



Portland City Auditor

Hearings Office

1900 SW 4th Avenue, Room 3100, Portland, OR 97201
www.portlandoregon.gov/auditor/hearings

phone: (503) 823-7307
fax: (503) 823-4347



DECISION OF THE HEARINGS OFFICER IN UNCONTESTED CASE

File Number: LU 16-111819 CU AD (Hearings Office 4160004)

Applicant: Peter Fry
303 NW Uptown Terrace #1B
Portland, OR 97210

Owner: Full Gospel Pentecostal Church
1033 N Sumner Street
Portland, OR 97217-2500

Representative: Clayborn Collins
Emmanuel Temple
1033 N Sumner Street
Portland, OR 97211

Hearings Officer: Gregory J. Frank

Bureau of Development Services Staff Representative: Marguerite Feuersanger

Site Address: 1033 N Sumner Street

Legal Description: BLOCK 26 LOT 4 DEFERRED ADDITIONAL TAX LIABILITY, M PATTONS ADD & 2ND; S 50' OF N 80' OF E 100' OF BLOCK G INC PT VAC ST, M PATTONS & SUB; N 50' OF S 150' OF E 100' OF BLOCK G, M PATTONS & SUB; BLOCK G TL 2800, M PATTONS & SUB; BLOCK G TL 2700, M PATTONS & SUB; BLOCK H TL 3000, M PATTONS & SUB

Tax Account No.: R520502210, R520702190, R520702230, R520702270, R520702310, R520702330

State ID No.: 1N1E22BB 02500, 1N1E22BB 01600, 1N1E22BB 01700, 1N1E22BB 02800, 1N1E22BB 02700, 1N1E22BB 03000

Quarter Section: 2529

Neighborhood: Humboldt

Business District: North-Northeast Business Association

District Neighborhood Coalition: Northeast Coalition of Neighborhoods

Zoning: R2.5a, Single Dwelling Residential 2,500 Zone, Alternative Design Density Overlay Zone (a)

Land Use Review: Type III, CU, Conditional Use and AD, Adjustment

Bureau of Development Services Staff Recommendation to Hearings Officer: Approval with conditions

Public Hearing: The hearing was opened at 9:06 a.m. on June 29, 2016, in the third floor hearing room, 1900 SW 4th Avenue, Portland, Oregon, and was closed at 10:33 a.m. The applicant waived applicant's rights granted by ORS 197.763 (6)(e), if any, to an additional seven day time period to submit written rebuttal into the record. The record was closed to all testimony and/or written submissions at the end of the hearing.

Testified at the Hearing:

Marguerite Feuersanger
CT Wells
Clayborn Collins
Peter Finley Fry
Chris Clemow

Proposal: The applicant proposes to reduce the site area of the existing Emmanuel Church (main church building). The northernmost tax lot (R210702) in addition to the former N. Sumner Street will be the new church site (site measures 230 feet by 260 feet). The remaining five properties will be removed from the Conditional Use church site; the former Emmanuel Church building (original church building) and four houses are located on these properties. To date, development plans have not been submitted for these properties.

The applicant proposes to create a five-foot wide landscape area along the new south property line to provide the required perimeter parking area landscaping. Other physical changes or improvements to the site are not proposed. On-site parking spaces will be reduced from 79 spaces to approximately 59 spaces. A parking evaluation study has been submitted with the application.

Religious institutions are considered a "conditional use" in the R2.5 Residential Zone. Conditional Use approval was granted for the existing Emmanuel Church and site, through Case File LU 95-00609 MS CU AD. The applicant is requesting that all conditions of this approval be removed, primarily because expansion plans (including a new gymnasium) were not realized. To accommodate the expansion approved in the 1995 land use review, portions of N Sumner Street

and N Missouri Avenue were vacated in 2000 and integrated into the church site and development. New structures are prohibited within these former street areas.

