



February 2, 2011

File(s): CSU-10-12; P-10-01

## NOTICE OF TENTATIVE DECISION

This is official notice of action taken by the Milwaukie Planning Director on February 2, 2011.

**Applicant(s):** North Clackamas School District  
**Location(s):** 3606 SE Lake Road and 12515 SE Shell Lane  
**Tax Lot(s):** 1S 1E 36DC 5700 and 5900  
**Application Type(s):** Community Service Use minor modification;  
Parking quantity adjustment  
**Decision:** Approved with conditions  
**Review Criteria:** Milwaukie Zoning Ordinance:

- MMC 19.321.6.C, Procedures for Reviewing a Community Service Use
- MMC 19.505.2.C, Quantity Modifications and Required Parking Determinations

**Neighborhood(s):** Lake Road

This notice is issued in accordance with Milwaukie Zoning Ordinance Section 19.1011.2-Type II Administrative Review. Type II decisions allow for public comment and requests for a public hearing before the Planning Commission. The Planning Director may modify this decision based on comments received during the comment period. Additional notice will be provided if the decision is modified. Comments and requests for a public hearing must be received no later than the date shown below.

**Comment period closes: 5:00 p.m., February 16, 2011**

This decision is final once the comment period closes. Once final, the decision may be appealed to the Milwaukie Planning Commission in accordance with Milwaukie Zoning Ordinance Section 19.1011.2. An appeal of this decision must be filed within 15 days of close of the comment period. The appeal period expires on the date shown below.

**Appeal period closes: 5:00 p.m., March 3, 2011**

Appeals to the Planning Commission must be accompanied by the appeal fee, be submitted in the proper format, address applicable criteria, and be made on forms provided by the Planning Department. Milwaukie Planning staff (503-786-7630) can provide information regarding forms, fees, and the appeal process.

### **Findings in Support of Approval**

1. North Clackamas School District (applicant) proposes to construct a new 15 space parking area on the southeast area of the Rowe Middle School property. The applicant has submitted applications for a minor modification of an existing community service use (#CSU-10-12) and for a modification to exceed the parking ratio listed in MMC Chapter 19.505.1, Minimum and Maximum requirements.
2. The area of the proposed parking area expansion is 3606 SE Lake Road (Tax Lot 1S 1E 36DC 5700) and 12515 SE Shell Lane (Tax Lot 1S 1E 36DC 5900). An existing single family dwelling owned by the applicant at 12515 SE Shell Lane would be removed to accommodate the parking area. The site has existing vegetation including shrubs and trees, and the middle of the site is on a small hill that rises approximately 7 to 10 feet from the grade of surrounding areas to the north, south, and west. The proposed expansion area is bordered on the west by the school building, and on the east by single family dwellings located across SE Shell Lane.
3. The approval criteria for a minor modification to an existing community service use are in MMC 19.321.6.C. As described below, the proposal meets these criteria.
  - A. *Does not increase the intensity of any use.* The proposal does not add any building floor area or otherwise increase the school enrollment or activities that the site can accommodate.
  - B. *Meets all requirements of the underlying zone relating to building size and location and off-street parking and the standards of Title 19.* The proposal does not affect any height or setbacks of existing structures, nor the amount of the site covered by structures. The proposed parking area would decrease the vegetated area on site by 7,550 square feet. This would result in 272,550 square feet of vegetated area on the 265,000 square foot site. The resulting 56.9% vegetated area exceeds the minimum 15% vegetated area for properties for schools required by MMC 19.321.10.J. The other specific development standards for schools in MMC 19.321.10 are not affected by the proposed development.

The standards governing parking area design and landscaping are contained in MMC 19.506. The proposal complies with these standards as described below.

- i. MMC 19.506.1, Parking Space and Aisle Dimensions.

Standard	Requirement	Proposed
Parking Space Angle	NA	45 deg.
1 way drive aisle	13 ft	13 ft
Width	9 ft	9 ft
Curb length	12 ft	13 ft
Depth	18.5 ft	18.5 ft

- ii. MMC 19.506.2, Landscaping.

