

ANNOTATED MINUTES

*Tuesday, April 26, 1994 - 9:30 AM
Multnomah County Courthouse, Room 602*

BOARD BRIEFING

B-1 Briefing on the City of Portland's Approved Budget. Presented by Mayor Vera Katz.

RESCHEDULED FOR 1:00 PM, TUESDAY, MAY 3, 1994.

*Tuesday, April 26, 1994 - 1:30 PM
Multnomah County Courthouse, Room 602*

PLANNING ITEMS

Chair Beverly Stein convened the meeting at 1:35 p.m., with Commissioners Sharron Kelley, Gary Hansen and Dan Saltzman present, and Vice-Chair Tanya Collier arriving at 1:40 p.m.

P-1 CS 2-94 Review the March 30, 1994 Hearings Officer Decision, Approving, Subject to Conditions, a Community Service Designation for the Addition of a Gymnasium and Classroom Building at Alice Ott Middle School, Located at 12500 SE RAMONA STREET, PORTLAND

DECISION READ, NO APPEAL FILE, DECISION STANDS.

P-2 CS 3-94 Review the March 30, 1994 Hearings Officer Decision, Approving, Subject to Conditions, a Community Service Designation to Allow Development of a Respite Center for Children and Training Center for Professionals, on Property Located at 15005 SE DIVISION STREET, PORTLAND

DECISION READ, NO APPEAL FILE, DECISION STANDS.

*Tuesday, April 26, 1994 - 1:30 PM Following Planning
Multnomah County Courthouse, Room 602*

BOARD BRIEFING

B-2 Update on Metro's Region 2040 Interim Report and Testimony from Invited Members of the Multnomah County Planning Commission. Presented by Mark Turpel and Stuart Todd of Metro.

***MARK TURPEL AND STUART TODD SLIDE PRESENTATION
AND RESPONSE TO QUESTIONS AND COMMENTS OF
PARTICIPANTS BEVERLY STEIN, TANYA COLLIER,
SHARRON KELLEY, GARY HANSEN, DAN SALTZMAN,
SCOTT PEMBLE, GORDON HOWARD, SHARON TIMKO,
JOHN DuBAY, SAM DIACK, CHRIS FOSTER, PETER FRY***

AND LEONARD YOON.

There being no further business, the meeting was adjourned at 2:55 p.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad
Deborah L. Bogstad

Thursday, April 28, 1994 - 9:30 AM
Multnomah County Courthouse, Room 602

REGULAR MEETING

Chair Beverly Stein convened the meeting at 9:34 a.m., with Vice-Chair Tanya Collier, Commissioners Sharron Kelley, Gary Hansen and Dan Saltzman present.

INTRODUCTION OF STUDENTS LINDSEY PIMENTEL, ROSIE FERFORT, EMILY CLUGSTON, NIKKI KELLEY, JENNIFER HALL AND MONICA HO, ACCOMPANYING BOARD MEMBERS ON ANNUAL "TAKE YOUR DAUGHTER TO WORK DAY".

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, CONSIDERATION OF THE FOLLOWING ITEM WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

UC-1 PROCLAMATION in the Matter of Commemorating the Public Service of Glenn Otto

COMMISSIONER HANSEN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF UC-1. COMMISSIONER KELLEY READ PROCLAMATION. PROCLAMATION 94-72 UNANIMOUSLY APPROVED.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-2) WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

C-1 ORDER in the Matter of the Execution of Deed D941005 Upon Complete Performance of a Contract to Heritage Properties, Inc., 1/2 and Gary and Mary Arlene Moberly, 1/2

ORDER 94-73.

SHERIFF'S OFFICE

- C-2 *Request for Approval of the Transfer of Found/Unclaimed or Unidentified Property List 94-1 to the Department of Environmental Services for Sale or Disposal as Provided Pursuant to Multnomah County Code 7.70*

REGULAR AGENDA

NON-DEPARTMENTAL

- R-1 *RESOLUTION in the Matter of Establishing a Youth Arts Program and a Public Art Youth Steering Committee Through the Percent for Art Fund*

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-1. ELOISE MACMURRAY EXPLANATION. CHAIR STEIN COMMENTS IN SUPPORT. RESOLUTION 94-74 UNANIMOUSLY APPROVED.

- R-2 *RESOLUTION in the Matter of Approving the Job Training Plan of the Private Industry Council for the Period of July 1, 1994 through June 30, 1996*

COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-2. DENNIS COLE AND GREG WHITE PRESENTATION AND RESPONSE TO BOARD QUESTIONS. RESOLUTION 94-75 UNANIMOUSLY APPROVED.

- R-10 *PROCLAMATION in the Matter of Proclaiming May 1 through May 8, 1994, as COMMUNITY LAW WEEK in Multnomah County, Oregon*

MULTNOMAH BAR ASSOCIATION, YOUNG LAWYERS SECTION PRESIDENT DARIN HONN READ PROCLAMATION. UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, PROCLAMATION 94-76 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF COMMUNITY CORRECTIONS

- R-3 *Budget Modification DCC 9 Requesting Authorization to Shift Budgeted Expenditures from Pass Through to Other Internal Service Reimbursement in the Amount of \$128,100, to Pay for 28 Beds at the Courthouse Jail for Parole and Probation Violators, from April 1 through June 30, 1994*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-3. CARY HARKAWAY EXPLANATION AND RESPONSE TO BOARD QUESTIONS. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

COMMUNITY AND FAMILY SERVICES DIVISION

- R-4 *Ratification of Intergovernmental Agreement Contract 105034 Between Oregon Children's Services Division and Multnomah County, Wherein the State Will Provide Funding for Care and Services to Level 7 Youth Living in Multnomah County, Effective May 1, 1994 through June 30, 1995*

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-4. JIM EDMONDSON AND JANICE GRATTON EXPLANATION AND RESPONSE TO BOARD QUESTIONS. MR. EDMONDSON, MS. GRATTON AND BOARD ACKNOWLEDGEMENT AND APPRECIATION FOR CONTRIBUTIONS OF PARTICIPATING COMMUNITY AND STAFF. AGREEMENT UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-5 *In the Matter of the Appointments of Gregory Abbott, Gregory Ballinger, Stephen Brier, Emily Cohen, Martin Faveluke, David Forman, Francis Gieringer, Sheri Greenbaum, Linda Hutchinson, Marsha Jenkins, Iain Levie, Paul Loney, Jessica Mindlin, Craig Moore, Marsha Morasch, Catherine O'Hearn, Sandra Oster, Mark Potter, Renee Rothauge, Steven Scharfstein, Agnes Sowle, Tommye Spence, Carrie Stilwell, Stuart Sugarman, Kathleen Tesner, Sharon Toncray and Herb Weisser as ANIMAL CONTROL HEARINGS OFFICERS for the Administrative Hearings Program, Pursuant to MCC 8.10.010(H)*

COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-5. DAVE FLAGLER EXPLANATION AND RESPONSE TO BOARD QUESTIONS. APPOINTMENTS UNANIMOUSLY APPROVED.

- R-6 *Ratification of Intergovernmental Agreement Contract 301684 Between the Oregon Department of Transportation and Multnomah County, to Partially Fund the Willamette River Bridges Accessibility Project*

COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-6. KATHY BUSSE EXPLANATION AND RESPONSE TO BOARD QUESTIONS. AGREEMENT UNANIMOUSLY APPROVED.

- R-7 *Ratification of Intergovernmental Agreement Contract 301694 Between Oregon Department of Transportation, Multnomah County and Tri-Met, to Provide Bus Shelters at 25 High Use Locations in East Multnomah County and Bicycle Storage Racks at 9 East Multnomah County Max Stations*

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-7. MS. BUSSE EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND COMMENTS. AGREEMENT UNANIMOUSLY APPROVED.

- R-8 *Ratification of Intergovernmental Agreement Contract 301704 Between the Oregon Department of Transportation and Multnomah County, Providing Federal Aid Safety Grant Funding for Improvements to the Intersection of SE Orient Drive and SE 282nd Avenue*

COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-8. MS. BUSSE EXPLANATION. AGREEMENT UNANIMOUSLY APPROVED.

PUBLIC CONTRACT REVIEW BOARD

(Recess as the Board of County Commissioners and convene as the Public Contract Review Board)

- R-9 *ORDER in the Matter of an Exemption from Public Bidding to Purchase Used Cars for the Sheriff's Office Undercover Operations*

COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-9. LARRY AAB EXPLANATION AND RESPONSE TO BOARD QUESTIONS. ORDER 94-77 UNANIMOUSLY APPROVED.

(Recess as the Public Contract Review Board and reconvene as the Board of County Commissioners)

NON-DEPARTMENTAL

- R-11 *RESOLUTION in the Matter of Removing Parcels Commonly Referred to as "A" and "C" of the Edgefield Farm Property from the Real Estate Market for One Year*

COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-11. SHARON TIMKO EXPLANATION. SUE O'HALLORAN TESTIMONY IN SUPPORT OF RESOLUTION AND RESPONSE TO BOARD QUESTIONS. VICE-CHAIR COLLIER ACKNOWLEDGED EFFORTS OF STEERING COMMITTEE, JOAN PASCO AND SHARON TIMKO. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, AN AMENDMENT TO PAGE 2, ADDING "FAIR MARKET VALUE SHALL BE DETERMINED BY AN INDEPENDENT APPRAISAL." TO THE LAST SENTENCE. BOARD DISCUSSION. JOHN DuBAY COMMENTS AND RESPONSE TO BOARD QUESTIONS. BOARD DISCUSSION. AT THE SUGGESTION OF CHAIR STEIN, COMMISSIONERS SALTZMAN AND KELLEY WITHDREW THEIR MOTION AND SECOND. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, AN AMENDMENT TO PAGE 2, ADDING "REASONABLE MARKET VALUE SHALL BE DETERMINED AFTER AN INDEPENDENT APPRAISAL OF THE FAIR MARKET VALUE OF THE PROPERTY." BOARD COMMENTS. AMENDMENT

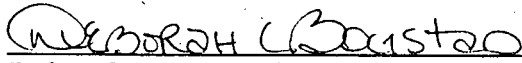
UNANIMOUSLY APPROVED. RESOLUTION 94-78
UNANIMOUSLY APPROVED, AS AMENDED.

PUBLIC COMMENT

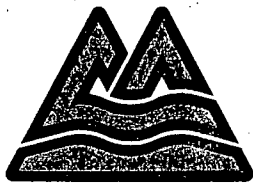
R-12 *Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to
Three Minutes Per Person.*

There being no further business, the meeting was adjourned at 10:47 a.m.

**OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON**



Deborah L. Bogstad



MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK
SUITE 1510, PORTLAND BUILDING
1120 S.W. FIFTH AVENUE
PORTLAND, OREGON 97204

BOARD OF COUNTY COMMISSIONERS		
BEVERLY STEIN •	CHAIR •	248-3308
DAN SALTZMAN •	DISTRICT 1 •	248-5220
GARY HANSEN •	DISTRICT 2 •	248-5219
TANYA COLLIER •	DISTRICT 3 •	248-5217
SHARRON KELLEY •	DISTRICT 4 •	248-5213
CLERK'S OFFICE •	248-3277 •	248-5222

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

APRIL 25, 1994 - APRIL 29, 1994

Tuesday, April 26, 1994 - 9:30 AM - Board Briefing Page 2

Tuesday, April 26, 1994 - 1:30 PM - Planning Items Page 2

Tuesday, April 26, 1994 - 1:30 PM - Board Briefing Page 2

Thursday, April 28, 1994 - 9:30 AM - Regular Meeting Page 2

BUDGET MEETING SCHEDULE ATTACHED

PLEASE NOTE: MAY 26, 1994 MEETING CANCELLED

Thursday Meetings of the Multnomah County Board of Commissioners are taped and can be seen at the following times:

Thursday, 10:00 PM, Channel 11 for East and West side subscribers

Thursday, 10:00 PM, Channel 49 for Columbia Cable (Vancouver) subscribers

Friday, 6:00 PM, Channel 30 for Paragon Cable (Multnomah East) subscribers

Saturday 12:00 Noon, Channel 21 for East Portland and East County subscribers

INDIVIDUALS WITH DISABILITIES MAY CALL THE OFFICE OF THE BOARD CLERK AT 248-3277 OR 248-5222, OR MULTNOMAH COUNTY TDD PHONE 248-5040, FOR INFORMATION ON AVAILABLE SERVICES AND ACCESSIBILITY.

