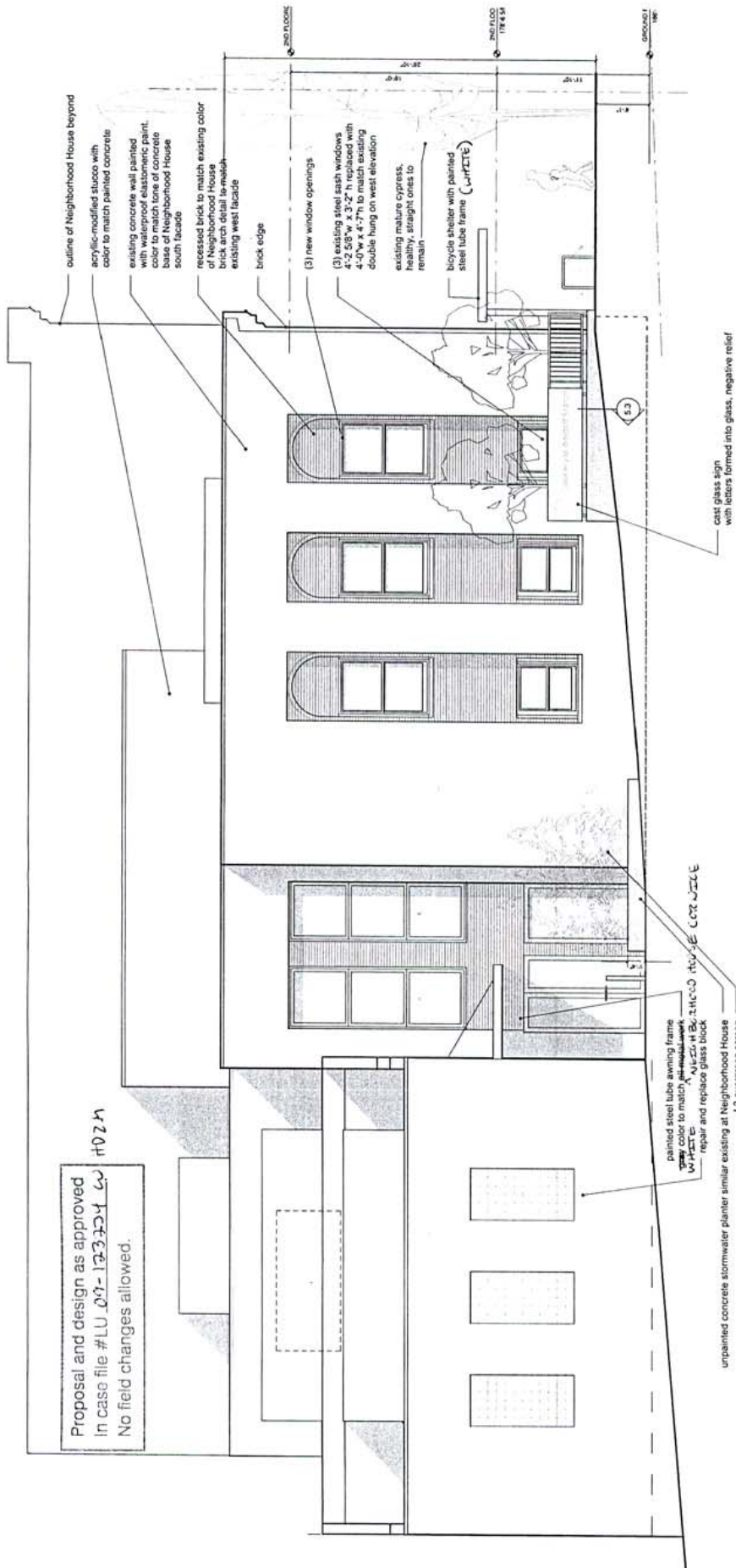
1. west elevation



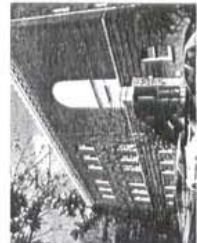
2. west elevation of gym / event space



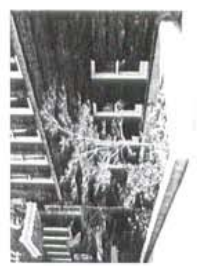
egress stair to remain



\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner MARC WATROOD Date JULY 2, 2009  
 This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.