1. MMC 19.506.2.A, Perimeter Landscaping. The distance between the proposed parking area and right of way is 8 feet and complies with the minimum landscape width requirement. The retaining wall and French drain that lies within the 8 foot setback are allowed in the landscaping area as a screen and as a stormwater treatment facility. The proposed parking area is approximately 192 feet in length, and would require 5 trees to be planted between the parking area and right of way. The applicant proposes to preserve a 50 inch diameter pine tree that straddles the property line. As allowed by MMC 19.506.E.1, the Planning Director credits the preservation of this tree for 3 of the 5 trees required to be planted in the perimeter landscaping buffer. The Planning Director also finds that buffer screening adjacent to residential uses, per MMC 19.506.2.A.3, is not required. The parking stalls facing east would be screened by a retaining wall and earthen slope that is 5 feet above the surface of the parking area, and would effectively screen residences from the impacts of the parking area. The remainder of the perimeter parking area would be planted with shrubs or groundcover. As conditioned, 2 trees are required to be planted on the east side of the proposed parking area, and must be appropriately spaced along the border.
2. MMC 19.506.2.B, Interior Landscaping. 25 square feet of interior landscaped area is required for each parking stall. For the proposed 15 space parking lot, a total of 375 square feet of interior landscaping is required. The landscape terminal islands and divider median on the west side of the proposed parking area provide over 1,000 square feet of landscaped area. A tree is proposed for each interior landscape island, and 1 tree per 40 lineal feet is proposed for the divider median. The remainder of the medians would have shrubs and groundcover.
- iii. MMC 19.506.3 contains additional standards for parking area design. As described below, the proposed parking area complies with these standards.
  1. MMC 19.506.3.A, Paving and Striping. The proposal would include paving and striping for the new parking area. As conditioned, striping shall be included to fully delineate parking spaces and to indicate the one-way travel direction.
  2. MMC 19.506.3.B, Wheel Stops. As conditioned, wheel stops will be required where necessary to prevent encroachment into required landscape or pedestrian areas.
  3. MMC 19.506.3.C regulates site access and drive aisles. The proposal does not create any new site access.
  4. MMC 19.506.3.D regulates pedestrian circulation. The proposal includes a 5 foot wide pedestrian walkway on the west side of the parking area. All spaces in the proposed parking area are within 100 feet of the pedestrian access. The access leads toward an existing walkway across a drive aisle on the east side of the school building. As conditioned, striping is required for the area where the new pedestrian access crosses the drive aisle to meet the existing pedestrian access.
  5. MMC 19.506.3.F requires lighting for parking areas. Lighting is proposed for the parking area. As conditioned, the proposed lighting shall meet the design standard of MMC 19.503.6.F.1 requiring lighting to be directed downward, the lighting shall not cause illumination across the site's property line in excess of 0.5 foot candles, and the pedestrian access will be illuminated to at least 0.5 foot

candles. A lighting study will be required at the time of development permit review to demonstrate compliance with these standards.

- C. *Does not result in deterioration or loss of any protected natural feature or open space, and does not negatively affect nearby properties.* The area of the proposed expansion is not a protected natural feature or open space. The site would still greatly exceed the vegetation requirements even with the development of this parking area. The development of the parking area would have minimal impacts to nearby properties. The parking area itself is separated from the nearest residential structures by 80 to 90 feet, and is further separated by the small hill that would rise to the east of the parking area. The preservation of existing vegetation along SE Shell Lane further helps to buffer the parking area from adjacent properties. One expected outcome of the project would be a decrease in school-associated on-street parking on SE Shell Lane, and the project which may be a positive impact on surrounding properties.
- D. *Does not alter or contravene any conditions specifically placed on the development by the Planning Commission or City Council.* Planning staff has located notices of decision for C-1975-05, CSU-2000-01, and CSU-2007-03. Staff has not identified any conditions in these approvals that would be altered or contravened by the addition of the parking area.
- E. *Does not cause any public facility, including transportation, water, sewer and storm drainage, to fail to meet any applicable standards relating to adequacy of the public facility.* The Engineering Department has reviewed this proposal and finds that the proposed project would not make any public facility fail to meet applicable standards. The requirements of MMC 19.1400, Public Facility Improvements, are not applicable. The Engineering Department finds that the stormwater management report submitted with the application is acceptable, and will be fully reviewed for compliance with all applicable stormwater regulations at the time of development permit review.
4. The applicant has requested an adjustment to the parking ratio in MMC 19.505.1. The maximum parking allowed per MMC 19.505.1.B.3 for a junior high school is 2 spaces per classroom. Rowe Middle School has 37 classrooms and currently has 70 parking spaces. A maximum of 74 spaces would be allowed per MMC 19.505.1.B.3, and the proposed parking area would add 15 spaces to the site, for a total of 85 parking spaces. The requested adjustment is for 11 additional parking spaces. This would result in an overall site ratio of 2.3 parking spaces per classroom. As demonstrated below, the proposed adjustment meets the criteria of MMC 19.505.2.C.
- A. *All modifications and determinations must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar use in other locations; parking quantity requirements for the use in other jurisdictions; and professional literature about the parking demands of the proposed use.*