Tuesday, April 26, 1994 - 9:30 AM

Multnomah County Courthouse, Room 602

BOARD BRIEFING

B-1 *Briefing on the City of Portland's Approved Budget. Presented by Mayor Vera Katz. 9:30 AM TIME CERTAIN, 30-45 MINUTES REQUESTED.*

Tuesday, April 26, 1994 - 1:30 PM

Multnomah County Courthouse, Room 602

PLANNING ITEMS

P-1 CS 2-94 *Review the March 30, 1994 Hearings Officer Decision, Approving, Subject to Conditions, a Community Service Designation for the Addition of a Gymnasium and Classroom Building at Alice Ott Middle School, Located at 12500 SE RAMONA STREET, PORTLAND*

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Tuesday, April 26, 1994 - 1:30 PM Following Planning

Multnomah County Courthouse, Room 602

BOARD BRIEFING

B-2 *Update on Metro's Region 2040 Interim Report and Testimony from Invited Members of the Multnomah County Planning Commission. Presented by Mark Turpel and Stuart Todd of Metro. 1 HOUR REQUESTED.*

Thursday, April 28, 1994 - 9:30 AM

Multnomah County Courthouse, Room 602

REGULAR MEETING

CONSENT CALENDAR

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-1 *ORDER in the Matter of the Execution of Deed D941005 Upon Complete Performance of a Contract to Heritage Properties, Inc., 1/2 and Gary and Mary Arlene Moberly, 1/2*

SHERIFF'S OFFICE

- C-2 *Request for Approval of the Transfer of Found/Unclaimed or Unidentified Property List 94-1 to the Department of Environmental Services for Sale or Disposal as Provided Pursuant to Multnomah County Code 7.70*

REGULAR AGENDA

NON-DEPARTMENTAL

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- R-2 *RESOLUTION in the Matter of Approving the Job Training Plan of the Private Industry Council for the Period of July 1, 1994 through June 30, 1996*

DEPARTMENT OF COMMUNITY CORRECTIONS

- R-3 *Budget Modification DCC 9 Requesting Authorization to Shift Budgeted Expenditures from Pass Through to Other Internal Service Reimbursement in the Amount of \$128,100, to Pay for 28 Beds at the Courthouse Jail for Parole and Probation Violators, from April 1 through June 30, 1994*

COMMUNITY AND FAMILY SERVICES DIVISION

- R-4 *Ratification of Intergovernmental Agreement Contract 105034 Between Oregon Children's Services Division and Multnomah County, Wherein the State Will Provide Funding for Care and Services to Level 7 Youth Living in Multnomah County, Effective May 1, 1994 through June 30, 1995*

DEPARTMENT OF ENVIRONMENTAL SERVICES

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PUBLIC CONTRACT REVIEW BOARD

(Recess as the Board of County Commissioners and convene as the Public Contract Review Board)

- R-9 *ORDER in the Matter of an Exemption from Public Bidding to Purchase Used Cars for the Sheriff's Office Undercover Operations*

(Recess as the Public Contract Review Board and reconvene as the Board of County Commissioners)

NON-DEPARTMENTAL

- R-10 *PROCLAMATION in the Matter of Proclaiming May 1 through May 8, 1994, as COMMUNITY LAW WEEK in Multnomah County, Oregon. Presented by Laura Takasumi. Followed by Short Break for Board Photo with President of Multnomah Bar Association, Young Lawyers Section. 10:00 AM TIME CERTAIN.*
- R-11 *RESOLUTION in the Matter of Removing Parcels Commonly Referred to as "A" and "C" of the Edgefield Farm Property from the Real Estate Market for One Year*

PUBLIC COMMENT

- R-12 *Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.*

MULTNOMAH COUNTY BUDGET MEETING SCHEDULE

(April 18, 1994 Revision)

<i>Community & Family Services Division (CFS) Work Session</i>	<i>5/3/94</i>	<i>9:00-11:30 am - Board Room +</i>
<i><u>CFS Public Testimony</u></i>	<i><u>5/3/94</u></i>	<i><u>11:30-12:00 pm - Board Room</u></i>
<i>Health Department (HD) Work Session</i>	<i>5/4/94</i>	<i>9:00-11:30 am - Board Room</i>
<i><u>HD Public Testimony</u></i>	<i><u>5/4/94</u></i>	<i><u>11:30-12:00 pm - Board Room</u></i>
<i><u>*CFS/HD Public Testimony</u></i>	<i><u>5/4/94</u></i>	<i><u>1:30-4:30 pm - Board Room</u></i>
<i><u>Budget 101 Orientation</u></i>	<i><u>5/4/94</u></i>	<i><u>6:00-7:00 pm - Central Library</u></i>
<i><u>Public Hearing/Budget</u></i>	<i><u>5/4/94</u></i>	<i><u>7:00-8:00 pm - Central Library</u></i>
		<i><u>Auditorium, 801 SW 10th, Portland</u></i>
<i>Aging Services Division (ASD) Work Session</i>	<i>5/9/94</i>	<i>10:00-11:30 am - Board Room</i>
<i><u>ASD Public Testimony</u></i>	<i><u>5/9/95</u></i>	<i><u>11:30-12:00 pm - Board Room</u></i>
<i>Juvenile Justice Division (JJD) Work Session</i>	<i>5/9/94</i>	<i>1:30-3:00 pm - Board Room</i>
<i><u>JJD Public Testimony</u></i>	<i><u>5/9/94</u></i>	<i><u>3:00-3:30 pm - Board Room</u></i>
<i>District Attorney (DA) Work Session</i>	<i>5/9/94</i>	<i>3:30-4:30 pm - Board Room</i>
<i>Multnomah County Sheriff's Office (MCSO) Work Session</i>	<i>5/10/94</i>	<i>9:00-11:30 am - Board Room</i>
<i><u>MCSO Public Testimony</u></i>	<i><u>5/10/94</u></i>	<i><u>11:30-12:00 pm - Board Room</u></i>
<i><u>*ASD/JJD Public Testimony</u></i>	<i><u>5/11/94</u></i>	<i><u>1:30-3:00 pm - Board Room</u></i>
<i><u>*DA/MCSO Public Testimony</u></i>	<i><u>5/13/94</u></i>	<i><u>9:30-12:00 pm - Board Room</u></i>
<i>Department of Environmental Services (DES) Work Session</i>	<i>5/23/94</i>	<i>9:00-11:30 am - Board Room</i>
<i><u>DES Public Testimony</u></i>	<i><u>5/23/94</u></i>	<i><u>11:30-12:00 pm - Board Room</u></i>
<i>Department of Community Corrections (DCC) Work Session</i>	<i>5/23/94</i>	<i>1:30-4:30 pm - Board Room</i>
<i><u>DCC Public Testimony</u></i>	<i><u>5/23/94</u></i>	<i><u>4:30-5:00 pm - Board Room</u></i>
<i>DES & Management Support Services (MSS) Work Session</i>	<i>5/24/94</i>	<i>9:00-11:30 am - Board Room</i>
<i><u>DES/MSS Public Testimony</u></i>	<i><u>5/24/94</u></i>	<i><u>11:30-12:00 pm - Board Room</u></i>

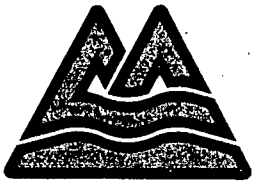
MULTNOMAH COUNTY BUDGET MEETING SCHEDULE - continued
(April 18, 1994 Revision)

Department of Library Services (DLS) Work Session	5/31/94	9:00-11:30 am - Board Room
<u>DLS Public Testimony</u>	<u>5/31/94</u>	<u>11:30-12:00 pm - Board Room</u>
<u>*DLS/DES/DCC Public Testimony</u>	<u>5/31/94</u>	<u>1:30-4:30 pm - Board Room</u>
Independent Agencies & Other Government Support Work Session	6/1/94	9:00-11:30 am - Board Room
<u>Ind/Other Public Testimony</u>	<u>6/1/94</u>	<u>11:30-12:00 pm - Board Room</u>
<u>Public Hearing/Budget</u>	<u>6/1/94</u>	<u>7:00-9:00 pm - Council Chambers, Gresham City Hall, 1333 NW Eastman Parkway, Gresham</u>
General Work Session	6/7/94	9:30-12:00 pm - Board Room
<u>Public Hearing/Budget</u>	<u>6/7/94</u>	<u>7:00-9:00 pm - Board Room</u>
General Work Session	6/8/94	9:30-12:00 pm - Board Room
General Work Session	6/14/94	9:30-12:00 pm - Board Room
General Work Session	6/15/94	9:30-12:00 pm - Board Room
<u>Public Hearing/Adopt Budget</u>	<u>6/16/94</u>	<u>9:30-12:00 pm - Board Room</u>

(* Denotes Additional Public Testimony As Needed)

+ Board Room Address:
Multnomah County Courthouse, Room 602
1021 SW Fourth Avenue, Portland, Oregon 97204

Contact the Office of the Board Clerk, 248-3277 or 248-5222
for Further Information



MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK
SUITE 1510, PORTLAND BUILDING
1120 S.W. FIFTH AVENUE
PORTLAND, OREGON 97204

BOARD OF COUNTY COMMISSIONERS

BEVERLY STEIN •	CHAIR •	248-3308
DAN SALTZMAN •	DISTRICT 1 •	248-5220
GARY HANSEN •	DISTRICT 2 •	248-5219
TANYA COLLIER •	DISTRICT 3 •	248-5217
SHARRON KELLEY •	DISTRICT 4 •	248-5213
CLERK'S OFFICE •	248-3277 •	248-5222

SUPPLEMENTAL AGENDA

Thursday, April 28, 1994 - 9:30 AM

Multnomah County Courthouse, Room 602

REGULAR BOARD MEETING

UNANIMOUS CONSENT ITEM

NON-DEPARTMENTAL

UC-1 *PROCLAMATION in the Matter of Commemorating the Public Service of
Glenn Otto*

MEETING DATE: April 26, 1994

AGENDA NO: D-1

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: CS 2-94 Hearings Officer Decision

BOARD BRIEFING Date Requested:

Amount of Time Needed:

REGULAR MEETING: Date Requested:

April 26, 1994

Amount of Time Needed:

2 Minutes

DEPARTMENT: DES

DIVISION: Planning

CONTACT: R. Scott Pemble

TELEPHONE #: 3182

BLDG/ROOM #: 412/103

PERSON(S) MAKING PRESENTATION: Planning Staff

ACTION REQUESTED:

[] INFORMATIONAL ONLY [] POLICY DIRECTION [x] APPROVAL [] OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

CS 2-94 Review the March 30, 1994 Hearings Officer Decision, approving, subject to conditions, community service designation for an addition of a gymnasium and classroom building to the Alice Ott Middle School, for property located at 12500 SE Ramona Street.

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1994 APR 15 AM 8:41

SIGNATURES REQUIRED:

ELECTED OFFICIAL:

OR

DEPARTMENT MANAGER: 

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277/248-5222

0516C/63

6/93



MULTNOMAH COUNTY OREGON

DIVISION OF PLANNING & DEVELOPMENT/2115 S.E. MORRISON/PORTLAND, OREGON 97214

DIVISION OF PLANNING AND DEVELOPMENT

Board Planning Packet Check List

File No. C52-94

☒ Agenda Placement Sheet

No. of Pages 1

☒ Case Summary Sheet

No. of Pages 1

☐ Previously Distributed

☐ Notice of Review

No. of Pages _____

*(Maybe distributed at Board Meeting)

☐ Previously Distributed

☒ Decision

No. of Pages 10

(Hearings Officer/Planning Commission)

☐ Previously Distributed

*Duplicate materials will be provided upon request.
Please call 2610.

(CL/1)



CASE NAME: Alice Ott Middle School
Community Service Use Expansion

TIME 1:30 pm

NUMBER CS 2-94, HV 6-94

1. Applicant Name/Address:

David Douglas School District #40
1500 SE 130th Ave.
Portland, OR 97233

2. Action Requested by applicant:

Community Service Use approval for the expansion of Alice Ott Middle School by adding a gymnasium and classroom buildings.

