

## STAFF REPORT

**Report Date:** November 9, 2022

**Application/Project Name:** Cor Deo Christian Academy

**Application Number:** CU2022-0002

**Proposal:** The applicant, Cor Deo Christian Academy, requests approval of a Major Modification of a Conditional Use application to modify and add to the student body of an existing school. The original Conditional Use approval was for a maximum of 73 students in grades 7-12. The applicant proposes to increase the student body to 200 students and replace the 7-12 grades student body with a K-8 grades student body. The school will operate from 8:00 AM to 2:30 PM on Mondays, Wednesdays, and Fridays. All school activities are proposed to occur within the existing building. No changes to the building exterior or site are proposed.

**Proposal Location:** The site is located at 5755 SW Erickson Avenue, specifically identified as Tax Lots 04700 and 04803 on Washington County Tax Assessor's Map 1S1116DC.



**Applicant:** Cor Deo Christian Academy

**Recommendation:** APPROVAL of Cor Deo Christian Academy CU2022-0002

**Hearing Information:** 6:30 p.m. November 16, 2022, at City Hall, 12725 SW Millikan Way

**Note: Public Hearings are held remotely** and can be viewed at the following link:  
<https://beavertonoregon.gov/913/Agendas-Minutes>

**Contact Information:**

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Applicant: Cor Deo Christian Academy  
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5755 SW Erickson Ave.  
Beaverton, OR 97005

Property Owner: First Baptist Church  
Attn: Doug Boyd  
5755 SW Erickson Ave.  
Beaverton, OR 97005

Applicant Representative: Ardor Consulting, LLC  
Attn: Greta Holmstrom  
3296 NE 13<sup>th</sup> Pl.  
Hillsboro, OR 97124

## Existing Conditions

**Zoning:** Residential Mixed C (RMC). The project was submitted to the City on March 12, 2022, prior to City Council approval of Ordinance No. 4822 which changed the zoning of the subject property from R7 Residential Urban Standard Density District to RMC. Therefore, the proposal will be reviewed pursuant to R7 development standards.

**Site Conditions:** The site is occupied by an existing place of worship, Parkside Fellowship Church. The church building is one story and 31,400 square feet in size. The site also contains a surface parking lot with 157 spaces and associated landscaping. In September 2020, the Planning Commission approved a New Conditional Use application for Cor Deo Christian Academy, an educational institution, to occupy the church building on Mondays, Wednesdays, and Fridays for up to 73 students in grades 7-12 (Case No. CU2020-0004).

**Site Size:** 4.17 acres

**Location:** West side of Erickson Avenue, north of Allen Boulevard and south of Berthold Street. Evelyn M. Schiffler Memorial Park abuts the site to the north.

**Neighborhood Association Committee:** Central Beaverton NAC

**Table 1: Surrounding Uses**

Direction	Zoning	Uses
North	RMC Residential Mixed C	Public Park
South	RMB Residential Mixed B	Single-Detached Dwellings
East:	RMA Residential Mixed A	Multi-Dwellings
West:	RMB Residential Mixed B	Single-Detached Dwellings

# Application Information

**Table 2: Application Summary**

Application	Application type	Proposal summary	Approval criteria location
CU2022-0002	Major Modification of a Conditional Use	Modify previous Conditional Use approval (Case No. CU2020-0004) to increase student body to 200 students and replace the 7-12 grades student body with a K-8 grades student body.	Development Code Sections 40.03.1 and 40.15.15.4

**Table 3: Key Application Dates**

Application	Submittal Date	Deemed Complete	120-Day*	365-Day**
CU2022-0002	March 12, 2022	August 9, 2022	Dec. 7, 2022	August 9, 2023

\*Applicant provided a continuance of 30 days to the original 120-day deadline, resulting in a Final Decision deadline of January 6, 2023.

\*\* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

## Summary of Public Comment

Exhibit 2.1 E-mail from Judith Castle, property owner of 13155 SW Allen Boulevard, Unit 17, expressing concerns about traffic and speeding on SW Erickson Avenue.

**Staff Response:** As detailed in Attachment C of this staff report, staff recommends conditioning multiple mitigation measures to help prevent vehicles from spilling onto SW Erickson Avenue during student drop-off/pick-up times and ensure the site connects to the surrounding transportation system in a safe, efficient, and direct manner. General concerns about traffic and speeding on SW Erickson Avenue should be directed to the City Transportation Engineer.