Reductions in the site area of an existing Conditional Use require Conditional Use review. Also, the reduction in site area will take the site out of conformance with several development standards, which requires a Type III Conditional Use review. The following Adjustments are requested:

1. Minimum landscaped area Reduce the minimum landscaped area on the new church site from 25 percent to 12.5 percent (33.110.245.C). The reduced site size is 59,800 square feet, and contains approximately 7,765 square feet of landscaping while at least 14,950 square feet is required; and
2. Maximum floor area ratio (FAR) Increase the maximum allowed FAR from 0.5:1 to 0.55:1 FAR for the new church site. The main church building (32,982 square feet of floor area) on the reduced site area (59,800 square feet) exceeds this maximum ratio (Section 33.110.245.C).

Requirements to Implement the Proposed Conditional Use Site Boundary

Previously as part of this application, the applicant proposed a new Conditional Use site consisting of the tax lot R210702, measuring 230 feet by 230 feet. A revised new site adds 30 feet to the site's south boundary (Exhibit C-3). This new site, measuring 230 feet by 260 feet, includes the existing driveway in the vacated area of N Sumner and additional area to accommodate a pedestrian easement and landscape area. Note that previously the applicant had requested an Adjustment to waive the required perimeter parking area landscaping at the south property line (5 feet of landscaping to the L2 standard is required per Section 33.266.130.G). Instead, the applicant is proposing to install the required landscaping within the additional 30 feet of site area.

The new site area is a positive change, as the larger site will include all of the existing on-site angle parking spaces and driveway, and allows for the installation or modification of a sidewalk and perimeter landscaping at the south boundary. To implement the new site boundary, conditions of this approval are required:

- A series of property line adjustments or a land division is required to relocate the south boundary of tax lot R210702, to include the previously vacated N Sumner Street.
- A permit will be required to install the required perimeter landscaping and sidewalk improvements.
- The tax lot containing the original church building (R210701) will be removed from the conditional use site and as a result will no longer have legal street frontage. To remedy this, a Lot Consolidation (replat), a Land Division Final Plat, or dedication of public right-of-way is necessary. A tax account consolidation with Multnomah County does not meet this requirement.

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are found in:

- **Section 33.815.105, Institutional and Other Uses in R Zones; and**
- **Section 33.805.040, Adjustments.**

Hearings Officer Decision: It is the decision of the Hearings Officer to adopt and incorporate into this decision the facts, findings, and conclusions of the Bureau of Development Services in their Staff Report and Recommendation to the Hearings Officer dated June 17, 2016, and to issue the following approval:

Approval of a Conditional Use request to remove the following properties from the Emmanuel Church site: Tax accounts numbers:

- | | |
|---------|--|
| Site 1. | R210699, except the north 30 feet (original church building at 1032 N Sumner); |
| Site 2. | R210694, except the north 30 feet (house at 5133 N Michigan); |
| Site 3. | R210697 (house at 5123 N Michigan); |
| Site 4. | R210701 (house at 1029 N Webster); and |
| Site 5. | R210548 (house at 5034 N Missouri). |

Approval of the Applicant's request to delete Conditions of Approval A through I, required by the land use decision LUR 95-00609 CU MS AD.

Approval of two Adjustments for the reduced and new Conditional Use church site:

1. Reduce the Minimum landscaped area from 25 percent to 12.5 percent (33.110.245.C and Table 110-5); and
2. Increase the Maximum floor area ratio (FAR) from 0.5:1 FAR to 0.55:1 FAR (Section 33.110.245.C and Table 110-5).

All approvals are to be in substantial conformance with Exhibits C1 and C2 and subject to the following conditions:

- A. The applicant must satisfy the following conditions prior to "Development" on Sites 1, 2, 3 and 4 of the above-referenced tax accounts, whereas "Development" means final city approval of either a land use review, final plat review, property line adjustment request, or building permit, whichever occurs first:
 1. The approved Emmanuel Church Conditional Use site will include all of tax account 1033 N Sumner Street (main church building) and the north 30 feet of Sites 1 and 2. The site dimensions will be 230 feet (east-west) by 260 feet (north-south). Creation of this approved Conditional Use site boundary requires final approval and recording of two Property Line Adjustments or final approval of a Land Division Final Plat.