3. Planning Director Recommendation:

Approve, subject to conditions.

4. Hearings Officer Decision (March 30, 1994):

Approve, subject to conditions.

5. If recommendation and decision are different, why?

Same.

ACTION REQUESTED OF BOARD	
<input checked="" type="checkbox"/>	Affirm Plan.Com./Hearings Officer
<input type="checkbox"/>	Hearing/Rehearing
<input type="checkbox"/>	Scope of Review
<input type="checkbox"/>	On the record
<input type="checkbox"/>	De Novo
<input type="checkbox"/>	New Information allowed

ISSUES

(who raised them?)

1. Adequate on-site parking (*raised in Staff Report*). Current parking on-site is inadequate, and the location of the new buildings would remove the primary existing parking lot. The applicants were asked to provide additional information to show that other parking areas could be built on the property. The revised plans indicated that the existing tennis courts would be removed and converted to a parking area; additional parking would be provided to the west of the existing school building; and the proposed location of the new buildings would be moved to allow a parking area along the eastern property line. This appears to be adequate to meet requirements. Specific design and parking requirements will be verified during the required Design Review.



**Department of Environmental Services
Division of Planning and Development
2115 S.E. Morrison Street
Portland, Oregon 97214 (503) 248-3043**

Decision

March 30, 1994

This Decision consists of Conditions, Findings of Fact and Conclusions

CS 2-94

Community Service Use Request

Applicant requests Community Service Use approval for expansion of Alice Ott Middle School by adding a gymnasium and classroom building. The proposal also involves extension of the CS designation to property occupied by the school track.

Location: 12500 SE Ramona

Legal: T1S, R2E, Section 14CB, tax lot 13800; Section 14CC,
tax lots 1300, 1400, 1500 and 1600 (see attached map)

Site Size: 9.86 acres

Property Owner: David Douglas School District No. 40
1500 SE 130th Ave.
Portland, OR 97233-1719

Applicant: Rommel Architectural Partnership
1020 SW Taylor St., Suite 360
Portland, OR 97205

Comprehensive Plan: Urban

Present Zoning: LR-5, Urban Low Density Residential,
MR-3, Urban Medium Density Residential

Decision: **Approve, subject to conditions,** this request for the addition of a gymnasium and classroom building at Alice Ott Middle School, based on the following Findings and Conclusions.

Zoning Map

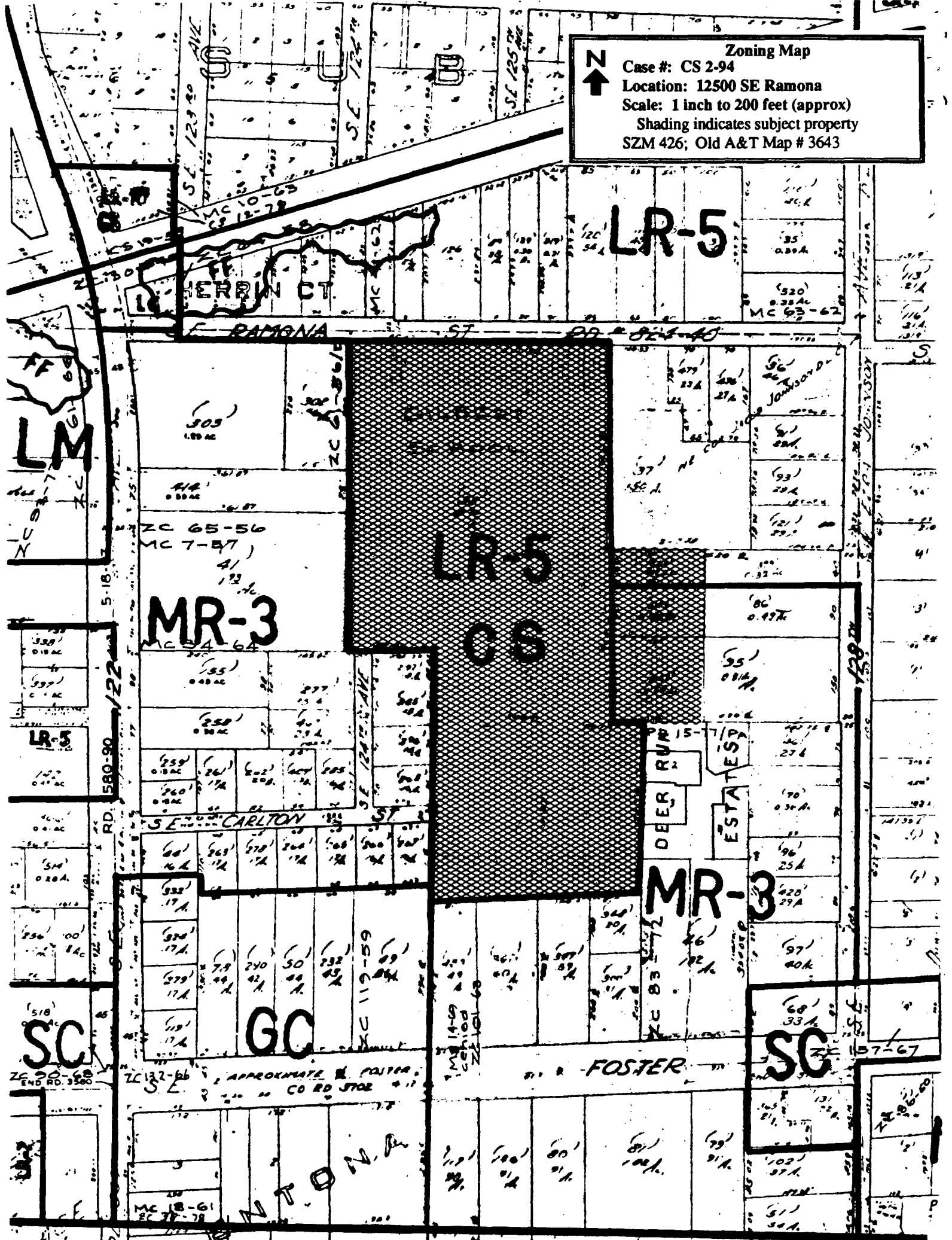
Case #: CS 2-94

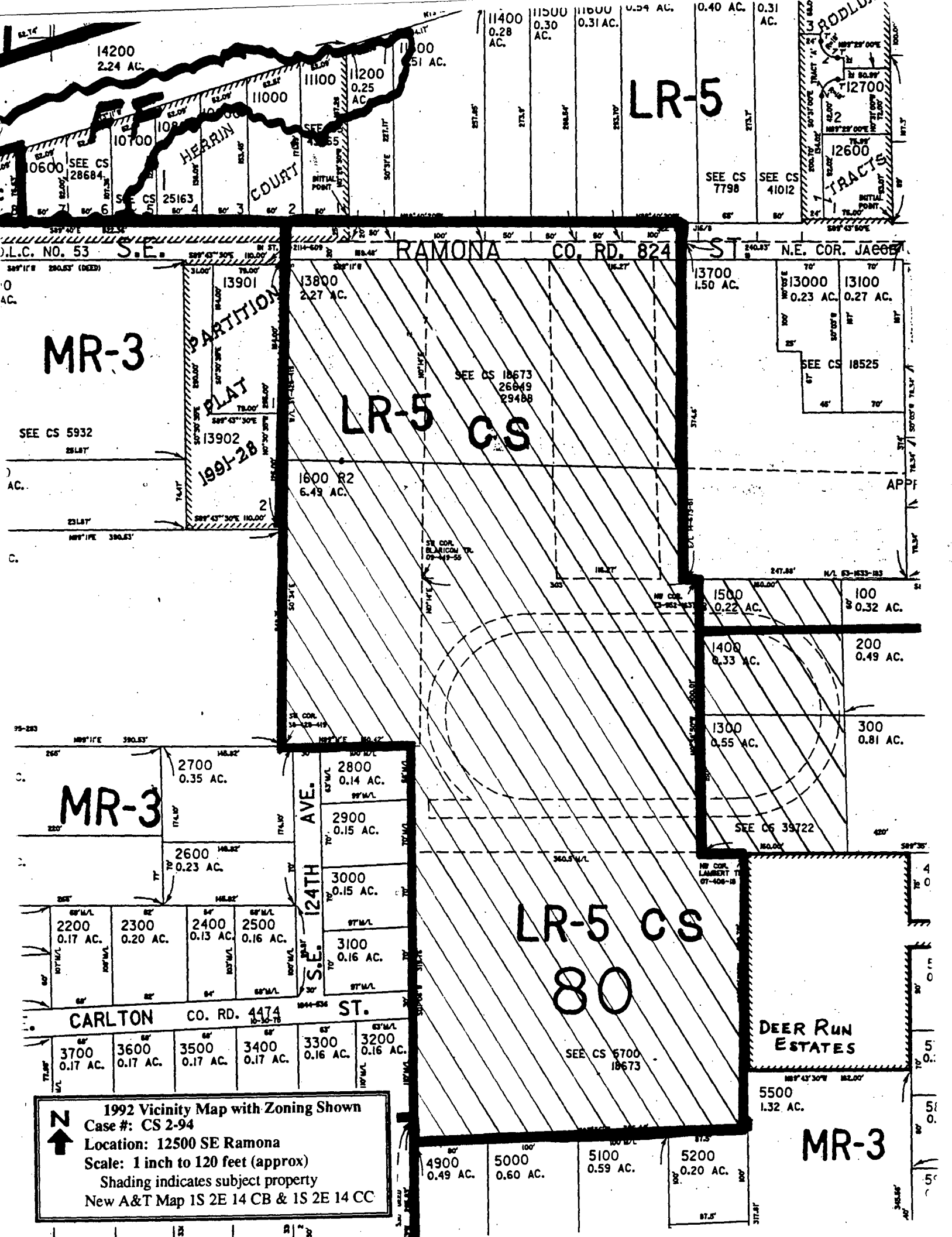
Location: 12500 SE Ramona

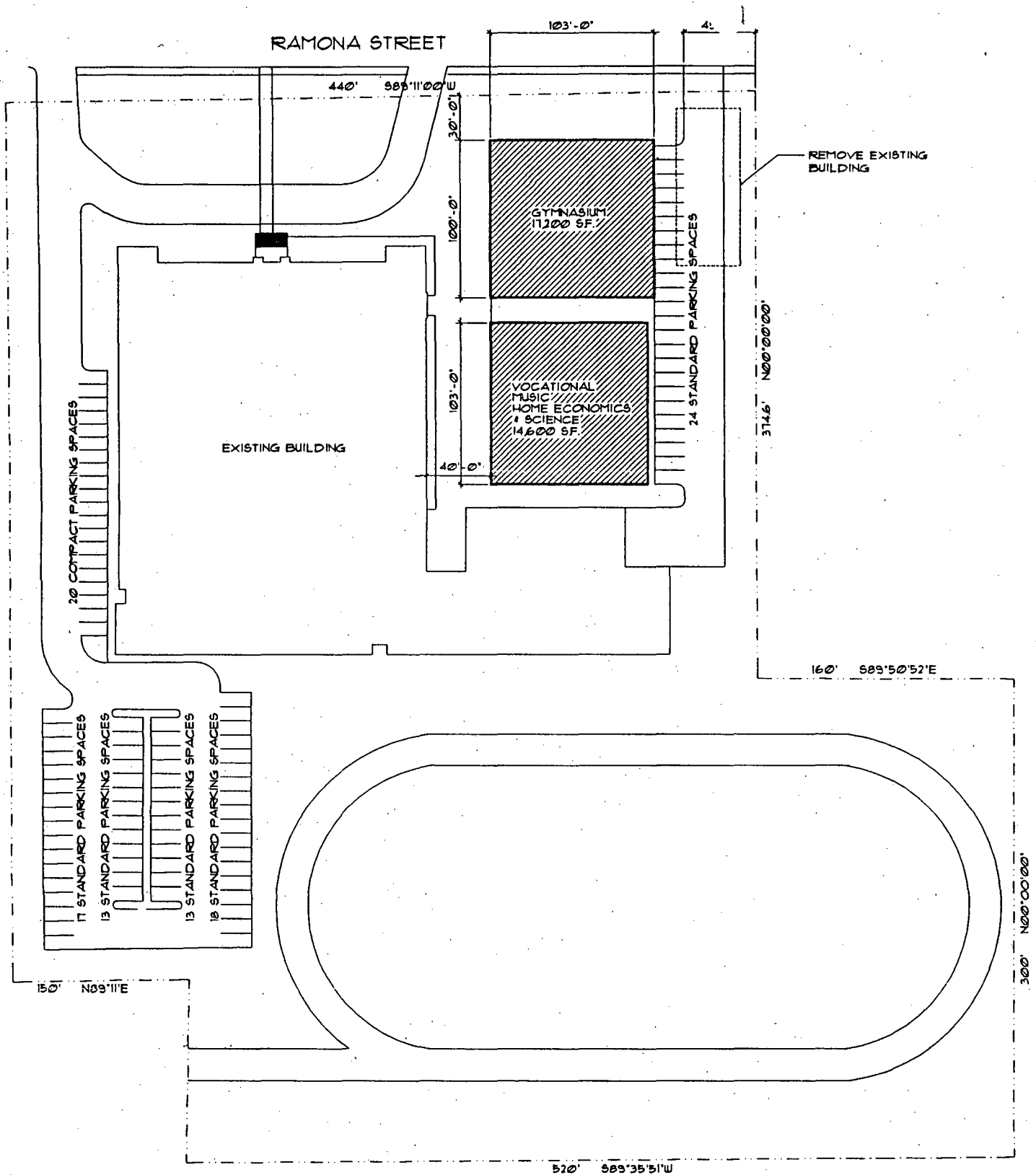
Scale: 1 inch to 200 feet (approx)