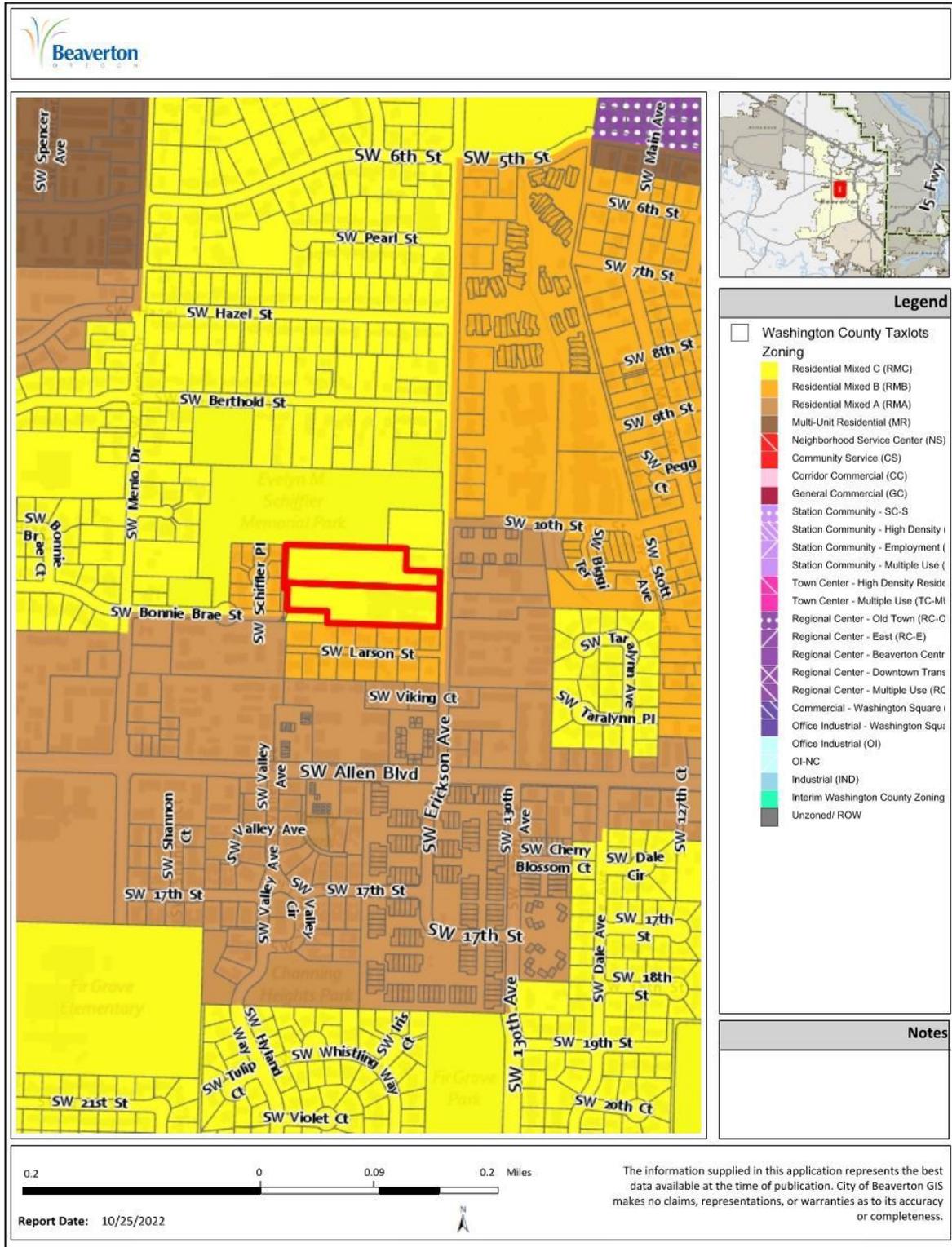
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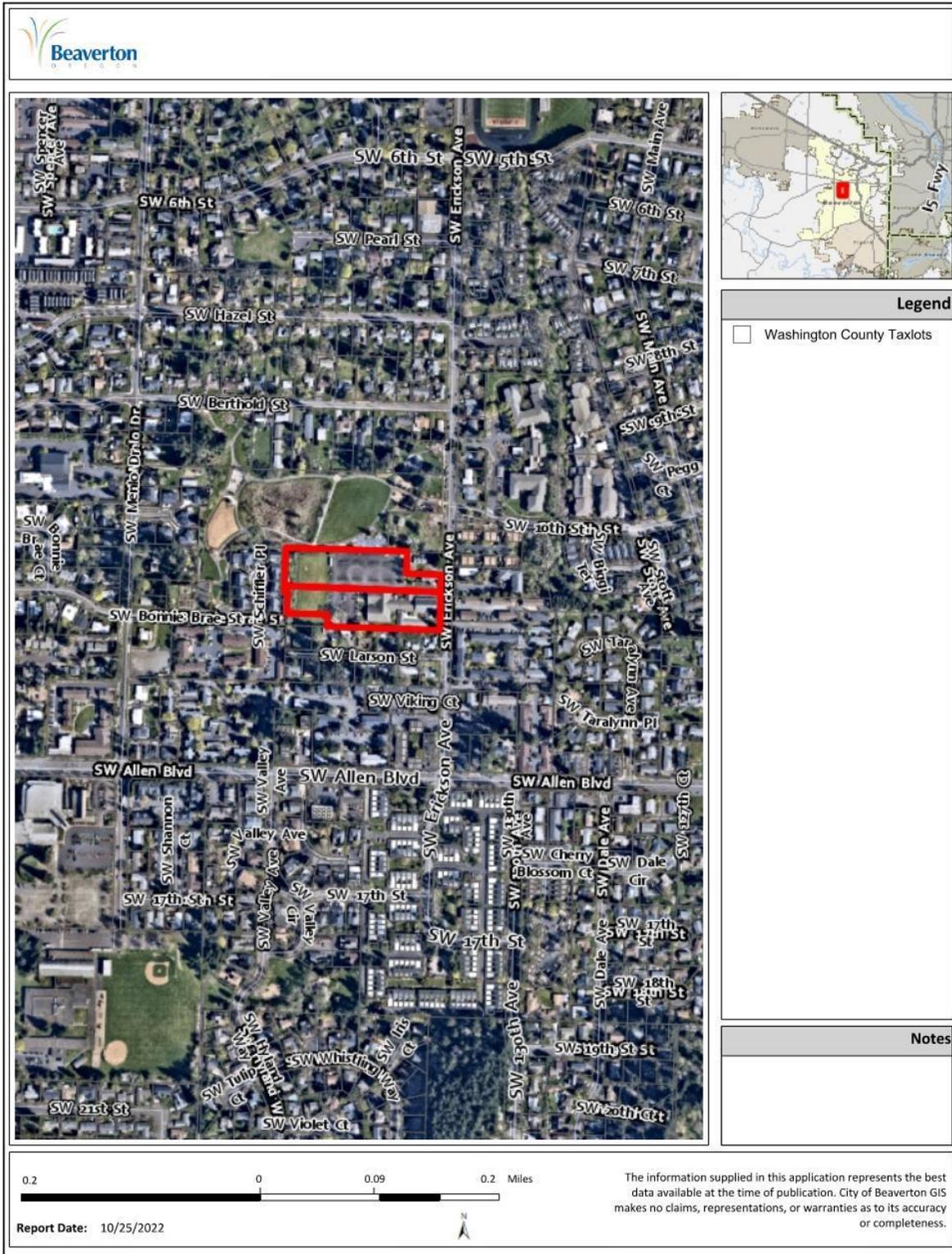
## Exhibits