2. One of the following must be completed for the original church building on Site 1:
 - Conversion to an allowed residential use building with a final building permit;
 - Reuse as a separate Conditional Use if approved through Conditional Use review;
 - Relocation to an approved site for the intended use with a final building permit; or
 - Removal with a final demolition permit (deconstruction, salvage are encouraged and may be required).
3. Legal street frontage must be acquired for Site 1 (R210699) through a Lot Consolidation (replat), Land Division Final Plat, or dedication of public right-of-way. A tax account consolidation with Multnomah County does not meet this requirement.
4. Ownership of Site 1 (R210699) and Site 4 (R210701) must remain with the “Full Gospel Pentecostal Church” and not be changed unless one of the following requirements is enacted to regain compliance with City Title 21:
 - Request and pay for a new water service to be located within the frontage of the existing Church, and pay for the killing of the existing service at 1032 N Sumner St which is in current violation of City Title 21.12.010 and 12.12.070; or
 - Where water services are to be shared between multiple properties, City Title 21.12.070 will apply and a Tax Lot Account consolidation will be required prior to the Water Bureau approval of any building permits and or selling any water services to this property. Tax account consolidation is a simple process and can be done at Multnomah County Records Management Division. For more information, please call 503-988-3326 or visit <https://multco.us/assessment-taxation/changes>.
5. A minimum 10-foot-wide public pedestrian and bicycle easement is required to be established within the vacated N Missouri Avenue and N Sumner Street, per the requirements of the Bureau of Transportation. Within the vacated N Missouri, the easement will connect the existing sidewalks within N Webster and N Emerson. Within the vacated N Sumner, the easement will connect the pedestrian/bicycle easement within N Missouri and the existing sidewalk within the west side of N Michigan.
6. A sidewalk must be installed, to be reviewed and approved by the Portland Bureau of Transportation within the established easement area required by Condition 5. Existing sidewalks may satisfy this condition.

7. New landscaping must be planted and maintained on the Approved Emmanuel Church Conditional Use site. A final approved Development Review Permit, that includes BES review and approval, is required for:

- At least 5 feet of landscaping to the L2 standard near the south site boundary, adjacent and parallel to the south side of the existing parking area driveway, as shown on Exhibit C-2.
- A minimum of 10 trees and 25 low level evergreen shrubs must be planted within existing landscape areas on the Approved Conditional Use site, as shown on Exhibit C-2.

Basis for the Decision: Bureau of Development Services Staff Report in LU 16-111819 CU AD, Exhibits A.1 through H.11, and the hearing testimony from those listed above.



Gregory J. Frank, Hearings Officer



Date

Application Determined Complete: March 31, 2016
Report to Hearings Officer: June 17, 2016
Decision Mailed: July 6, 2016
Last Date to Appeal: 4:30 p.m., July 20, 2016
Effective Date (if no appeal): July 21, 2016 Decision may be recorded on this date.

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

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or

development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appeal of the decision. ANY APPEAL OF THE HEARINGS OFFICER'S DECISION MUST BE FILED AT 1900 SW 4TH AVENUE, PORTLAND, OR 97201 (503-823-7526). Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th floor. **An appeal fee of \$5,000 will be charged (one-half of the application fee for this case, up to a maximum of \$5,000).** Information and assistance in filing an appeal can be obtained from the Bureau of Development Services at the Development Services Center.

Who can appeal: You may appeal the decision only if you wrote a letter which is received before the close of the record on hearing or if you testified at the hearing, or if you are the property owner or applicant. If you or anyone else appeals the decision of the Hearings Officer, only evidence previously presented to the Hearings Officer will be considered by the City Council.

Appeal Fee Waivers: Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

Recording the final decision.

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

- A building or zoning permit will be issued only after the final decision is recorded.

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

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.

- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

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

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

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

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

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

EXHIBITS
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Initial Submittal, January 27, 2016
 - 2. Revised Submittal, March 31, 2016
 - 3. Revised Submittal, April 18, 2016
 - 4. Revised Submittal, May 10, 2016
 - 5. Parking Evaluation, January 26, 2016
 - 6. Supplemental Parking Evaluation, March 31, 2016
 - 5. Parking Management Plan, June 9, 2016
- B. Zoning Map
- C. Plans and Drawings
 - 1. Site Plan
 - 2. Updated Landscape Plan
 - 3. Updated Conditional Use Site Plan, May 24, 2016
 - 4. Property Proposed to be Released from Conditional Use Site, May 24, 2016
 - 5. Initial Site Plan, January 27, 2016
 - 6. Initial Landscape Plan, May 10, 2016
 - 7. Boundary Survey
- D. Notification information
 - 1. Request for response
 - 2. Posting letter sent to applicant, April 24, 2016
 - 3. Posting letter sent to applicant, May 19, 2016
 - 4. Notice to be posted for May 25, 2016 hearing
 - 5. Updated Notice to be posted for June 29, 2016 hearing
 - 6. Applicant's statement certifying posting, April 25, 2016
 - 8. Applicant's statement certifying posting, May 20, 2016
 - 9. Mailing list, April 27, 2016
 - 10. Mailing list, May 23, 2016
 - 11. Mailed notice for May 25, 2016 hearing
 - 12. Mailed notice for Rescheduled June 29, 2016 hearing
- E. Agency Responses
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Police Bureau
 - 6. Site Development Review Section of BDS
 - 7. Life Safety Plans Examiner of BDS

F. Letters

None

G. Other

1. Original LUR Application
2. Report and Decision of the Hearings Officer, Case File 95-00609 MS CU AD
3. Approved Site Plans S1, S1a, S2, Case File 95-00609 MS CU AD
4. Street Vacation Ordinance #170759 for N Sumner Street and N Missouri Avenue
5. Applicant's 120-day Extension, April 20, 2016
6. Applicant's 120-day Extension, May 12, 2016

H. Received in the Hearings Office

1. Request to Reschedule - Feuersanger, Marguerite
2. Notice of Hearing - Feuersanger, Marguerite
3. Request to Reschedule - Feuersanger, Marguerite
4. Rescheduled hearing notice - Feuersanger, Marguerite
5. Staff Report - Feuersanger, Marguerite (**attached**)
6. Fee Statement Service & Misc Work - Fry, Peter
7. 6/28/16 Emmanuel Church Parking Management Plan - Fry, Peter
8. Common Green Possible Layout - Fry, Peter
 - a. Condominiums Possible Layout - Fry, Peter
9. Letter from John and Nadine Moller - Feuersanger, Marguerite
 - a. Map from John and Nadine Moller - Feuersanger, Marguerite
 - b. Photos from John and Nadine Moller - Feuersanger, Marguerite
10. PowerPoint presentation printout - Feuersanger, Marguerite
11. Record Closing Information - Hearings Office



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

STAFF REPORT AND RECOMMENDATION TO THE HEARINGS OFFICER

CASE FILE: LU 16-111819 CU AD (Emmanuel Church)
PC # 15-261203
REVIEW BY: Hearings Officer
WHEN: June 29, 2016, at 9:00 a.m.
WHERE: 1900 SW 4th Avenue, Room 2500A
Portland, OR 97201

It is important to submit all evidence to the Hearings Officer. City Council will not accept additional evidence if there is an appeal of this proposal.

BUREAU OF DEVELOPMENT SERVICES STAFF: MARGUERITE FEUERSANGER /
MFEUERSANGER@PORTLANDOREGON.GOV

GENERAL INFORMATION

RECEIVED

Applicant: Peter Fry
303 NW Uptown Terrace, #1B
Portland, OR 97210

Owner: Full Gospel Pentecostal Church
1033 N Sumner Street
Portland, OR 97217-2500

Representative: Clayborn Collins
Emmanuel Temple
1033 N Sumner Street
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Quarter Section: 2529

Neighborhood: Humboldt, contact Micah Meskel at 503-481-5715.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-841-5032.
District Coalition: Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-5070.

HEARINGS OFFICE

Zoning: R2.5a, Single Dwelling Residential 2,500 Zone, Alternative Design Density Overlay Zone (a)

Case Type: CU, Conditional Use and AD, Adjustment

Procedure: Type III, with a public hearing before the Hearings Officer. The decision of the Hearings Officer can be appealed to City Council.