Shading indicates subject property

SZM 426; Old A&T Map # 3643







SCHEME 'C'
FEBRUARY 22, 1994

Alice OTT MIDDLE SCHOOL

SCALE: 1" = 30'

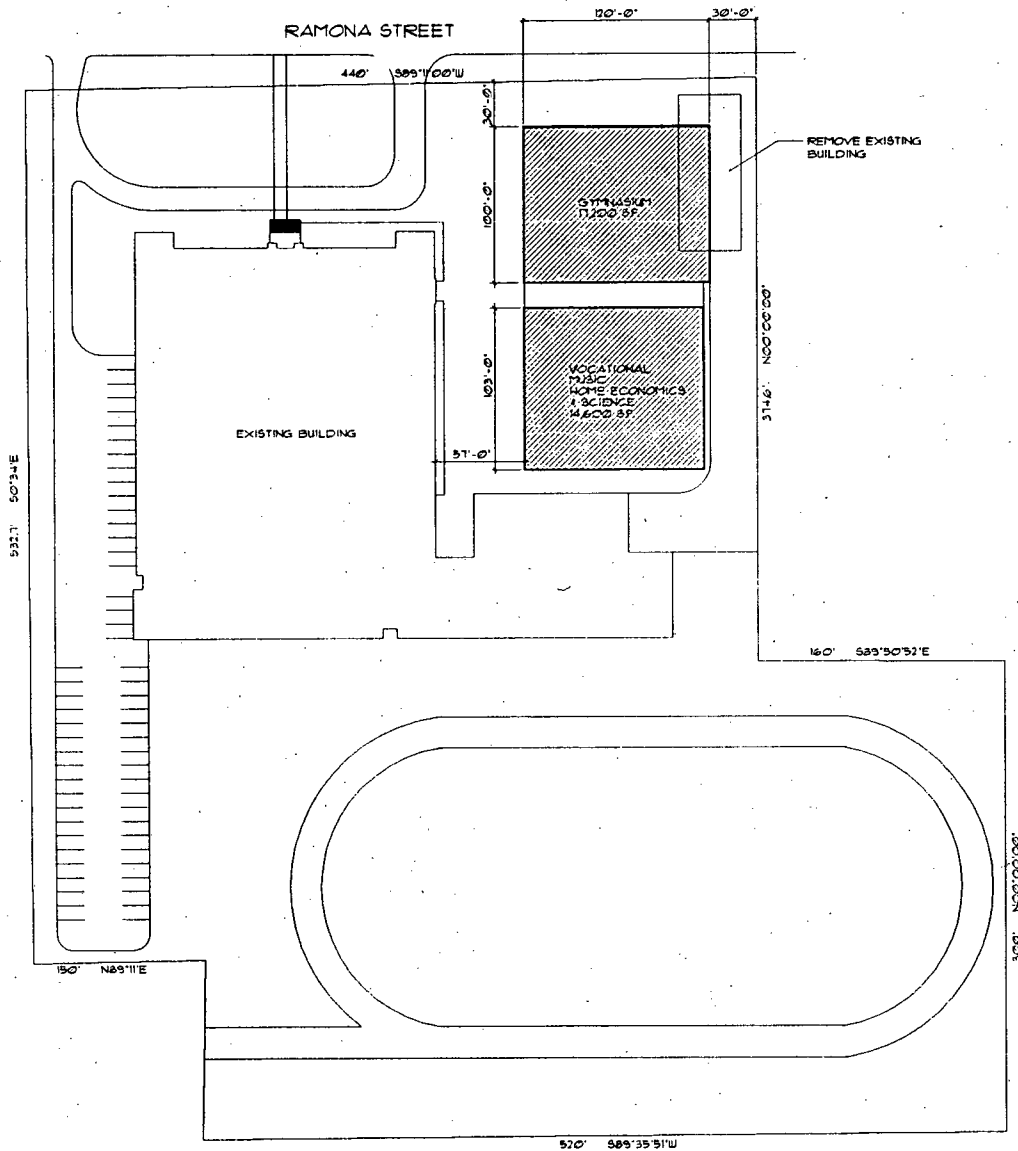


CS 2-94

85 TOTAL STANDARD PARKING SPACES
20 TOTAL COMPACT PARKING SPACES



SITE-3.DWG



CS 2-94

ALICE OTT MIDDLE SCHOOL

SCALE: 1"=30'



4/7/94



CONDITIONS OF APPROVAL:

1. Obtain Design Review approval for all site improvements prior to any development or construction at the site.
2. Comply with Transportation Division requirements including a 5' road dedication and construction of curbs and sidewalks on school property bordering SE Ramona.

FINDINGS OF FACT:

1. Applicant's Proposal:

The applicant requests Hearings Officer approval to expand Alice Ott Middle School by adding a new gymnasium and a classroom building on the northeast corner of the site, where a parking lot now sits. The classroom building will contain vocational education, music, home economics, and science classrooms. The new gymnasium will allow the cafeteria to be moved into the existing gymnasium space, which will make it accessible to people with disabilities, unlike the existing cafeteria which is in a basement. The existing bus garage and modular classroom building will be removed. New parking will be provided east of the proposed buildings, west of the existing school building, and where the tennis courts are currently located.

The request also involves expanding the CS designation to tax lots 1300, 1400 and 1500, where part of the school track is located.

2. Site and Vicinity Characteristics:

The school is located in an area of primarily single family residences. A mobile home park borders school property on the west, and commercial development borders Foster Road south of the school. Access to the school is from Ramona Street.

3. Ordinance Criteria:

MCC 11.15.2630 and .2770 state that Community Service Uses may be permitted in the LR-5 and MR-3 zoning districts when found to satisfy the applicable Ordinance standards.

Ordinance criteria applicable to this request are in **bold**, followed by relevant portions of the applicant's response in *italics* and staff comments. The applicant's complete written responses to ordinance criteria and supporting exhibits are available in the file and are included in the record by reference.

MCC 11.15.7015 Approval Criteria: In approving a Community Service use, the approval authority shall find that the proposal meets the following approval criteria...

(A) Is consistent with the character of the area;

The existing facility is a single story structure in a single family residential areas. We will maintain

existing building forms and detailing in the addition to blend with the existing structure. Parking lots will be screened with landscaping and lighting directed away from adjacent residential property.

Staff comment: The area is primarily residential with commercial development along Foster Road. Schools are consistent with the characteristics of residential neighborhoods.

(B) Will not adversely affect natural resources;

The present site is fully developed as a school and has no natural resources on-site.

Staff comment: There are no streams, wetlands, or other natural resources in the area or on-site.

(C) Will not conflict with farm or forest uses in the area;

The site is not located in an area designated for farm or forest land usage.

Staff comment: The site is in a developed urban area. There are no farm or forest uses in the area.

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

This addition does not require any additional services beyond the existing. Police services are provided by Multnomah County. When this property is annexed, the Portland Police Bureau will provide the service. Fire protection is by the City of Portland. Water is provided by Powell Valley Road Water District and the present service is adequate. Storm water is maintained on-site in drywells. Sanitary disposal is by city sewers.

Staff comment: The existing school is adequately served by public facilities and utilities. No additional public services will be required by the addition.

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

This site is not located within an identified big game winter habitat area.

Staff comment: The Comprehensive Plan Wildlife Habitat Map does not show any big game habitat in the vicinity.

(F) Will not create hazardous conditions; and

This proposal will not create additional traffic to the site.

Staff comment: Parking on the site is currently inadequate. As originally proposed, the new buildings would have removed the primary parking lot on the property. The applicant has submitted a revised site plan showing parking east of the proposed building, west of the existing building, and replacing the tennis courts, for a total of 105 spaces. The off-street parking requirements for middle schools is one space for each 84 sq. ft. of floor area in the auditorium. The applicant has not submit-

ted floor plans showing the actual floor area of the gym (the 17,200 sq. ft. shown on the site plan probably includes locker rooms, office space, entries, etc.) so it is unknown whether the 105 spaces is adequate. Inadequate on-site parking is a potential hazardous condition, especially since there is no safe off-site parking due to the narrowness of SE Ramona Street. In order to not delay a decision on this request, the adequacy and location of parking can be delayed until Design Review, with the condition that failure to receive Design Review approval of all site improvements would prohibit construction of the new buildings.

(G) Will satisfy the applicable policies of the Comprehensive Plan.

Staff comment: Plan policies are addressed below.

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

Staff comment: There are no other specific approval criteria which apply to this request. However, MCC .7025 lists restrictions related to minimum yard dimensions, including 30' front yard setbacks, 15' rear yard, and side yards of 15' for buildings 25' or less in height or 20' for buildings greater than 25' in height. The proposal meets these setbacks.

4. Comprehensive Plan Policies:

Policy 13 Air, Water and Noise Quality

This proposal has no affect on water quality, all run off will be maintained on-site. This proposal will have a minimal affect on air and noise quality. The same number of students will come to school each day whether or not these improvements are completed.

Staff comment: Mid-County Sewer District has indicated that the proposed expansion can be served by existing sewers. The site is not in a noise impact area. While some school classes and activities are potential noise generators (i.e., vocational education, music and gym classes), they will occur within the new buildings and there should be minimal noise discernible beyond the property lines.

Policy 14 Developmental Limitations

The site contains none of the characteristics that require mitigation or special treatment described in this policy.

Staff comment: Soils on the property are Multnomah-Urban land complex with slopes of 0 - 8 percent. The Multnomah County Soil Survey indicates that there are no major limitations for urban development on this type soil. The property is not within a flood hazard area.

Policy 16 Natural Resources

The site is not located within an Area of Significant Environmental Concern described in this policy. The site contains none of the features described in this policy. Although the building does not have a designated historic classification, it has been the focal point of the Gilbert neighborhood since it

was built. It is our goal to maintain or enhance the historic quality of the original building by incorporating forms, materials and detailing from the existing building in the new addition.

Staff comment: The nearest significant Goal 5 resource in the area is Johnson Creek, which is approximately 1/2 mile south of the school. The proposed new buildings will have no impact on this resource.

Policy 18 Community Identity

This school is one of the identifying elements of this community and our proposal reinforces this identity by providing access to the entire community.

Staff comment: The school is within the Powellhurst Community, and is identified as a community facility in the Powellhurst Community Plan. As such, it provides public services through the use of school buildings for community activities. The proposed new gymnasium will provide additional space for these community activities.

Policy 19 Community Design

No applicant response.