- Exhibit 1. Materials submitted by Staff
  - Exhibit 1.1 Zoning Map (page 5 of this report)
  - Exhibit 1.2 Vicinity Map (page 6 of this report)
- Exhibit 2. Public Comment
  - Exhibit 2.1 E-mail from Judith Castle
- Exhibit 3. Materials submitted by the Applicant
  - Exhibit 3.1 Application Form
  - Exhibit 3.2 Narrative
  - Exhibit 3.3 Existing Architectural Plans
  - Exhibit 3.4 Neighborhood Meeting Materials
  - Exhibit 3.5 Traffic Impact Analysis
  - Exhibit 3.6 Queuing Exhibit
  - Exhibit 3.7 Traffic Impact Analysis Addendum
  - Exhibit 3.8 Existing Parkside Fellowship Church Activities
  - Exhibit 3.9 Pre-Application Conference Notes
  - Exhibit 3.10 Service Provider Letters

# Exhibit 1.1 Zoning Map



# Exhibit 1.2 Vicinity Map



# Attachment A: FACILITIES REVIEW COMMITTEE

## TECHNICAL REVIEW AND RECOMMENDATIONS

**Application:** Cor Deo Christian Academy

**Proposal:** The applicant, Cor Deo Christian Academy, requests approval of a Major Modification of a Conditional Use application to modify and add to the student body of an existing school. The original Conditional Use approval was for a maximum of 73 students in grades 7-12. The applicant proposes to increase the student body to 200 students and replace the 7-12 grades student body with a K-8 grades student body. The school will operate from 8:00 AM to 2:30 PM on Mondays, Wednesdays, and Fridays. All school activities are proposed to occur within the existing building. No changes to the building exterior or site are proposed.

**Recommendation:** APPROVE CU2022-0002

### Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in a different order. The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted application(s) as identified below:

- All twelve (12) criteria are applicable to the Major Modification of a Conditional Use (CU2022-0002) application as submitted.

### Section 40.03.1.A

**Approval Criterion:** *All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.*

#### FINDING:

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, stormwater drainage and retention, transportation, and fire protection.

**Public Water:** The property is served by City of Beaverton water service. The applicant submitted a Service Provider Letter from the City of Beaverton that states that the water service level is adequate to serve the proposed project. Additionally, no physical improvements are proposed to the site, therefore no increase in demand is expected. Therefore, the Committee finds that adequate water service can be provided to the site to serve the proposed development.

**Sanitary Sewer:** The property is served by City of Beaverton sanitary sewer service and the applicant has stated that the sanitary sewer services are adequate to service the proposed development. An existing 12-inch sanitary main is in SW Erickson Avenue. Additionally, no physical improvements are proposed to the site, therefore no increase in demand is expected. The Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

**Stormwater Drainage and Retention:** The property is served by City of Beaverton storm sewer service and the applicant has stated that the storm sewer services are adequate to service the proposed development. An existing 42-inch storm drain is in SW Erickson Avenue. Additionally, no physical improvements are proposed to the site, therefore no increase in demand is expected. The Committee finds that adequate stormwater drainage and retention service can be provided to the site to serve the proposed development.

**Transportation:** The subject site fronts SW Erickson Avenue, which is classified as a Collector. No changes to the building exterior or site are proposed and no frontage improvements are required. Therefore, the Committee finds that adequate transportation service can be provided to the site to serve the proposed development.

**Fire Protection:** Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R staff has reviewed the proposed development's site plan and did not require the applicant to obtain a Service Provider Permit for the scope of work. TVF&R had no comments or concerns regarding the proposal. Therefore, the Committee finds that adequate fire protection service can be provided to the site to serve the proposed development.

**Conclusion:** Therefore, the Committee finds that the proposal meets the approval criterion.

## **Section 40.03.1.B**

**Approval Criterion:** *Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both, will be provided to serve the proposed development within five (5) years of occupancy.*

## FINDING:

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way.

**Schools:** The proposed development is within the boundaries of the Beaverton School District. No new dwelling units are proposed as part of the development. Therefore, the Committee finds that the proposal will not affect the existing school capacity.

**Transit Improvements:** The site is located within one-quarter mile from TriMet’s Bus Line 88-Hart/198th and within a half-mile from Bus Line 76-Hall/Greenburg. Bus Line 88 runs between Willow Creek Transit Center, Aloha, and Beaverton, along 185th, Baseline, 198th, Farmington, 170th, Bany, Hart, Murray, Allen, and Lombard. Bus Line 76 is a frequent service bus line that runs between Tualatin, Tigard, Washington Square, and Beaverton, along Sagert, Martinazzi, Lower Boones Ferry Road, 72nd, Durham, Greenburg Road, and Hall. Both of the routes provide access Transit Centers. The Committee finds that there are adequate transit services to serve the proposed development.