The applicant compares Rowe Middle School with parking provided at other middle schools within the North Clackamas School District as follows.

School	Students	Staff	Parking Spaces
Rowe MS	689	73	70
Alder Creek MS	708	72	160
Rock Creek MS	900 max. (568 current)	Not provided	132

The Metro Functional Compliance Plan does not list middle schools in Table 3.07 and no other parking literature or sources could be found to suggest an appropriate maximum parking ratio for middle schools. Other nearby jurisdictions have the following maximum parking ratio: Clackamas County – no maximum; Tigard - 2.5 spaces per classroom; Lake Oswego – 2.5 spaces per classroom; Happy Valley – 4 spaces per classroom. The Planning Director finds that the proposed increase is reasonable based on parking provided at other similar uses and as allowed under the zoning regulations of other nearby jurisdictions.

- B. *The proposed development has unique or unusual characteristics that create a higher-than-typical parking demand; The parking demand cannot be accommodated by shared or joint parking arrangements or by increasing the supply of spaces that are exempt from the maximum amount of parking allowed under Subsection 19.505.3.A; and the requested increase is the smallest increase needed based on the specific circumstances of the use and/or site.*

The applicant indicates that in addition to normal school related activity, many community groups use the athletic fields and facilities of Rowe Middle School. The applicant also indicates that overflow parking from Rowe Middle School uses on-street space along SE Shell Lane. The overflow ranges from about 5 cars for a normal school day to approximately 30 cars during community events at the school. This indicates that the existing number of parking spaces on the site does not accommodate the parking demand on-site, and that the school generates parking demand that is higher than what is anticipated by the parking code.

There are no parking lots or parking facilities that could help accommodate the site's parking demand. Though there is a religious institution near the intersection of Lake Rd and Boss Ln, the shortest pedestrian accessible route is over 1/4 mile away, and is not a practicable site for shared parking. There are not feasible options for adding spaces that are exempt from maximum requirements, per MMC 19.505.3.A.

The requested increase is 11 parking spaces, or 14% above the maximum identified in the code. The requested increase is not excessive based on the number of cars that typically use on-street parking on Shell Ln. The request increase is also below the maximum ratio allowed by jurisdictions with a maximum of 2.5 spaces per classroom.

The Planning Director finds that the criteria for granting an increase in the parking ratio are met, and grants an increase in the maximum parking for the site from 74 spaces to 85 spaces.

5. The applicant proposes to remove trees within the right of way of SE Shell Lane. As conditioned, the applicant shall obtain approval of a tree removal permit, per Chapter 16.32, prior to removal of any tree in the right of way.
6. The application was referred to the following groups for review: Milwaukie Building Department, Milwaukie Engineering Department, Clackamas County Fire District #1 (CCFD), and the Lake Road Neighborhood District Association Chair and Land Use Board. The comments received are summarized below:
  - Milwaukie Building Department: Permits for grading, demolition, plumbing, electrical, erosion control, and right of way work will be required. Prior to final approval of the project, 4 ADA parking spaces must be provided, 1 of which must be van accessible.