Staff comment: Policy 19 requires a Design Review process to evaluate the compatibility of a proposed development with the surrounding community. The Powellhurst Community Plan lists six factors that should be considered in the design of community facilities. Since final building, parking and landscaping plans are not complete, requiring Design Review as a condition of approval is suggested.

Policy 22 Energy Conservation

This project will upgrade a 1930's elementary school building into a modern middle school. We propose to remove the old bus garage, presently used for vocational education and home economics, and the modular classroom building from the site. We will replace them with a new gymnasium, vocational, home economics and science classrooms and move the cafeteria into the existing gymnasium space.

Staff comment: Expansion of the school complies with a policy of energy conservation because it will replace an old bus garage with a more modern and energy efficient classroom building, and will increase utilization of the present site for both school and community uses.

Policy 31 Community Facilities and Uses

This school is classified as a minor community facility. The community needs this facility to maintain the education process in the local neighborhood. It reinforces existing patterns of development.

Staff comment: The proposed additions will meet community needs. Primary access and bus drop-offs are from Ramona Street. Other roads to the site are SE Carlton and SE 124th Ave. All three are local neighborhood streets. Surrounding roads include SE 128th which is a major collector, and SE 122nd, a major arterial. Policy 31 indicates that minor community facilities should have direct

access to a collector street rather than routing through a local neighborhood street. However, since the school is already established and the applicant has indicated there will be no increase in the number of students attending the school, this policy should not be reason to deny the proposed new buildings. The County Transportation Division has indicated that the school should dedicate 5 feet of road frontage along Ramona, and construct curbs and sidewalks. They have not indicated that site access would be dangerous or cause traffic congestion.

Policy 37 Utilities

Storm water disposal is on-site with an existing system of dry wells. Sanitary disposal is handled with the city sewer system. If the present dry well system cannot accommodate the additional run off, we propose to install an additional dry well. Communication and energy systems are in place and capable of handling the proposed addition.

Staff comment: Public water and sewer are available, as evidenced by signed Service Provider Forms submitted as part of the application. Dry wells can adequately handle run-off on-site. PGE and telephone services already serve the school.

Policy 38 Facilities

The present school is unable to meet the needs of the community. This proposal will fulfill the needs of the community. Fire and police protection are in existing and capable of providing service.

Staff comment: Service Provider Forms from the Multnomah County Sheriff and Portland Fire District indicate that service levels are adequate for the proposed addition.

Policy 39 Parks and Recreation Planning

This is a school and does maintain recreational facilities on the site. Our site has play fields and recreational equipment that is used by the community. This proposal will not reduce the existing recreational facilities.

Staff comment: Policy 39 encourages the development of recreational opportunities by other agencies, such as the school. While parking will replace the existing tennis courts, the track and ball fields will be unaffected by the proposed new buildings.

Policy 40 Development Requirements

The existing site has pedestrian and bicycle path connections and is fully landscaped. Bicycle parking areas exist on the site.

Staff Comment: The nearest existing and proposed bike paths are along SE Foster and the railway bed to the north. Since the school property is not adjacent to these bikeways, connections are not possible. Improvements in the form of sidewalks along Ramona will be required to meet Transportation Division standards.

CONCLUSIONS:

1. The applicant has provided adequate evidence to show that the expansion of Alice Ott school can meet the requirements for a community service use.
2. Expansion of community service designation to property currently occupied by the school track will be consistent with code and plan policies.
3. Conditions are necessary to assure compliance with all code requirements, specifically Design Review and Transportation Division requirements.

I. FINDINGS

1. The hearings officer hereby adopts and incorporates by reference the Multnomah County Department of Environmental Services Staff Report in this matter dated March 16, 1994 (the "Staff Report"), including the findings, conclusions and conditions of approval, except to the extent expressly provided otherwise in this final order.

2. Hearings Officer Larry Epstein held a duly noticed public hearing at 2115 SE Morrison Street, Portland, Oregon on March 16, 1994 to consider the application. A record of that testimony is included herein as Exhibit A (Minutes and Parties of Record), Exhibit B (Taped Proceedings), and Exhibit C (Written Testimony). These exhibits are filed at the Multnomah County Department of Environmental Services. The hearings officer understood the testimony at the hearing to include the following, in relevant part:

a. Sandy Mathewson testified for the County, summarized the Staff Report, and showed slides of the site and surrounding property, incorporated herein.

b. Architect Terry Rommel testified for the applicant David Douglas School District. He summarized the history of the school and the reasons for the proposed expansion, i.e., to reflect the change in the function of the school from an elementary school to a middle school; to provide use-specific facilities for vocational, music and science classes; to relieve over-crowding; and to comply with the Americans With Disabilities Act. He accepted the Staff Report, including the recommended conditions of approval, without objection or correction.

3. The hearings officer finds that the findings in the Staff Report and the substantial evidence in the record referenced or relied on to make those findings show that the proposed community service designation complies with the applicable standards of the Multnomah County Code, and the hearings officer adopts them as his own.

II. CONCLUSION

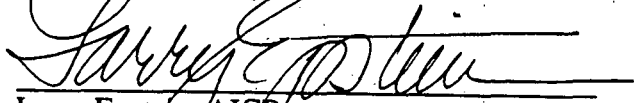
Based on the findings and the substantial evidence cited or referenced herein, the hearings officer concludes that the proposed community service designation does or will comply with the applicable approval standards in MCC 11.15, and should be approved, subject to the conditions of approval recommended in the Staff Report.

III. DECISION

In recognition of the findings and conclusions contained herein, and incorporating the Staff Report and other reports of affected agencies and public testimony and exhibits received in this matter, the hearings officer hereby approves CS 2-94, subject to the conditions of approval recommended in the Multnomah County Department of Environmental Services Staff Report in this matter dated March 16, 1994.

Signed

Dated this 30th day of March, 1994.


Larry Epstein, AICP
Multnomah County Hearings Officer

Signed by the Hearings Officer:

March 30, 1994

Decision Mailed to Parties

April 8, 1994

Decision Submitted to Board Clerk

April 8, 1994

Last day to Appeal Decision

4:30 p.m., April 18, 1994

Reported to Board of County Commissioners

1:30 p.m., April 26, 1994

Appeal to the Board of County Commissioners

Decisions of the Hearings Officer may be appealed to the Board of County Commissioners (Board) by any person or organization who appears and testifies at the hearing, or by those who submit written testimony to the record. A "Notice of Appeal" form and fee must be submitted to the County Planning Director, within ten days after the Hearings Officer decision is submitted to the Clerk of the Board [ref. MCC 11.15.8260(A)(1)]. The appeal fee is \$300.00 plus a \$3.50-per-minute charge for a transcript of the initial hearing(s) [ref. MCC 11.15.9020(B)]. "Notice of Appeal" forms and instructions are available at the Planning and Development Office at 2115 SE Morrison Street, Portland.

Failure to raise an issue by the close of the record at or following the final hearing, (in person or by letter), precludes appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to provide specificity on an issue sufficient for the Board to respond, precludes appeal to LUBA on that issue.

Hearings Officer decisions are typically reported to the Board for review on the first Tuesday following the ten day appeal period. The Board meets at 1:30 p.m. in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.

MEETING DATE: April 26, 1994

AGENDA NO: P-2

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: CS 3-94 Hearings Officer Decision

BOARD BRIEFING Date Requested:

Amount of Time Needed:

REGULAR MEETING: Date Requested: April 26, 1994

Amount of Time Needed: 2 Minutes

DEPARTMENT: DES

DIVISION: Planning

CONTACT: R. Scott Pemble

TELEPHONE #: 3182

BLDG/ROOM #: 412/103

PERSON(S) MAKING PRESENTATION: Planning Staff

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

CS. 3-94 Review the March 30, 1994 Hearings Officer Decision, approving, subject to conditions, community service designation to allow development of a respite center for children and training center for professionals, for property located at 15005 SE Division Street.

BOARD OF
MULTNOMAH COUNTY
OREGON
1994 APR 15 AM 8:42

SIGNATURES REQUIRED:

ELECTED OFFICIAL:

OR

DEPARTMENT MANAGER:

Betsy H Williams

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277/248-5222



MULTNOMAH COUNTY OREGON

DIVISION OF PLANNING & DEVELOPMENT/2115 S.E. MORRISON/PORTLAND, OREGON 97214

DIVISION OF PLANNING AND DEVELOPMENT

Board Planning Packet Check List

File No. C53-94

☒ Agenda Placement Sheet

No. of Pages 1

☒ Case Summary Sheet

No. of Pages 1

☐ Previously Distributed

☐ Notice of Review

No. of Pages _____

*(Maybe distributed at Board Meeting)

☐ Previously Distributed

☒ Decision

No. of Pages 13

(Hearings Officer/Planning Commission)

☐ Previously Distributed

*Duplicate materials will be provided upon request.
Please call 2610.

(CL/1)



CASE NAME Flood Hazard Variance

NUMBER

CS 3-94

1. Applicant Name/Address

Helen M. Schneider
222 NE 131st Place
Portland 97230

2. Action Requested by Applicant

Approval of a Community Service designation of this property to allow development of a respite center for children and training center for professionals as an expansion of the existing Serendipity Center.

ACTION REQUESTED OF BOARD

- ☒ Affirm Plan.Com./Hear.Of
☐ Hearing/Rehearing
☐ Scope of Review
☐ On the record
☐ De Novo
☐ New Information allowed

3. Planning Staff Recommendation

Approval

4. Hearings Officer Decision:

Approval

5. If recommendation and decision are different, why?

ISSUES

(who raised them?)

- a. The removal of an existing rental unit (resident of dwelling that will be removed to allow proposed expansion)..

Do any of these issues have policy implications? Explain.

No



**Department of Environmental Services
Division of Planning and Development
2115 S.E. Morrison Street
Portland, Oregon 97214 (503) 248-3043**

Decision

This Decision consists of Findings of Fact and Conclusions

March 30, 1994

CS 3-94, #141

Expansion of Private School

Applicant requests Community Service designation of this property to allow development of a respite center for children and training center for professionals.

Location: 15005 SE Division Street

Legal: Tax Lots '306' & '106', Section 1, T1S, R2E (see attached map)

Site Size: 90' x 208' acres'

Size Requested: same

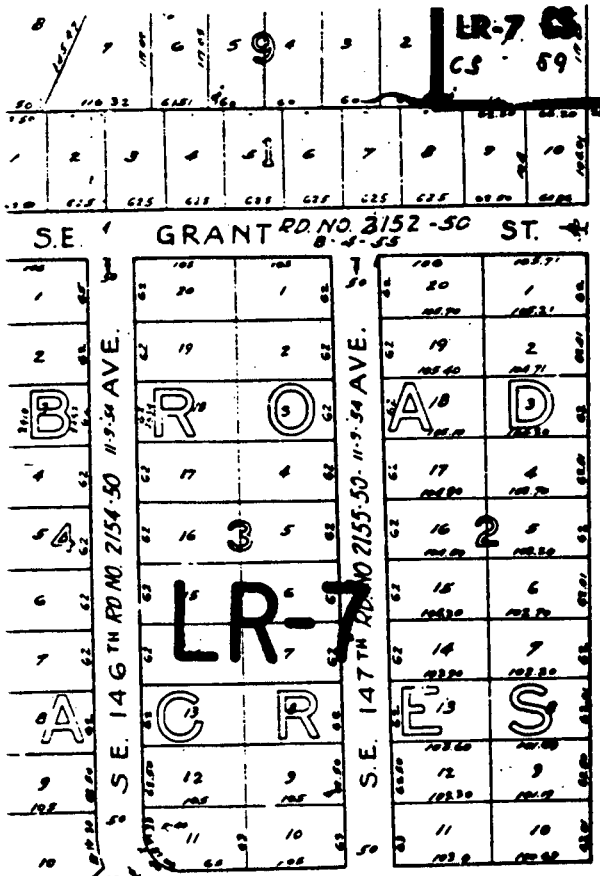
Property Owner: Helen M. Schneider
222 NE 131st Place
Portland, OR 97230