**Police Protection:** The City of Beaverton Police will continue to serve the development site. The Committee finds that adequate police protection service can be provided to the site to serve the proposed development.

**Pedestrian and Bicycle Facilities:** The applicant states that the site’s existing on-site pedestrian facilities connect to SW Erickson Avenue and that these connections will remain. There are sidewalks on SW Erickson Avenue adjacent to the site. Therefore, the Committee finds that adequate pedestrian and bicycle facilities can be provided to the site to serve the proposed development.

**Conclusion:** Therefore, the Committee finds that the proposal meets the approval criterion.

## Section 40.03.1.C

**Approval Criterion:** *The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses), or Sections 20.25 and 70.15 if located within the Downtown Design District, unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses) or Sections 20.25 and 70.15 if located within the Downtown Design District.*

## FINDING:

The project was submitted to the City on March 12, 2022, prior to City Council approval of Ordinance No. 4822 which changed the zoning of the subject property from R7 Residential Urban Standard Density District to Residential Mixed C (RMC). Therefore, the proposal is being reviewed pursuant to R7 development standards. The Committee refers to the Chapter 20 Use and Site Development Requirements table at the end of this report, which evaluates the project as it relates to the applicable code requirements of Section 20.05.15 Residential Site Development Standards and 20.05.20 Residential Land Uses. As demonstrated in the table, this proposal complies with all applicable standards in Chapter 20 Residential Land Use Districts.

**Conclusion:** Therefore, the Committee finds that the proposal meets the approval criterion.

## Section 40.03.1.D

**Approval Criterion:** *The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.*

## FINDING:

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 (Special Requirements).

**60.30 Off-Street Parking:** Per Beaverton Development Code (BDC) Table 60.30.10.5.B, no short-term bicycle parking spaces are required for elementary or middle schools. Long-term bicycle parking spaces are required at a ratio of one space per nine elementary school, middle school students. For a student body size of 200 elementary and middle school students, 22 long-term bicycle parking spaces are required. The applicant states that there are six existing bicycle parking spaces located at the west entrance of the church and that these spaces are covered and lighted. The applicant proposes to add 16 new long-term bicycle parking spaces to serve the increased student body size. The Committee recommends a condition of approval requiring the applicant to provide a site plan detailing the location of the proposed bicycle parking spaces to demonstrate that they meet the standards within the Development Code and the Engineering Design Manual.

Per BDC Table 60.30.10.5.A, the minimum parking ratio requirement for motor vehicles is one parking space for each elementary/middle school Full Time Equivalent (FTE) staff. The maximum parking ratio requirement for motor vehicles is 1.5 spaces for each elementary/middle school FTE staff. The applicant states the school will have 18 FTE staff

which will require a minimum of 18 parking spaces. The existing parking lot contains 157 parking spaces. The applicant has provided a schedule of other activities that will occur on the church site, which shows that no other activities are scheduled during the proposed school hours on Mondays, Wednesdays, and Fridays. Therefore, the Committee finds that the existing number of spaces within the on-site parking lot can accommodate the proposed school.

### **Section 60.55 Transportation Facilities**

**BDC 60.55.20 A-E:** The applicant states that 200 students in the elementary and middle school (K-8) age groups will be located at Parkside Fellowship Church, as part of Cor Deo Christian Academy. The applicant's transportation engineer conducted a trip analysis to determine whether the proposed relocation exceeds the threshold for a full traffic impact analysis, which is 300 vehicles or more per day in average weekday trips. The engineer referenced the following land use codes from the Institute of Transportation Engineers' (ITE) Trip Generation Manual, Eleventh Edition to calculate the expected vehicle trip generation for the proposed increase in student enrollment: 520 Elementary School, 522 Middle School/Junior High School, 530 Private School (K-8), and 532 Private School (K-12). The multiple land use codes were utilized given the small sample sizes of each single school rate from the ITE Trip Generation Manual. City of Beaverton Transportation staff find this methodology acceptable. The engineer states that the four land use codes produced an average of 377 net new weekday trips, which exceeds the 300 daily trips maximum to require a full traffic impact analysis. The calculations were based on a net increase of 136 new students because there are currently 64 students enrolled and the proposal is to increase the student body to 200 students. The applicant has provided a full Traffic Impact Analysis (TIA) consistent with the requirements of Section 60.55.20 of the Beaverton Development Code.

**BDC 60.55.20 F-G:** The applicant submitted a TIA addendum on November 2, 2022. A prescribed route measuring 968 feet in length through the on-site parking lot has been designed for parents and caregivers dropping off and picking up students (queuing plan). The applicant's transportation engineer concluded this route allows between 36 to 45 vehicles to queue for student drop-off/pick-up without spilling onto SW Erickson Avenue, based on an average vehicle length of 20 to 25 feet for commuter vehicles. The current student body is made up of 64 students. With the proposed increase to 200 students, the addendum recommends splitting students into two groups (100 students in grades K-4 and 100 students in grades 5-8) and staggering drop-off/pick-up times between the two groups by 30 minutes to reduce the potential for vehicles to spill onto SW Erickson Avenue. With the assumption that the student body would be split into these two groups, the addendum used a multiplier of 1.56 (a ratio based on 100 students in each of the new groups divided by 64 students in the current student body) to conduct queue calculations for the increased student body. The calculations also assumed a "worst-case scenario," in which no parent or caregiver vehicles would park in the on-site parking lot during the drop-off/pick-up times and the queue would not move during a 15-minute interval. The

addendum concluded that in this worst-case scenario, there will be a maximum average of 43 vehicles in the queue, which would exceed the queue's available storage by 3 to 4 vehicles and result in those vehicles spilling onto SW Erickson Avenue. The Committee finds that the analyses provided in the submitted TIA addendum are conservative in nature based on the calculations provided.