- Milwaukie Engineering Department: MMC 19.1400, Public Facility Improvements, does not apply; prior to the issuance of development permits, the applicant must submit and receive approval of a storm water management plan.
- CCFD: No comment because existing water supply and access will not be impacted.
- Paul Hawkins, Lake Road NDA: Wants to ensure that new parking area will be adequately illuminated. *Staff response: the City will evaluate a lighting plan during its review of development permits to ensure that adequate lighting is provided for the new area.*

### **Conditions of Approval**

1. Plans submitted for development permits shall be in substantial conformance with plans reviewed by this land use action that were received on December 13, 2010, and revised plan C2.0 and additional narrative information submitted January 15, 2011.
2. Prior to commencement of work pursuant to this approval, the applicant shall obtain permits for grading, demolition, plumbing, electrical, erosion control, right of way work, and right of way tree removal.
3. The applicant's submission of permits for work pursuant to this approval shall include:
  - A. Plans in substantial conformance with those reviewed in this land use action, with the following modifications:
    - i. Striping to delineate the pedestrian crossing on the drive aisle separating the new parking area and existing school building.
    - ii. Directional markings and/or appropriate signage to indicate a drive aisle with one-way travel.
    - iii. Wheel stops for spaces on the west side of the new drive aisle where curbing would not prevent vehicles encroaching on the plating median.
    - iv. 2 trees are required to be planted on the east side of the proposed parking area, and must be appropriately spaced along the border
  - B. A stormwater management plan. The plan shall be prepared in accordance with Section 2 – Stormwater Design Standards of the City of Milwaukie Public Works Standards. In the event the storm management system contains underground injection control devices, submit proof of acceptance of the storm system design from the Department of Environmental Quality.
  - C. Specifications for lighting fixtures to be installed and a photometric study showing the illumination levels of areas in and around the proposed parking area.
4. Prior to issuance of the City's final approval of development pursuant to this approval, the applicant must provide a minimum of 4 ADA parking spaces, 1 of which must be van accessible, on the school site. The spaces shall be on an accessible route, as near as practical to the main entry to the school. Existing parking may be used to fulfill this requirement.

**Attachments**

**Not attached unless otherwise indicated. All attachments are available for public viewing upon request.**

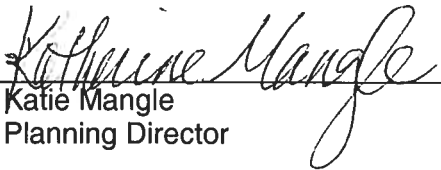
Attachment 1: Map of Properties Receiving Notice of Decision (attached)

Attachment 2: Applicant's Narrative

Attachment 3: Applicant's Site Plans (Sheet C2.0 and C3.0 attached, reduced size)