Applicant: Serendipity Center, Inc.
PO Box 156
Gladstone, OR 97027

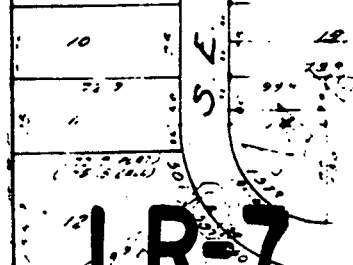
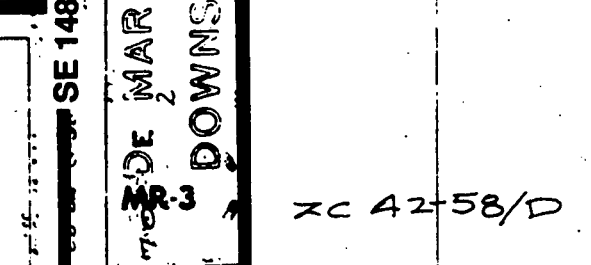
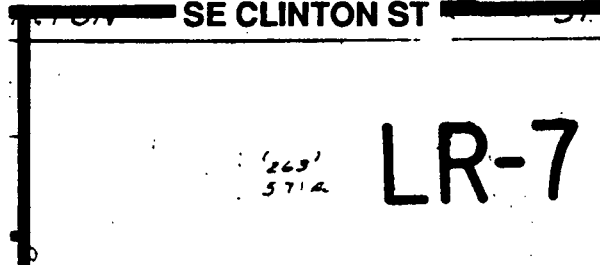
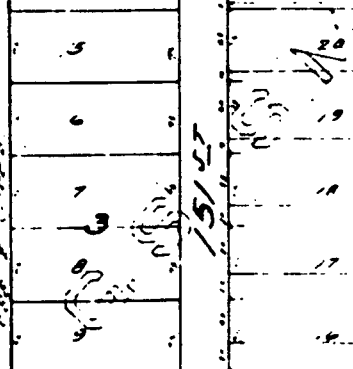
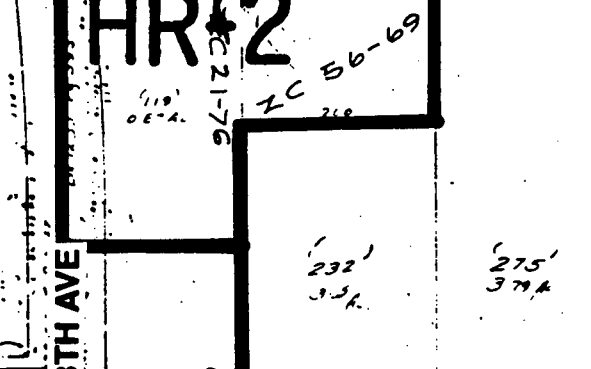
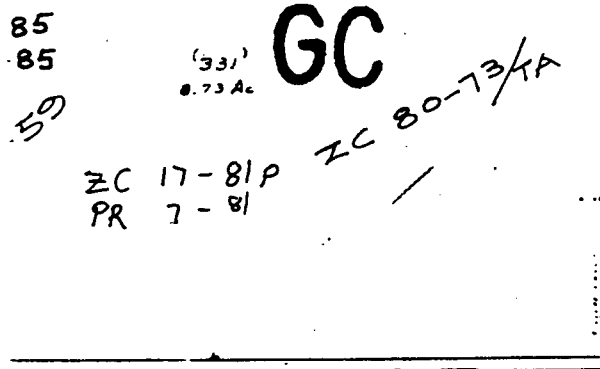
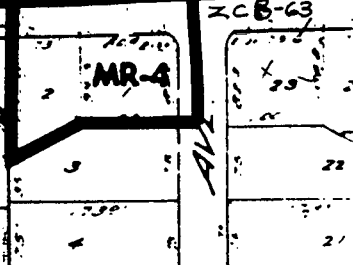
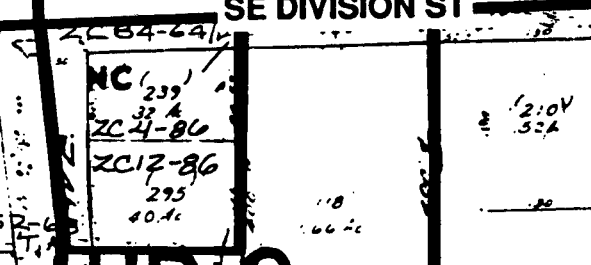
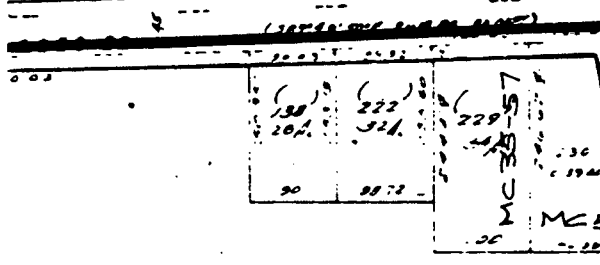
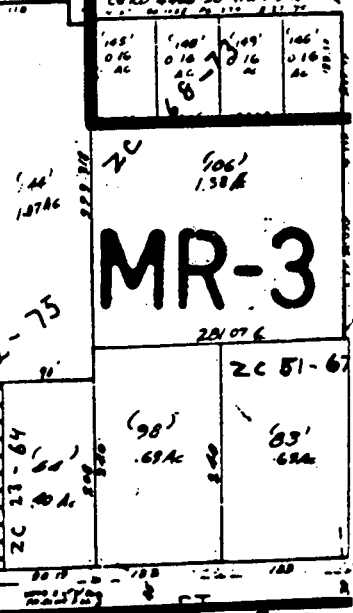
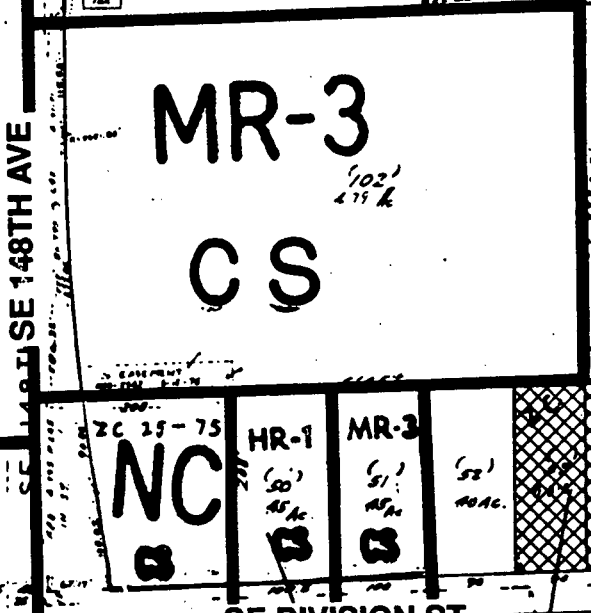
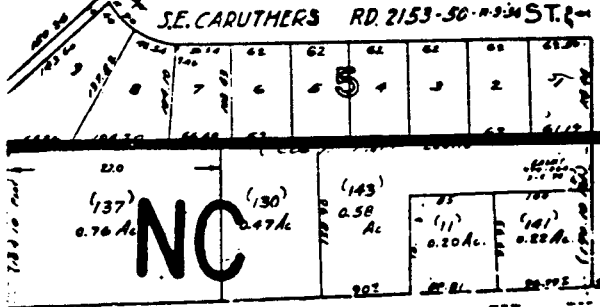
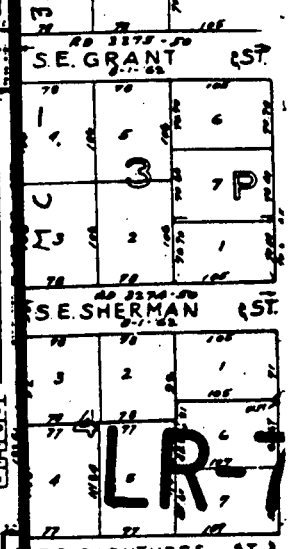
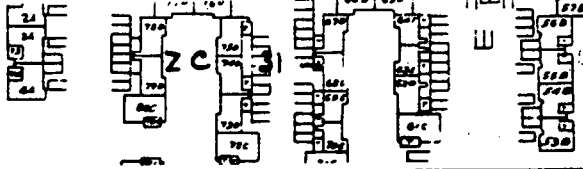
Comprehensive Plan: Medium Density Residential

Present Zoning: MR-3

Decision: Approve, subject to conditions, community service designation of this property to allow development of a respite center for children and training center for professionals.



Zoning Map
Case #: CS 3-94
Location: 15005 SE Division Street
Scale: 1 inch to 200 feet (approx)
Shading indicates subject property.
SZM # 400, 1991 A&T Map #3245



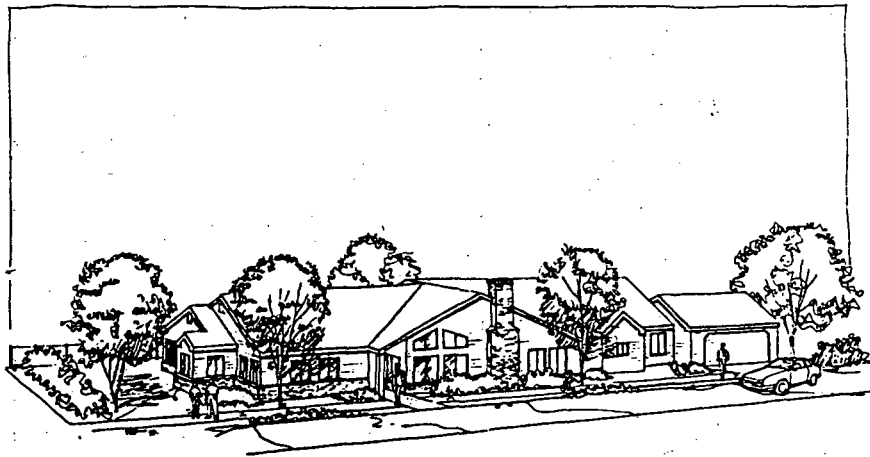
CS 3-94



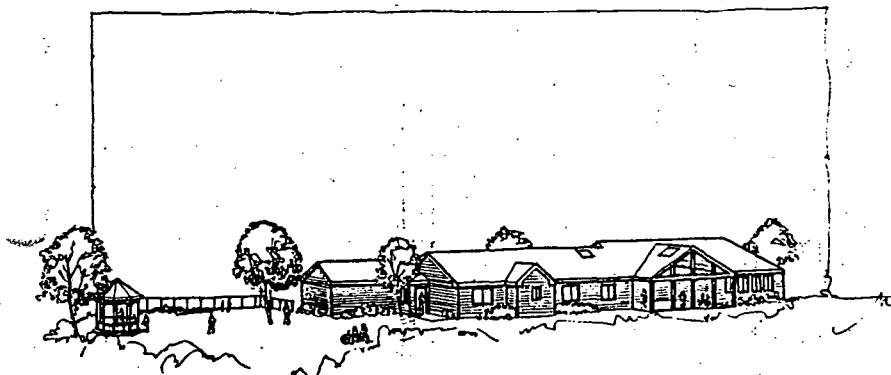
1" = 30'-0"