The Committee reviewed the potential mitigation measures identified by the applicant's transportation engineer, and recommends the following conditions of approval to maximize efficiency of student drop-off/pick-up activities and prevent vehicles from spilling onto SW Erickson Avenue:

- Prior to the start of the 2023-2024 school year, the applicant shall divide students into two groups for drop-off/pick-up and stagger the drop-off/pick-up times for the two groups by a minimum of 30 minutes.
- Prior to the start of the 2023-2024 school year, the applicant shall install signage on the site directing drivers to stay on the prescribed drop-off/pick-up route shown on the applicant's approved queuing plan. The applicant shall also provide a minimum of two flaggers during student drop-off/pick-up times. One flagger shall be stationed at the student drop-off/pick-up point and the other flagger shall circulate throughout the site, directing drivers to stay on the prescribed route and help maintain queue movement.
- Prior to the start of the 2023-2024 school year, the applicant shall prepare a plan outlining the rules and expectations for student drop-off/pick-up to be distributed to parents and caregivers and submit a copy of the plan to the City Transportation Engineer for review and approval. The plan shall include the following minimum elements: queuing route; time of arrival (staggered times based on student groups); suggested parent/caregiver/student behaviors to minimize delays (for example, parents/caregivers remain in vehicles, students exit building-side of vehicles only, etc.); school to provide minimum of two flaggers; staff parking area; parent/caregiver parking area.
- Prior to the start of each school year, starting in 2023-2024, the applicant shall distribute copies of the student drop-off/pick-up plan approved by the City Transportation Engineer to parents and caregivers.

The mitigation measures outlined above will help ensure the vehicle queue is operating as effectively as possible during student drop-off/pick-up times, thereby minimizing the potential for vehicles spilling onto SW Erickson Avenue. The Committee also recommends the condition outlined below to eliminate conflicts between parent/caregiver vehicles and school staff vehicles by requiring school staff to arrive at least 30 minutes prior to the first student drop-off time. The applicant shall also specifically designate staff parking spaces to maximize efficiency when school staff arrive and park on the site in the mornings and minimize the potential for conflicts between school staff and the student drop-off/pick-up vehicle queue.

- Prior to the start of the 2023-2024 school year, the applicant shall direct school staff to arrive at least 30 minutes prior to the first student drop-off time to minimize potential conflicts with anticipated queueing during student drop-off/pick-up. The applicant shall also submit a revised site plan showing designated school staff parking spaces.

The Committee finds the applicant can mitigate any potential impacts to the surrounding transportation system with the recommended conditions of approval outlined above. Accordingly, as conditioned, the Committee finds the proposal is consistent with Sections 60.55.20.F and 60.55.20.G.

**Conclusion:** Therefore, as conditioned, the Committee finds that the proposal meets the approval criterion.

### **Section 40.03.1.E**

**Approval Criterion:** *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.*

#### **FINDING:**

The applicant states that the property owner will maintain all facilities and areas not subject to maintenance by a public agency. The Committee finds that the proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

**Conclusion:** Therefore, the Committee finds that this criterion is not applicable to the proposal.

### **Section 40.03.1.F**

**Approval Criterion:** *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.*

#### **FINDING:**

The applicant states that safe and efficient vehicular and pedestrian circulation is already provided on site and will continue to be provided with the proposal. Staff concurs with the applicant's assertion that because the church and school activities occur on different days or times, the existing parking lot can adequately serve the school's required parking

demands. Staff notes the cumulative impacts of the expanded school operations and the additional church activities occurring on-site have been reviewed as occurring on separate days, any activities that would occur at the same time as the expanded school operations has not been reviewed. Any additional activities that would occur concurrently with the expanded school operations shall require an additional conditional use modification approval.

As detailed in approval criterion 40.03.1.D above, the applicant's TIA addendum finds that during student drop-off/pick-up times, there will be a maximum average of 43 vehicles in the queue, which would exceed the queue's available storage by 3 to 4 vehicles and result in those vehicles spilling onto SW Erickson Avenue. Accordingly, in order to maintain safe and efficient vehicular circulation patterns on site during student drop-off/pick-up times, the Committee recommends conditioning multiple mitigation measures, which are outlined in approval criterion 40.03.1.D and Attachment C of this staff report. By conditioning the recommended mitigation measures, the Committee finds the applicant will be able to maintain safe and efficient vehicular circulation patterns on site.

**Conclusion:** Therefore, as conditioned, the Committee finds that the proposal meets the approval criterion.

## **Section 40.03.1.G**

**Approval Criterion:** *The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.*

### **FINDING:**

The site contains existing pedestrian walkways that will continue to connect to the public sidewalk on SW Erickson Avenue in a safe, efficient, and direct manner. The applicant is not proposing any site improvements with this proposal; therefore, the existing pedestrian circulation system will be maintained.

As detailed in approval criterion 40.03.1.D above, the applicant's TIA addendum finds that during student drop-off/pick-up times, there will be a maximum average of 43 vehicles in the queue, which would exceed the queue's available storage by 3 to 4 vehicles and result in those vehicles spilling onto SW Erickson Avenue. Accordingly, the Committee recommends the applicant implement multiple mitigation measures to help prevent vehicles from spilling onto SW Erickson Avenue during busy student drop-off/pick-up times. These mitigation measures are outlined in approval criterion 40.03.1.D and Attachment C of this staff report and, as conditioned, the Committee finds the development will continue to connect to the surrounding transportation system in a safe, efficient, and direct manner.