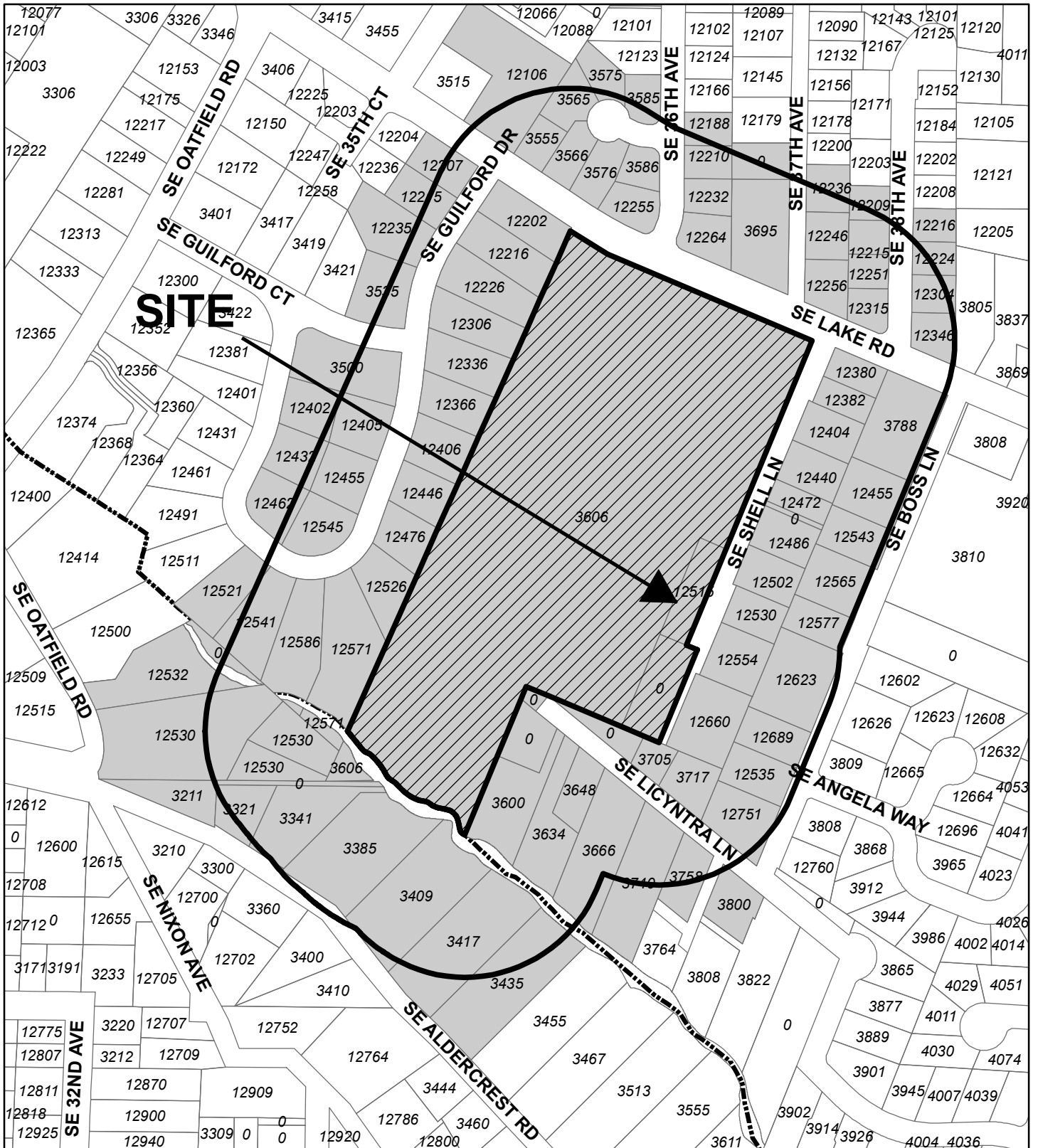
Attachment 4: Applicants Stormwater Report and Geotechnical Report

Attachment 5: Comments received from Milwaukie Building Department; Milwaukie Engineering Department; Clackamas County Fire District #1; and Paul Hawkins, Lake Road NDA

  
Katie Mangle  
Planning Director

cc: Applicant  
Gary Parkin, Engineering Director  
Brad Albert, Civil Engineer  
Tom Larsen, Building Official  
Bonnie Lanz, Permit Specialist  
Mike Boumann, Deputy Fire Marshal  
NDA(s): Lake Road  
Interested Persons  
File(s): CSU-10-12; P-10-01

# ATTACHMENT 1



## Site Map

3606 SE Lake Rd - Rowe Middle School

(Tax Lot ID 1S1E36DC 5700, 5900  
and 2S1E01AB 100)