SITE AREA LOT 52 & 106 = 0.33 ACRES

COPYRIGHT 1993
PAUL FRANKS ARCHITECT



VIEW FROM DIVISION STREET



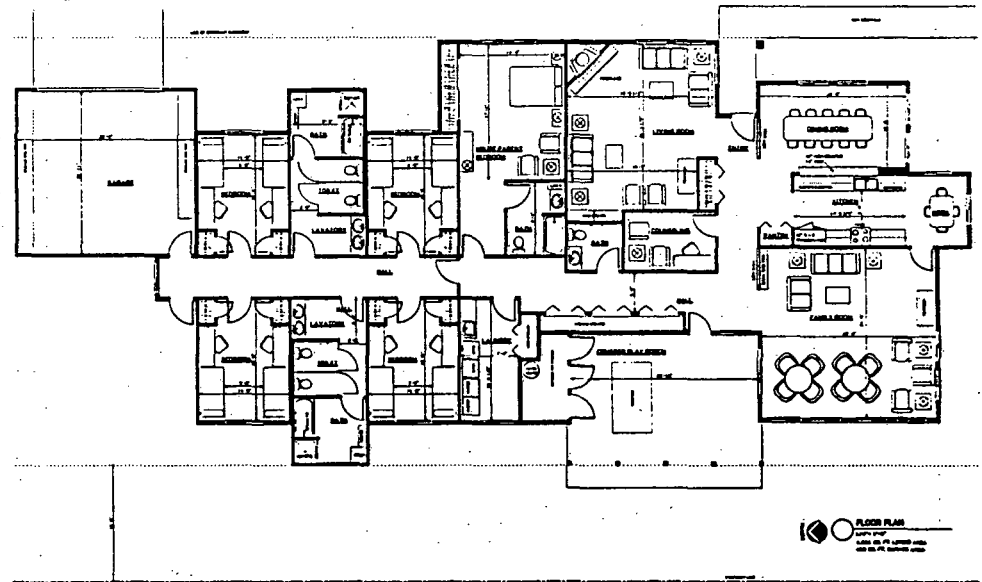
VIEW FROM WEST

SERENDIPITY RESPITE & TRAINING CENTER

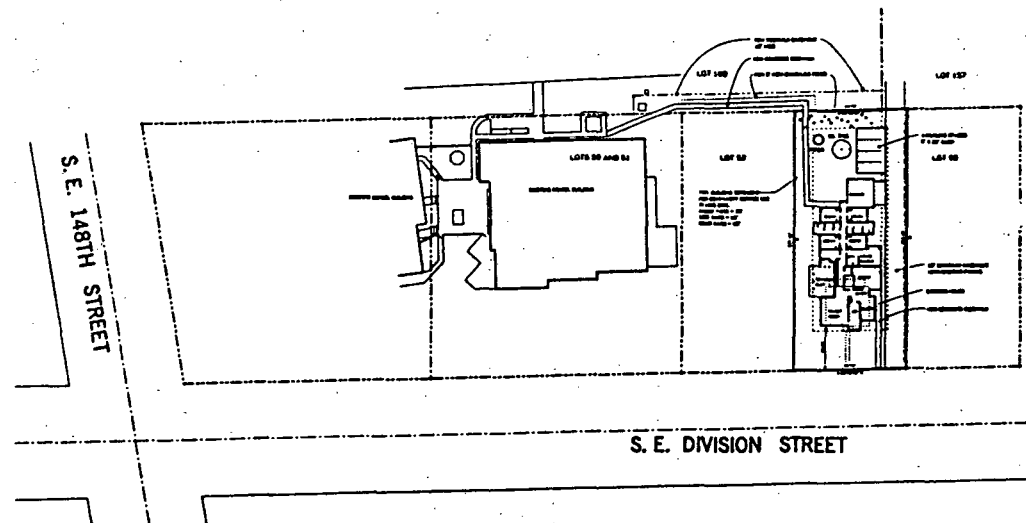
15005 S.E. DIVISION STREET
PORTLAND, OREGON

PAUL
FRANKS
ARCHITECT

3005 - 100th AVENUE N.E., SUITE 104
BELLEVUE, WASHINGTON 98004
TEL: 800-6700 FAX: 206-623-4034



FLOOR PLAN
1/8" = 1'-0"



SITE PLAN
1" = 60'



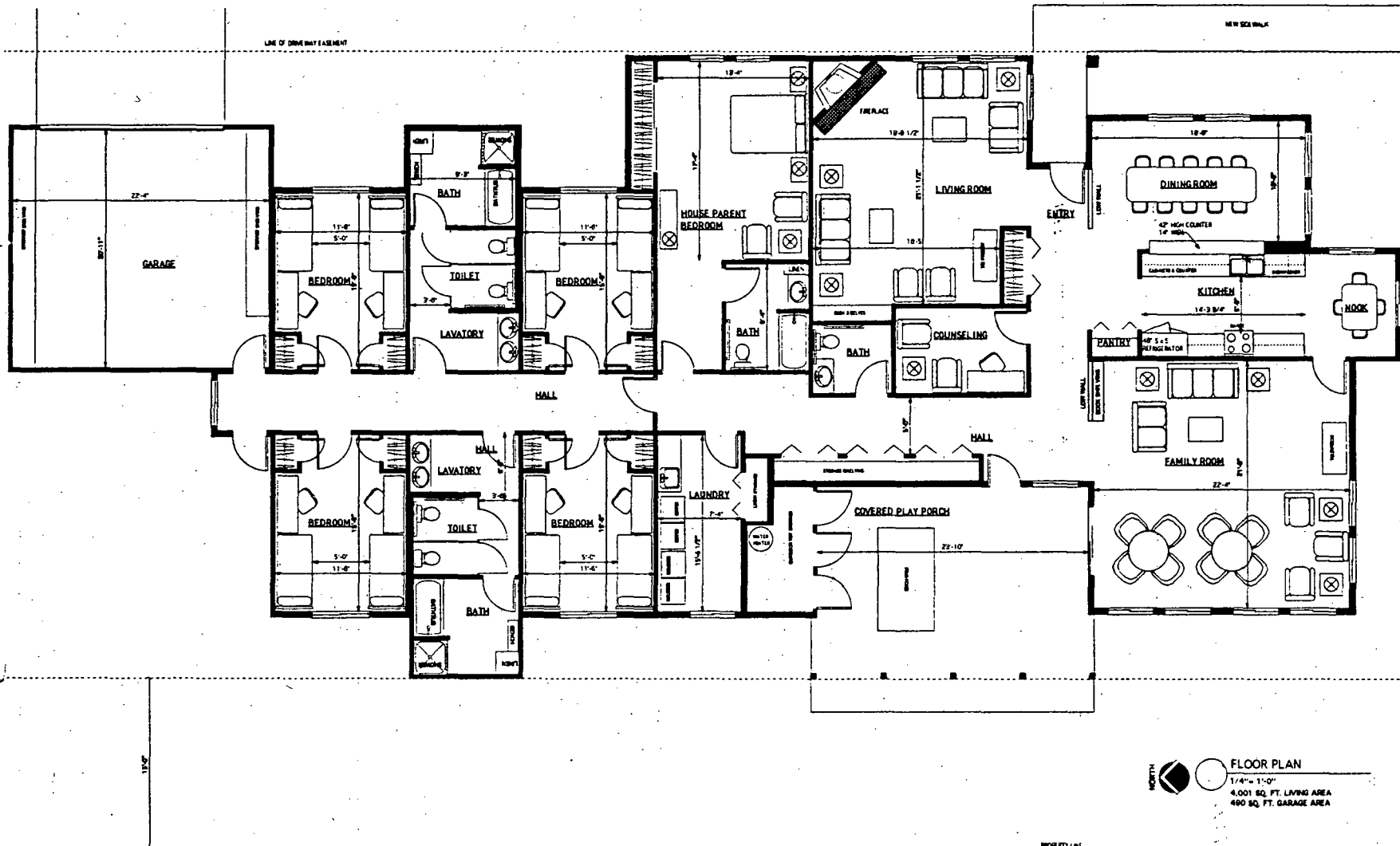
SERENDIPITY RESPITE CENTER

19005 S.E. DIVISION STREET / PORTLAND OREGON

PAUL FRANKS ARCHITECT
BELLEVUE / WASHINGTON 206 / 803-0792

NOV. 10, 1998

CS 3-94



NORTH
 1/4" = 1'-0"
 4,001 SQ. FT. LIVING AREA
 400 SQ. FT. GARAGE AREA

PAUL FRANKS
ARCHITECT
 1500 S.E. DIVISION STREET
 PORTLAND, OREGON 97233
 SERENDIPITY CENTER, INC.
 P.O. BOX 135, Gresham, Oregon 97027

SERENDIPITY
RESPIRE & TRAINING CENTER
 1500 S.E. DIVISION STREET
 PORTLAND, OREGON 97233
 SERENDIPITY CENTER, INC.
 P.O. BOX 135, Gresham, Oregon 97027

PRELIMINARY
 FLOOR PLAN

DATE NOV. 10, 1993
 REVISIONS

JOB NO. 9325
 SCALE 1/4" = 1'-0"
 DRAWN BY FRANKS
 COMPUTER FILE
 SERENDIPITY FLOOR PLAN 2
 SHEET

A-2.1

COPYRIGHT 1993
 PAUL FRANKS ARCHITECT

Conditions:

1. Prior to issuance of any development permits for this use, the applicant shall obtain appropriate Design Review approval.
2. Site plan submitted for design review shall include a minimum six-foot high sight-obscuring fence and appropriate landscaping abutting the west side of the site and where the sidewalk from the proposed respite and training center to the existing Serendipity Center facilities abuts Tax Lot '52'.

FINDINGS OF FACT:

I. Applicant's Proposal:

Serendipity Center, Inc. plans to use this site for a respite and training center. The respite center will provide immediate safe housing for children who are temporarily unsafe, homeless, or in need of separation from their families during a period of crisis. The training program will provide a site where professionals can study and observe the systems, methods and strategies that are effective with our population.

The proposed improvements include a single story wood frame house of approximately 4,000 square feet floor area with an attached double car garage of approximately 500 square feet. There will be 5 bedrooms with sleep capacity for 8 children and 2 adults for a total of 10 occupants. Site improvements will include full landscaping of the site, a free standing gazebo of approximately 100 square feet, sidewalks and driveway connection to an existing common driveway located on Tax Lot '106'. The existing single family house located on the site will be demolished to make way for the planned improvements.

The project will utilize the existing common paved driveway located on tax lot '106' which serves as secondary access for an apartment complex located on Tax Lot '157' to the north of the site.

Serendipity Center, Inc. will operate this facility as a non-profit organization.

Serendipity Center, Inc. operates a special education school facility located at 2400 S.E 148th Avenue, Portland, Oregon which is located directly west of the subject site. Tax lot '52' is located between the existing Serendipity Center and the subject site.

II. Ordinance Considerations:

In approving a Community Service use, the approval authority shall find that the proposal meets the following approval criteria:

- (A) Is consistent with the character of the area;
- (B) Will not adversely affect natural resources;
- (C) Will not conflict with farm or forest uses in the area;
- (D) Will not require public services other than those existing or programmed for the area;
- (E) Will be located outside a big game winter habitat area as defined by the Oregon Department of

- Fish and Wildlife or that agency has certified that the impacts will be acceptable;
- (F) Will not create hazardous conditions; and
 - (G) Will satisfy the applicable policies of the Comprehensive Plan.
 - (H) Will satisfy such other applicable approval criteria as are stated in this Section.

3. Site and Vicinity Characteristics:

This property is located near the northeast corner of the intersection of SE 148th Avenue and SE Division Street. The site is essentially level and is developed with a single family residence that will be removed to accomodate this project. The Serendipity Academy presently operates a facility one lot removed from this property to the west approved under previous County land use decisions (CS 9-89, CS 6-90 & CS 2-91). The intervening lot is developed with a single family residence. St. Joseph Catholic Parish lies immediately to the north of this site. To the east are single family residences on parcels designated Medium Density Residential. Across SE Division Street to the south is property designated Neighborhood Commercial, and to the east of that an apartment complex within a High Density Residential zone. A Fred Meyer Shopping Center is located on the southwest corner of the intersection of SE 148th Avenue and SE Division Street on property zoned General Commercial. To the north of that, across SE Division Street, are several commercial businesses on Neighborhood Commercial property.

4. Compliance With Ordinance Considerations:

The applicant provides the following responses to the applicable approval criteria:

A. CONSISTENCY WITH CHARACTER OF THE AREA:

The site is located on S.E. Division Street in an area that has a mixed use of residential and commercial uses. Existing uses at the intersection of S.E. 148th Avenue and S.E. Division Street, which is the closest intersection, consist of commercial uses and a community service use by Serendipity Center, Inc.

The adjacent site to the north of the subject site is a church located in a MR-3 zone with a community service use designation.

The adjacent sites to the east and west of the subject site are single family residences located in a MR-3 zone.

The proposed use is consistent with the character of the area and especially with the adjacent uses. The building is a large house and the architectural character will be compatible with the adjacent homes

B. AFFECT UPON NATURAL RESOURCES:

The proposed use does not affect any of the natural resources including flood plain, scenic rivers, parks, recreation, forestry, fish and wildlife or environmental quality.

The proposed improvements will include proper removal and disposal of any underground fuel storage tanks.

C. CONFLICT WITH FARM OR FOREST USES IN THE AREA:

The proposed use does not affect any farm or forest use in the area.