**Conclusion:** Therefore, as conditioned, the Committee finds that the proposal meets the approval criterion.

## **Section 40.03.1.H**

**Approval Criterion:** *Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.*

### **FINDING:**

Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R staff has reviewed the proposed development's site plan and endorsed the proposal as shown without any conditions of approval. TVF&R will verify that their requirements are met prior to building permit issuance. The Committee finds that the site can be designed in accordance with City codes and standards and provide adequate fire protection.

**Conclusion:** Therefore, the Committee finds that the proposal meets the approval criterion.

## **Section 40.03.1.I**

**Approval Criterion:** *Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard, or ill-designed development.*

### **FINDING:**

The applicant states that no architectural changes to the exterior of the existing building or site improvements are proposed. The Committee finds that review of this land use application ensures protection from hazardous conditions due to inadequate, substandard, or ill-designed development.

**Conclusion:** Therefore, the Committee finds that the proposal meets the approval criterion.

## **Section 40.03.1.J**

**Approval Criterion:** *Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

## FINDING:

The applicant states that no changes to the building exterior or site are proposed. Because no physical changes to the site are proposed, the proposal will not include any grading or contouring of the subject site.

**Conclusion:** Therefore, the Committee finds that the approval criterion is not applicable to the proposal.

## Section 40.03.1.K

**Approval Criterion:** *Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.*

## FINDING:

The applicant states the submitted architectural plans show the existing accessible routes that were established at the time the building was constructed. Because no building exterior or interior changes are proposed and no physical changes to the site are proposed, the Committee finds that review of the submitted plans is sufficient to guarantee compliance with accessibility standards.

**Conclusion:** Therefore, the Committee finds that the proposal meets the approval criterion.

## Section 40.03.1.L

**Approval Criterion:** *The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.*

## FINDING:

The applicant submitted this Major Modification of a Conditional Use application on March 12, 2022, and it was deemed complete on August 9, 2022. In review of the materials during the application review process, the Committee finds that all applicable application submittal requirements identified in Section 50.25.1 are contained within this proposal.

**Conclusion:** Therefore, the Committee finds that the proposal meets the approval criterion.

## Code Conformance Analysis

### Chapter 20 Use and Site Development Requirements R7 Residential Urban Standard Density Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 20.05.20 (R7)</b>			
Educational Institutions	Conditional Use	The applicant proposes to change the existing student body from grades 7-12 to grades K-8 and increase the allowable student body amount from 73 students to 200 students	<b>See CU Findings</b>
<b>Development Code Section 20.05.15 (R7)</b>			
Minimum Land Area <sup>1</sup>	7,000 square feet	Not applicable, no new lots proposed	<b>N/A</b>
Minimum Lot Width	65 feet	Not applicable, no new lots proposed	<b>N/A</b>
Minimum Lot Depth	90 feet	Not applicable, no new lots proposed	<b>N/A</b>
Minimum Yard Setbacks	Front: 17 feet Side: 5 feet Rear: 25 feet	Not applicable, no exterior building or physical site improvements proposed	<b>N/A</b>
Reduced Yard Setbacks <sup>11</sup>	Front: 10 feet Side: 5 feet Rear: 5 feet	Reduced yard setbacks are not proposed	<b>N/A</b>
Maximum Building Height	35 feet	Not applicable, no exterior building or physical site improvements proposed	<b>N/A</b>

1. For Detached, minimum land area per dwelling unit in the R5, R7, and R10 zones. For Attached and Detached, minimum parent parcel of land area per dwelling unit in the R1, R2, and R4 zones.

11. Upon approval of Flexible Setback 40.30 application.

## Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 60.05</b>			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	No building exterior or site changes are proposed.	<b>N/A</b>
<b>Development Code Section 60.07</b>			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	<b>N/A</b>
<b>Development Code Section 60.10</b>			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	The site is not located within a Floodplain.	<b>N/A</b>
<b>Development Code Section 60.11</b>			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	No food cart pods are proposed.	<b>N/A</b>
<b>Development Code Section 60.12</b>			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	<b>N/A</b>
<b>Development Code Section 60.15</b>			
Land Division Standards	On-site surface contouring within 25 feet of a property line within or abutting any residentially zoned property.	No land grading is proposed within 25 feet of a property line.	<b>N/A</b>
<b>Development Code Section 60.20</b>			
Mobile and Manufactured Home Regulations	Requirements for the placement of mobile homes and manufactured homes.	No mobile or manufactured homes are proposed.	<b>N/A</b>
<b>Development Code Section 60.25</b>			
Off-Street Loading Requirements	None required for schools under 14,000 square feet	No loading spaces are proposed	<b>N/A</b>

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 60.30</b>			
Off-Street Motor Vehicle Parking	Minimum: 1 parking space per elementary/middle school Full Time Equivalent (FTE) staff.  Maximum: 1.5 parking spaces per elementary/middle school FTE staff.	Refer to the Facilities Review Committee findings herein.	<b>YES</b>
Required Bicycle Parking	Short-term: None required  Long-term: 1 space per 9 elementary/middle school students.	Currently there are six long-term bicycle parking spaces on-site. The applicant proposes an additional 16 long-term parking spaces to meet the required 22 long-term spaces for the proposed 200 elementary/middle school students. The Committee recommends a condition of approval for the applicant to submit a revised site plan showing the location of the 16 additional long-term bicycle parking spaces.	<b>YES w/COA</b>
<b>Development Code Section 60.55</b>			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to the Facilities Review Committee findings herein.	<b>YES w/COA</b>
<b>Development Code Section 60.60</b>			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	No building exterior or site changes are proposed.	<b>N/A</b>
<b>Development Code Section 60.65</b>			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	No building exterior or site changes are proposed.	<b>N/A</b>

# Attachment B: MAJOR MODIFICATION OF A CONDITIONAL USE CU2022-0002

## ANALYSIS AND FINDINGS FOR MAJOR MODIFICATION OF A CONDITIONAL USE APPROVAL

**Recommendation:** Based on the facts and findings presented below, staff recommends **APPROVAL** of **CU2022-0002**, subject to the applicable conditions identified in Attachment C.

### Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B, and all the following criteria have been met:

#### Facilities Review Approval Criteria Section 40.03.1.A-L

##### FINDING:

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, by meeting the conditions of approval, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

**Conclusion:** Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criteria.

### Section 40.15.05 Purpose:

The purpose of a Conditional Use application is to review uses that may be compatible in the underlying zoning district but because of their size, operation, or other characteristics require review on a case-by-case basis. These uses are subject to the regulations in this Section because they may, but do not necessarily, result in significant adverse effects upon the environment, overburden public services, alter the character of the surrounding area or create nuisances. Conditional Uses may be approved, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied. This Section is carried out by the approval criteria listed herein.

### Planning Commission Standards for Approval:

Section 40.15.15.4.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions for Major Modification of a Conditional Use applications. The Planning Commission will determine whether the application as presented, meets the Major Modification of a Conditional Use approval criteria. In this portion

of the report, staff evaluates the application in accordance with the criteria for a Major Modification of a Conditional Use.

To approve a Major Modification of a Conditional Use application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

### **Section 40.15.15.4.C.1**

The proposal satisfies the threshold requirements for a Major Modification of a Conditional Use application.

#### **FINDING:**

The subject site is in a residential zoning district and there is an approved Conditional Use to allow Cor Deo Christian Academy, an educational institution, to operate on the site with a maximum student body of 73 students (Case No. CU2020-0004). The applicant proposes to modify this approved Conditional Use to increase the student body to 200 students and replace the 7-12 grades student body with a K-8 grades student body. The applicant submitted a TIA prepared by a registered professional engineer which concludes the proposed change will result in an average increase of 377 daily weekday vehicle trips. Accordingly, staff finds the proposal meets Threshold 3 for a Major Modification of a Conditional Use application which reads:

*3. Any projected or actual increase in vehicular traffic to and from a site approved for an existing Conditional Use of more than 100 vehicle trips per day as determined by using the Institute of Transportation Engineers (ITE) Trip Generation manual or an evaluation by a traffic engineer or civil engineer licensed by the State of Oregon for all properties that are located in a Residential zoning district or are located at a distance of up to and including 50 feet from a Residential zoning district.*

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

### **Section 40.15.15.4.C.2**

All City application fees related to the application under consideration by the decision making authority have been submitted.

#### **FINDING:**

The applicant paid the required fee for this Major Modification of a Conditional Use application.

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

## Section 40.15.15.4.C.3

The proposal complies with the applicable policies of the Comprehensive Plan.

### FINDING:

Staff cites the following Comprehensive Plan goals and associated findings as applicable to the proposal:

#### ***Goal 3.8.1 Complete and Livable Neighborhoods.***

Policy 3.8.1.g ensures integration of parks and schools into neighborhoods in locations where safe, convenient connections from adjacent neighborhoods on foot and by bike are or will be available. Cor Deo Christian Academy is an existing school on the subject site and the applicant states the use will continue to be integrated into the surrounding neighborhood of residential homes and the adjacent Evelyn M. Schiffler Memorial Park. No physical changes to the site are proposed and the existing vehicle, pedestrian, and bicycle connections from the site to the adjacent street will remain.

#### ***Goal 3.8.2 Lower Density Neighborhoods: Provide residential neighborhoods that emphasize housing variety and integrate parks, schools, and other community institutions.***

The existing neighborhood is developed with a mix of housing types, including single-detached dwellings and multi-dwellings, parks, schools, and places of worship. The proposed Major Modification of a Conditional Use will allow Cor Deo Christian Academy to continue in its existing location and remain integrated into the surrounding developed neighborhood. Because the school will continue to utilize an existing building instead of constructing a new building, housing variety will continue to be emphasized in the residential neighborhood.

#### ***Goal 6.2.3: A Safe Transportation System.***

Policy 6.2.3.a focuses on improving traffic safety through a comprehensive program of education, enforcement, and engineering. The applicant proposes to increase the student body of the existing school to 200 students. As detailed in Attachment A: Facilities Review Committee of this staff report, the applicant submitted a TIA addendum that concluded there will be a maximum average of 43 vehicles queuing during student drop-off/pick-up times, which would exceed the queue's available storage by 3 to 4 vehicles and result in those vehicles spilling onto SW Erickson Avenue. Staff recommends multiple mitigation measures to help ensure the vehicle queue is constantly moving during student drop-off/pick-up times, thereby minimizing the risk of on-street queuing from cars spilling onto SW Erickson Avenue. These mitigation measures, which are outlined in Attachment C of this staff report, include a combination of education and enforcement, including installing signage and providing flaggers to direct drivers to stay on the prescribed drop-off/pick-up

route and requiring the school to create a plan outlining the rules and expectations for student drop-off/pick-up to be distributed to parents and caregivers. As conditioned, these mitigation measures will help ensure that traffic safety is maintained at the subject site.

***Goal 8.4.1 Noise: Create and protect a healthy acoustical environment within the City.***

Policy 8.4.1.a states that noise impacts shall be considered during development review processes. The applicant states that all school activities will be conducted within the existing church building, which mitigates for potential noise impacts. The school will operate between the hours of 8:00 AM and 2:30 PM on Mondays, Wednesdays, and Fridays, additionally limiting times of potential noise impacts.