File #CSU-10-12, P-10-01



0 95 190 380 570 760 Feet

## Legend

CSU-10-12 Site

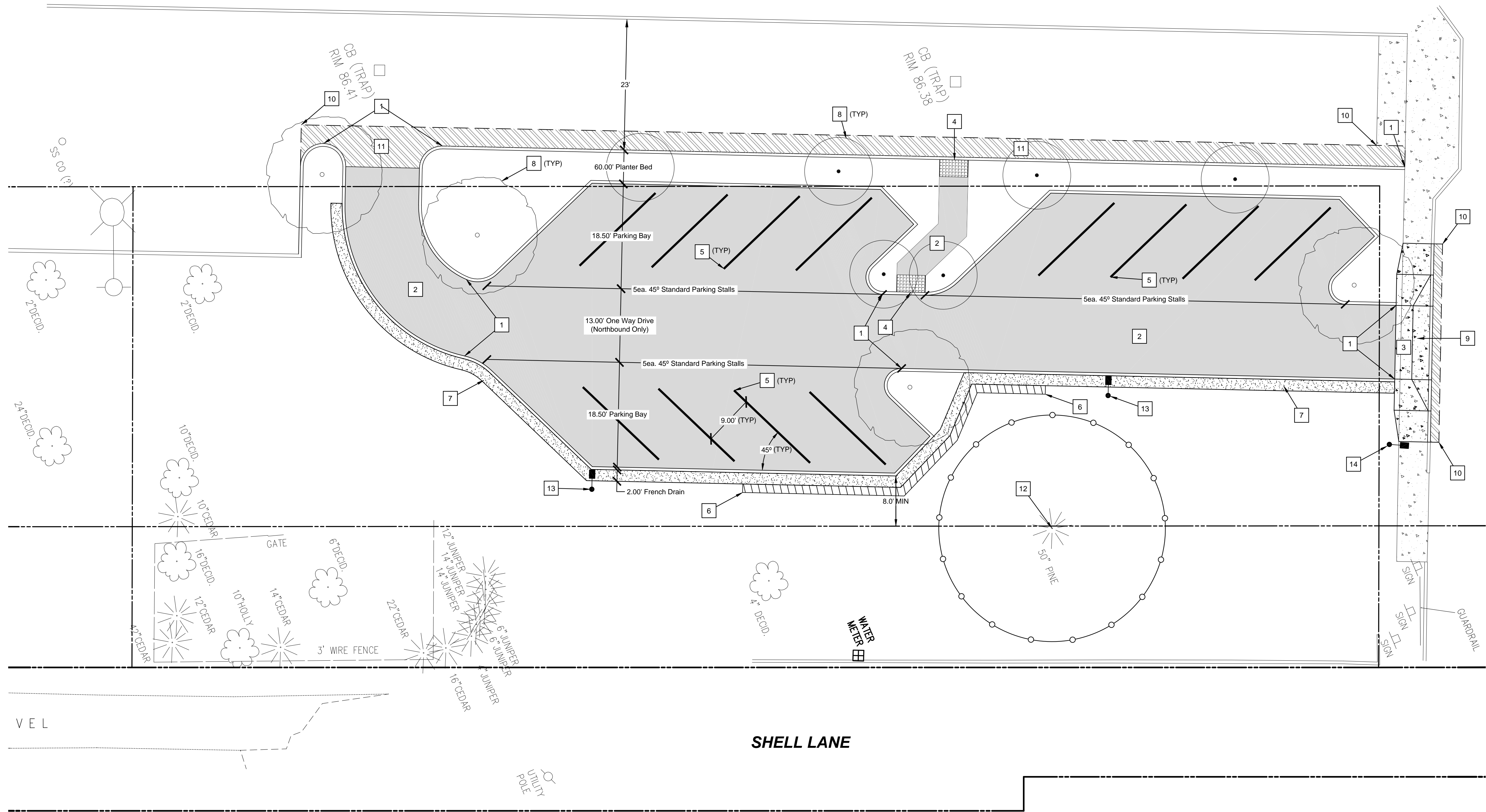
City Limit

300 ft notice buffer

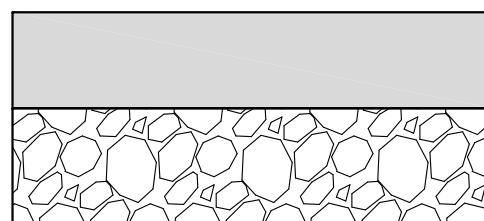
Lots Receiving Notice

Tax Lots





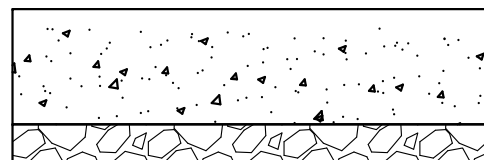
PERVIOUS PAVEMENT SECTION



5" PERVIOUS CONCRETE PAVEMENT  
(PER PAVEMENT DESIGN)