Proposal: The applicant proposes to reduce the site area of the existing Emmanuel Church (main church building). The northernmost tax lot (R210702) in addition to the former N. Sumner Street will be the new church site (site measures 230 feet by 260 feet). The remaining five properties will be removed from the Conditional Use church site; the former Emmanuel Church building (original church building) and four houses are located on these properties. To date, development plans have not been submitted for these properties.

The applicant proposes to create a five-foot wide landscape area along the new south property line to provide the required perimeter parking area landscaping. Other physical changes or improvements to the site are not proposed. On-site parking spaces will be reduced from 79 spaces to approximately 59 spaces. A parking evaluation study has been submitted with the application.

Religious institutions are considered a "conditional use" in the R2.5 Residential Zone. Conditional Use approval was granted for the existing Emmanuel Church and site, through Case File LU 95-00609 MS CU AD. The applicant is requesting that all conditions of this approval be removed, primarily because expansion plans (including a new gymnasium) were not realized. To accommodate the expansion approved in the 1995 land use review, portions of N Sumner Street and N Missouri Avenue were vacated in 2000 and integrated into the church site and development. New structures are prohibited within these former street areas.

Reductions in the site area of an existing Conditional Use require Conditional Use review. Also, the reduction in site area will take the site out of conformance with several development standards, which requires a Type III Conditional Use review. The following Adjustments are requested:

1. Minimum landscaped area Reduce the minimum landscaped area on the new church site from 25 percent to 12.5 percent (33.110.245.C). The reduced site size is 59,800 square feet, and contains approximately 7,765 square feet of landscaping while at least 14,950 square feet is required; and
2. Maximum floor area ratio (FAR) Increase the maximum allowed FAR from 0.5:1 to 0.55:1 FAR for the new church site. The main church building (32,982 square feet of floor area) on the reduced site area (59,800 square feet) exceeds this maximum ratio (Section 33.110.245.C).

Requirements to Implement the Proposed Conditional Use Site Boundary

Previously as part of this application, the applicant proposed a new Conditional Use site consisting of the tax lot R210702, measuring 230 feet by 230 feet. A revised new site adds 30 feet to the site's south boundary (Exhibit C-3). This new site, measuring 230 feet by 260 feet, includes the existing driveway in the vacated area of N Sumner and additional area to accommodate a pedestrian easement and landscape area. Note that previously the applicant had requested an Adjustment to waive the required perimeter parking area landscaping at the south property line (5 feet of landscaping to the L2 standard is required per Section 33.266.130.G). Instead, the applicant is proposing to install the required landscaping within the additional 30 feet of site area.

The new site area is a positive change, as the larger site will include all of the existing on-site angle parking spaces and driveway, and allows for the installation or modification of a sidewalk and

perimeter landscaping at the south boundary. To implement the new site boundary, conditions of this approval are required:

- A series of property line adjustments or a land division is required to relocate the south boundary of tax lot R210702, to include the previously vacated N Sumner Street.
- A permit will be required to install the required perimeter landscaping and sidewalk improvements.
- The tax lot containing the original church building (R210701) will be removed from the conditional use site and as a result will no longer have legal street frontage. To remedy this, a Lot Consolidation (replat), a Land Division Final Plat, or dedication of public right-of-way is necessary. A tax account consolidation with Multnomah County does not meet this requirement.

Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are found in:

- **Section 33.815.105, Institutional and Other Uses in R Zones; and**
- **Section 33.805.040, Adjustments.**

ANALYSIS

Site and Vicinity: The current church Conditional Use site consists of six properties, totaling approximately 91,000 square feet of site area. It includes portions of vacated N Sumner Street and N Missouri Avenue. Even though these former streets are now in private ownership, they appear as public streets as the former street paving, curbs and sidewalks remain. The main church building, located on the north half of the property, covers approximately 22,000 square feet of land and is two to three stories in height. The massing and spire at the northwest building corner make it a prominent visual presence within the immediate neighborhood of detached houses.