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

## **Section 40.15.15.4.C.4**

The existing use has been approved as a Conditional Use as governed by the regulations in place when the use was established and complies with the applicable conditions of the Conditional Use approval unless the applicant has received or is concurrently requesting one or more conditions be removed or modified as part of the current application.

**FINDING:**

The existing Conditional Use for Cor Deo Christian Academy (an educational institution) was approved by the Planning Commission in September 2020 (Case No. CU2020-0004). The approval was governed by the regulations in place when the use was established, and the use complies with all conditions of approval from Case No. CU2020-0004. The applicant is not requesting to remove or modify any of the conditions of approval from Case No. CU2020-0004.

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

## **Section 40.15.15.4.C.5**

The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.

**FINDING:**

The expanded school use will locate within an existing church building on the subject site. No physical changes to the site are proposed. Because the church and school activities occur on different days or times, the existing parking lot can adequately serve the expanded school use. As detailed in Attachment A: Facilities Review Committee of this staff report, the applicant submitted a TIA addendum that concluded there will be a

maximum average of 43 vehicles queuing during student drop-off/pick-up times, which would exceed the queue's available storage by 3 to 4 vehicles and result in those vehicles spilling onto SW Erickson Avenue. Staff recommends multiple mitigation measures to help ensure the vehicle queue is constantly moving during student drop-off/pick-up times, thereby minimizing the risk of on-street queuing from cars spilling onto SW Erickson Avenue. These mitigation measures include dividing students into two groups for drop-off/pick-up and staggering the drop-off/pick-up times for the two groups by a minimum of 30 minutes; installing signage and providing flaggers to direct drivers to stay on the prescribed drop-off/pick-up route and maintain vehicle movement; and preparing a plan outlining the rules and expectations for student drop-off/pick-up to be distributed to parents and caregivers. Staff also recommends the applicant require school staff to arrive a minimum of 30 minutes prior to the first student drop-off time and designate school staff parking spaces to minimize the potential for conflicts between school staff and the student drop-off/pick-up vehicle queue. All mitigation measures are further detailed in approval criterion 40.03.1.D and Attachment C of this staff report.

For these reasons and as conditioned, staff finds that the location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.

**Conclusion:** Therefore, as conditioned, the Committee finds that the proposal meets the approval criterion.

## **Section 40.15.15.4.C.6**

The proposal will not modify previously established conditions of approval for the prior Conditional Use consistent with Section 50.95.6. of the Development Code.

### **FINDING:**

The existing Conditional Use for Cor Deo Christian Academy (an educational institution) was approved by the Planning Commission in September 2020 (Case No. CU2020-0004), and the applicant is not requesting to modify any of the conditions of approval from Case No. CU2020-0004.

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

## **Section 40.15.15.4.C.7**

Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

### **FINDING:**

The applicant has submitted for this Major Modification of a Conditional Use application and no other applications are required of the applicant at this stage of City review.

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

## **CONCLUSION & RECOMMENDATION**

Based on the facts and findings presented, staff recommends APPROVAL of CU2022-0002, subject to the applicable conditions identified in Attachment C.

# Attachment C: RECOMMENDED CONDITIONS OF APPROVAL

**Application:** Cor Deo Christian Academy

**Recommendation:** APPROVE CU2022-0002

## Major Modification of a Conditional Use (CU2022-0002)

### **A. General Conditions, the applicant shall:**

1. The Conditional Use permit shall run with the land and shall continue to be valid upon a change of ownership of the site, unless otherwise specified in conditions attached to the permit. (Planning/LS)
2. Final decision shall expire automatically two (2) years from the effective date of decision unless the approval is enacted either through construction or establishment of use within the two (2) year time period. (Planning/LS)
3. Prior to the start of the 2023-2024 school year, the applicant shall submit a revised site plan showing how a total of 22 long-term bicycle parking spaces will be provided on site. (Planning/LS)
4. Prior to the start of the 2023-2024 school year, the applicant shall divide students into two groups for drop-off/pick-up and stagger the drop-off/pick-up times for the two groups by a minimum of 30 minutes. (Transportation/FdF & KM)
5. Prior to the start of the 2023-2024 school year, the applicant shall install signage on the site directing drivers to stay on the prescribed drop-off/pick-up route shown on the applicant's approved queuing plan. The applicant shall also provide a minimum of two flaggers during student drop-off/pick-up times. One flagger shall be stationed at the student drop-off/pick-up point and the other flagger shall circulate throughout the site, directing drivers to stay on the prescribed route and help maintain queue movement. (Transportation/FdF & KM)
6. Prior to the start of the 2023-2024 school year, the applicant shall prepare a plan outlining the rules and expectations for student drop-off/pick-up to be distributed to parents and caregivers and submit a copy of the plan to the City Transportation Engineer for review and approval. The plan shall include the following minimum elements: queuing route; time of arrival (staggered times based on student groups); suggested parent/caregiver/student behaviors to minimize delays (for example, parents/caregivers remain in vehicles, students exit building-side of vehicles only, etc.); school to provide minimum of two flaggers; staff parking area; parent/caregiver parking area. (Transportation/FdF & KM)
7. Prior to the start of each school year, starting in 2023-2024, the applicant shall distribute copies of the student drop-off/pick-up plan approved by the City

Transportation Engineer to parents and caregivers. (Transportation/FdF & KM)

8. Prior to the start of the 2023-2024 school year, the applicant shall direct school staff to arrive at least 30 minutes prior to the first student drop-off time to minimize potential conflicts with anticipated queueing during student drop-off/pick-up. The applicant shall also submit a revised site plan showing designated school staff parking spaces. (Transportation/FdF & KM)