D. NEED FOR PUBLIC SERVICES:

The proposed use does not require any public services other than those which are presently available to the site. The services available to the site include the following:

- | | |
|--------------------------|---------------------------------------|
| a. Public Water | Powell Valley Road Water District |
| b. Public Sanitary Sewer | City of Portland |
| c. Public Sanitary Sewer | City of Portland |
| d. Public Schools | Centennial School district No. 28 |
| e. Police | Multnomah County Sheriff |
| f. Fire | Multnomah County Fire District No. 10 |

E. LOCATION WITH RESPECT TO BIG GAME WINTER HABITAT AREA:

The proposed use and site are located in a developed urban area. The site has an existing house which will be demolished to make way for the planned improvements.

F. HAZARDOUS CONDITIONS:

The proposed use does not include any hazardous conditions.

G. SATISFACTION OF THE APPLICABLE POLICIES OF THE COMPREHENSIVE PLAN:

a. POLICY 13: Air, Water and Noise Quality

Multnomah County, recognizing that the health, safety, welfare, and quality of life of its citizens may be adversely affected by air, water and noise pollution, supports efforts to improve air and water quality and to reduce noise levels. Therefore, it is Multnomah County's policy to:

A. Cooperate with private citizens, businesses, utilities and public agencies to maintain and improve the quality of air and water, and to reduce noise pollution in Multnomah County.

B. Support and participate in the implementation of State and Regional Plans and programs to reduce pollution levels.

C. Maintain healthful air quality levels in the regional airshed; to maintain healthful ground and surface water resources; and to prevent or reduce excessive sound levels while balancing social and economic needs in Multnomah County.

D. Discourage the development of noise-sensitive uses in areas of high noise impact.

Furthermore, it is the County's policy to require, prior to approval of a legislative or quasi-

judicial action, a statement from the appropriate agency that all standards can be met with respect to air quality, water quality, and noise levels. If the proposal is a noise sensitive use and is located in a noise impacted area, or if the proposed use is a noise generator, the following shall be incorporated into the site plan...

RESPONSE:

The proposed project is located on S.E. Division Street in a presently developed area. No additional impacts to the health, safety, welfare, and quality of life are proposed.

b. POLICY 22: Energy Conservation

The County's policy is to promote the conservation of energy and to use energy resources in a more efficient manner. In addition, it is the policy of Multnomah County to reduce dependency on non-renewable energy resources. The County shall require a finding prior to the approval of legislative or quasi-judicial action that the following factors have been considered:

A. The development of energy-efficient land uses and practices;

B. Increased density and intensity of development in urban area, especially in proximity to transit corridor and employment, commercial and recreational centers.

C. An energy-efficient transportation system linked v,with increased mass transit, pedestrian and bicycle facilities.

D. Street layouts, lotting patterns and designs that utilize natural environmental and climatic conditions to advantage.

E. Finally, the County will allow greater flexibility in the development and use of renewable resources.

RESPONSE:

The proposed project is located in a developed urban area in proximity to transit corridor and employment, commercial and recreational centers. The project has easy access to mass transit, pedestrian and bicycle facilities.

c. POLICY 31: Community Facilities and Uses

The County's policy is to:

A. Support the siting and development of a full range of community facilities and services by supporting the location and scaling of community facilities and uses meeting the needs of the community and reinforcing community identity.

RESPONSE:

The Respite and Training Center is located in the neighborhood that it is intended to serve and one lot away from Serendipity School, which is the owner and operator of the Respite and Training Center.

B. Encourage community facilities siting and expansion at locations reinforcing orderly and timely development and efficient provision of all public services and facilities.

RESPONSE:

The Respite and Training Center is located in a developed urban area with all utilities and other infrastructure present and available for serving the new building.

C. Encourage land use development which support the efficient use of existing and planned community facilities.

RESPONSE:

The Respite and Training Center is located one lot away from Serendipity School, which is the owner and operator of the Respite and Training Center. Staff will be able to walk between the two facilities rather than drive.

D. Support the development of a unified approach to long range community facilities planning and capital investment programming in Multnomah County.

RESPONSE:

The Respite and Training Center is a needed investment in the local community.

E. Classify community facilities according to their function and scale of operations.

RESPONSE:

The Respite and Training Center is classified as a minor regional community facility.

F, G, H, I, J, K, L Policy relating to industrial activity

RESPONSE:

The Respite and Training Center is not an industrial activity and therefore the policy is not applicable.

d. POLICY 37: Utilities

The County's policy is to: require a finding prior to approval of a legislative or quasi-judicial action that:

Water and Disposal System

A. The proposed use can be connected to a public sewer and water system, both of which have adequate capacity

RESPONSE:

Public sanitary sewer and water are available to the site and service has been verified with the utility providers.

Drainage

E. There is adequate capacity in the storm water system to handle the run-off.

RESPONSE:

Public storm sewer is available to the site and service has been verified with the utility provider.

Energy and Communications

H. There is adequate energy supply to handle the needs of the proposal and the development level projected by the plan; and

I. Communications facilities are available.

RESPONSE:

Commercial telephone and electrical power is available to the site and service has been verified with the utility provider.

e. POLICY 38: Facilities

The County's policy is to require a finding prior to approval of a legislative or quasi-judicial action that:

School

A. The appropriate school district has had an opportunity to review and comment on the proposal.

RESPONSE:

The school district has provided a favorable response to the proposal.

Fire

B. There is adequate water pressure and flow for fire fighting purposes, and

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

RESPONSE:

The fire district has provided a favorable response to the proposal.

Police

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

RESPONSE:

The police department has provided a favorable response to the proposal.

f. **POLICY 40: Development Requirements**

The County's policy is to encourage a connected park and recreation system and to provide for small private recreation areas by requiring a finding prior to approval of a legislative or quasi-judicial action that:

A. Pedestrian and bicycle path connections to parks, recreation area and community facilities will be dedicated where appropriate and where designated in the bicycle corridor capital improvements program and map.

B. Landscape area with benches will be provided in commercial, industrial and multiple family development, where appropriate.

C. Areas for bicycle parking facilities will be required in development proposals where appropriate.

RESPONSE:

The site will have outdoor covered and uncovered play areas for the children that will be staying at the Respite and Training Center.

I. FINDINGS

1. The hearings officer hereby adopts and incorporates by reference the Multnomah County Department of Environmental Services Staff Report in this matter dated March 16, 1994 (the "Staff Report"), including the findings, conclusions and conditions of approval, except to the extent expressly provided otherwise in this final order.

2. Hearings Officer Larry Epstein held a duly noticed public hearing at 2115 SE Morrison Street, Portland, Oregon on March 16, 1994 to consider the application. A record of that testimony is included herein as Exhibit A (Minutes and Parties of Record), Exhibit B (Taped Proceedings), and Exhibit C (Written Testimony). These exhibits are filed at the Multnomah County Department of Environmental Services. The hearings officer understood the testimony at the hearing to include the following, in relevant part:

a. Bob Hall testified for the County, summarized the Staff Report, and showed slides of the site and surrounding property, incorporated herein. He also noted the Engineering Services Division will require the applicant to improve Division Street with a curb and sidewalk abutting the property.

b. Architect Paul Franks testified for the applicant Serendipity Center, Inc.. He summarized the plans for the proposed use. He accepted the Staff Report, including the recommended conditions of approval, without objection or correction.

c. Earl Koch testified on his own behalf. He and his family resides in the existing dwelling on the property. He objected to the proposed development, because he likes living there. He also objected on behalf of a neighbor to the west (TL '52'), arguing the various facilities of Serendipity Center, Inc. will surround that neighbor's property and, therefore, will force that neighbor to sell his property to Serendipity Center, too. He also argued that vehicles entering and leaving the property will create hazardous conditions, because the private drive serving the site is too narrow. In response, Mr. Franks testified the existing drive is 16 to 18 feet wide.

3. The hearings officer finds that the findings in the Staff Report and the substantial evidence in the record referenced or relied on to make those findings show that the proposed community service designation complies with the applicable standards of the Multnomah County Code, and the hearings officer adopts them as his own. The hearings officer also adopts the following findings to address the issues raised by Mr. Koch.

a. The fact that approval of the proposed community service designation is reasonably likely to mean that Mr. Koch and his family must vacate the existing home on the property is not relevant to the approval criteria for a community service designation. He rents property. The owner of that property has a legal right to convert the property to another use permitted under the County land development regulations. The County land development regulations do not protect the tenancy of the existing residents of the property.

b. The hearings officer acknowledges that, if the community service designation is approved and the proposed respite and training center is built, TL '52' will abut property used by the Serendipity Center, Inc. People walking back and forth between the existing and proposed Serendipity Center facilities will use a sidewalk that adjoins TL '52'. That activity could adversely affect the privacy and security of TL '52'. However, the potential for such effects can be reduced to the extent that they are not significantly adverse by fencing and landscaping the property lines between Serendipity Center facilities and TL '52'. A condition of approval requiring such landscaping and fencing to be included on the site plan should be imposed to ensure the proposed facility does not significantly adversely affect the privacy and security of TL '52'. Approval of the proposed use does not force the owner of TL '52' to sell or vacate his property or to do anything. The owner of that property may choose to sell that lot, but the community service designation and proposed use do not require him to do so.

c. The hearings officer finds that the private drive serving the site is adequate to accommodate traffic from the site and the adjoining apartment complex without causing hazardous conditions, because the drive is wide enough to accommodate two-way traffic, based on the testimony by Mr. Franks. Also, the sight distance along the drive from the proposed parking area is more than 200 feet in each direction, and the drive has a relatively level grade. There is ample sight distance from both directions for vehicles approaching the proposed parking area and ample room to stop and wait for vehicles entering the drive from the proposed parking area, if necessary, without obstructing other public or private streets or drives. Moreover, based on the testimony by Mr. Koch, the apartment complex that shares use of the drive has another access route to a public street. So, even if the drive was blocked by an accident at the site of the proposed use, vehicular access to the apartment complex is still safe and convenient.

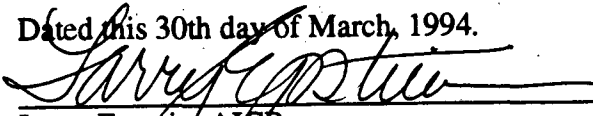
II. CONCLUSION

Based on the findings and the substantial evidence cited or referenced herein, the hearings officer concludes that the proposed community service designation does or will comply with the applicable approval standards in MCC 11.15, and should be approved, subject to the conditions of approval recommended in the Staff Report with an amendment provided below.

CONCLUSIONS:

1. The staff concurs with the applicant's responses to the applicable approval criteria and finds that the applicant has carried the burden necessary for the granting Community Service designation of this property to allow development of a respite center for children and training center for professionals.
2. Conditions are necessary to insure compliance with all applicable regulations.

Dated this 30th day of March, 1994.


Larry Epstein, AICP
Multnomah County Hearings Officer

Signed by Hearings Officer:	March 30, 1994
Decision Mailed to Parties:	April 8, 1994
Decision Submitted to Board Clerk:	April 8, 1994
Last Day to Appeal Decision:	4:30 p.m., April 18, 1994
Reported to Board of County Commissioners:	1:30 p.m., April 26, 1994

Appeal to the Board of County Commissioners

The Hearings Officer Decision may be appealed to the Board of County Commissioners (Board) by any person or organization who appears and testifies at the hearing, or by those who submit written testimony into the record. An appeal must be filed with the County Planning Division within ten days after the Hearings Officer decision is submitted to the Clerk of the Board. An appeal requires a completed "Notice of Review" form and a fee of \$300.00 plus a \$3.50-per-minute charge for a transcript of the initial hearing(s). [ref. MCC 11.15.8260(A)(1) and MCC 11.15.9020(B)]. Instructions and forms are available at the County Planning and Development Office at 2115 SE Morrison Street (in Portland).

Failure to raise an issue by the close of the record at or following the final hearing, (in person or by letter), precludes appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to provide specificity on an issue sufficient for the Board to respond, precludes appeal to LUBA on that issue.

To appeal the Hearings Officer decision, a "Notice of Review" form and fee must be submitted to the County Planning Director. For further information call the Multnomah County Planning and Development Division at 248-3043.