south facade



planter

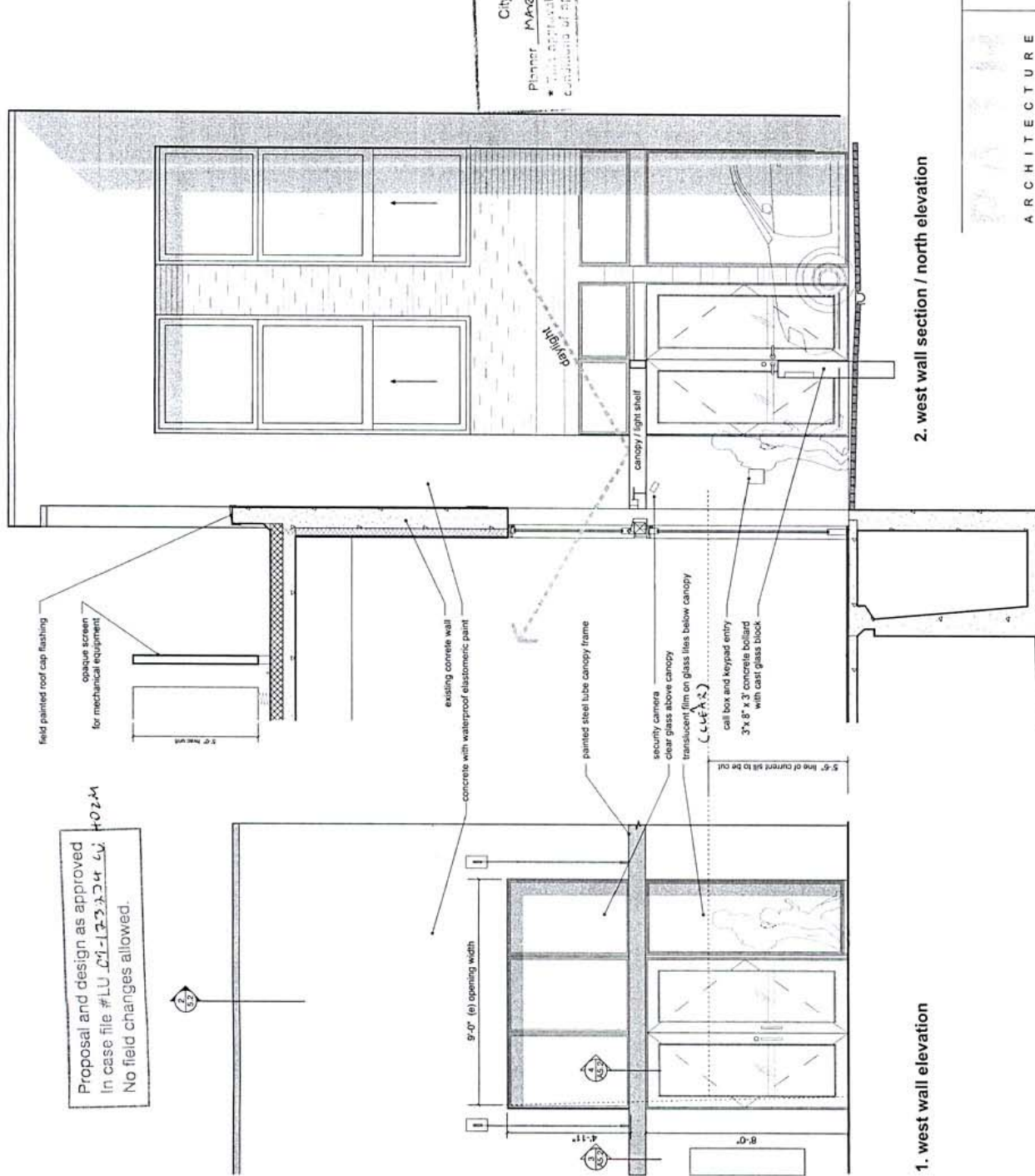


existing glass block

ARCHITECTURE

Cedarwood School Renovation  
 Design Review 04.17.2009

A4.2  
 north elevation



Proposal and design as approved  
 In case file # LU 09-123234 CU HDZM  
 No field changes allowed.

4. canopy / light shelf at window

1. west wall elevation

2. west wall section / north elevation

3. canopy at concrete / opaque wall

\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner: MAREK WILKOWSKI Date: JULY 2, 2009  
 This approval applies only to the reviews requested and is subject to the conditions of approval. Additional zoning requirements may apply.