BASE ROCK & STORAGE SECTION  
(DEPTH AS NEEDED FOR LEVEL INFILTRATION  
BED 8" MINIMUM STRUCTURAL REQUIREMENT)

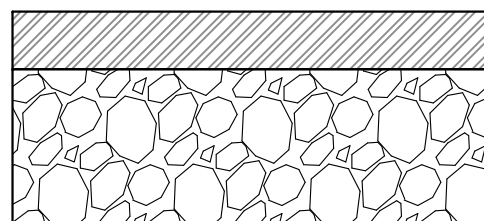
PERVIOUS CONCRETE



6" STANDARD CONCRETE PAVEMENT  
(#4 REINFORCING BARS 12" O.C.)

2" BASE ROCK

STANDARD CONCRETE



3" ASPHALT PAVING (PER PAVEMENT DESIGN)

8" BASE ROCK (PER PAVEMENT DESIGN)

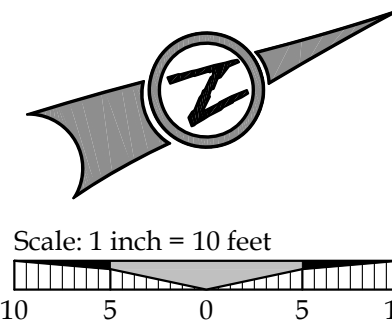
ASPHALT PAVING

SITE PLAN NOTES

- 1 PROVIDE STANDARD 6" CONCRETE CURB
- 2 PROVIDE PERVIOUS CONCRETE PAVEMENT
- 3 PROVIDE STANDARD CONCRETE PAVEMENT
- 4 PROVIDE 36" x 60" BLACK TACTILE WARNING TILES
- 5 4" WIDE WHITE THERMAL PLASTIC STRIPE (TYP)
- 6 PROVIDE BLOCK WALL (3.5FT MAXIMUM EXPOSED HEIGHT)
- 7 24" WIDE x 12" DEEP FRENCH DRAIN (3" BARK NUGGETS OVER 9" DRAIN ROCK)
- 8 PROVIDE NEW LOT LANDSCAPING (SEE LANDSCAPE PLANTING PLAN)
- 9 PROVIDE CURB TIGHT DRIVEWAY APPROACH
- 10 SAW-CUT EXISTING PAVEMENT
- 11 NEW ASPHALT PAVEMENT PATCHING (AS NEEDED)
- 12 EXISTING 50" TREE TO REMAIN (PLACE TREE PROTECTION FENCING AS SHOWN)
- 13 PROVIDE NEW DARK SKY COMPLIANT LUMINAIRE AND POLE
- 14 RELOCATE EXISTING LUMINAIRE AND POLE

LEGEND

- RIGHT OF WAY LINE
- PROPERTY BOUNDARY LINE
- EXISTING CURB
- EXISTING FENCE
- EXISTING 1FT CONTOUR
- EXISTING 5FT CONTOUR
- EXISTING CONCRETE
- EXISTING TREE
- TEMPORARY TREE PROTECTION FENCING



LAND USE	REVISION SUMMARY	DATE
DECEMBER 8TH, 2010		

SITE PLAN  
ROWE MIDDLE SCHOOL  
PARKING LOT ADDITION  
NORTH CLACKAMAS SCHOOL DISTRICT  
MILWAUKIE, OR

3J CONSULTING, INC

CIVIL ENGINEERING  
WATER RESOURCES  
LAND USE PLANNING

4780 S.W. LOSHIA STREET, SUITE 200, TUALATIN, OR 97063  
PHONE: (503) 946-3385 FAX: (503) 965-5235

3J JOB ID #	10014
DESIGNED BY	JTE
TOWNSHIP	1S
RANGE	1E
SECTION	36DC

SHEET TITLE  
SITE PLAN  
SHEET NUMBER  
C2.0