Before construction of the main church building in 2004, the church occupied the site's original 1914 church building. It is located to the south of the main church building. The remaining four properties contain detached houses built in the early 1900s. The southerly two houses were previously used as church offices. While part of the church site, the houses currently appear to be used as residences, and are similar to nearby houses and lots with regard to style, setbacks, building height, and landscaping.

Approximately 80 onsite parking spaces are located on the current church site, located adjacent to both church buildings and within the vacated N Sumner Street and N Missouri Avenue. Interstate highway I-5 is located at the site's west boundary. Vehicle, bicycle and pedestrian connections to areas west of the highway are limited to bridge crossings at N Alberta Street (south of the site) and N Killingsworth Street (north of the site), approximately 1,300 feet apart. A tall masonry wall extends along N Missouri Avenue and helps to reduce visual and noise impacts associated with I-5 on the neighborhood area.

Institutional uses are located near the site and include a church (two blocks to the south), Jefferson High School (three blocks to the east), and Portland Community College (three blocks to the northeast).

Nearby transit streets include N Killingsworth Street and N Albina Avenue. Streets surrounding the site, N Emerson Street, N Michigan Avenue and N Webster Street, are designated as Local Service streets.

Zoning: The site is within the Single Dwelling Residential 2,500 Zone (R2.5). Single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-

dwelling housing. Religious Institutions are a Conditional Use in the R2.5 Zone and are allowed locate in this zone only if approved through a land use review process.

The development standards of the single-dwelling zones work together to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The site development standards allow for flexibility of development while maintaining compatibility within the City's various neighborhoods. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. The development standards are generally written for houses on flat, regularly shaped lots. Other situations are addressed through special regulations or exceptions.

The site is within the Alternative Design Density Overlay Zone (a), which is intended to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for residential development that meets additional design compatibility requirements.

Land Use History: City records indicate that prior land use reviews include:

2012-137412 IM AD *Approval of an Impact Mitigation/Transportation Impact Review and Transportation Demand Management Plan, with conditions. Adjustment approval to allow two joint/shared parking lots to be used by PCC Cascade campus.*

Staff response: Emmanuel Church parking area is one of the approved shared parking lots. This shared parking lot is located on the proposed reduced church site, adjacent to the main church building. Therefore, the proposal to reduce the church site does not affect this land use decision.

2007-135115 CU *Approval of radio-frequency transmission facilities on the rooftop of the Emmanuel Church building, with electronic equipment cabinets housed on the church rooftop, with conditions.*

Staff response: The facilities are located on the main church building. The proposal to reduce the church site does not affect this land use decision.

2000-00317 CU *Approval of radio-frequency transmission antennas mounted on the rooftop of the Emmanuel Church building, with electronic equipment cabinets housed inside the church, with conditions.*

Staff response: The facilities are located on the main church building. The proposal to reduce the church site does not affect this land use decision.

1995—00609 CU MS AD *Approval of a Conditional Use Master Plan for the expansion of Emmanuel Church. Three Adjustments were approved: reduction of the amount and dimensions of required parking spaces; a reduction of the building setback along N Emerson from 15 feet to 10 feet, and a full waiver of the required 5 feet of perimeter landscape area width along the west edge of the N Missouri parking area.*

Staff response: The proposal to reduce the church site affects the conditions imposed by the land use decision. Below is the staff recommendation regarding the applicant's request to remove all existing conditions of approval:

- A. *Operation of the gymnasium will occur only between the hours of 7:00 am and 10:00 pm.*

Finding: Staff recommends that this condition be removed. The church no longer plans to build the gymnasium, and the property planned for the gymnasium will be removed from the church site.

- B. *The master plan shall incorporate a TDM plan as described in the memo from Robert Keech dated December 19, 1995 to Omar Agha and Jeanne Harrison(Exhibit I-6), with the following conditions:*
1. *Emmanuel Temple must maintain at least one standard (full-size) bus and three vans (9-12 passengers each) and make them available to transport members to and from Sunday services.*
 2. *A letter must be submitted to BOP/PDOT from the property of the E & M Market property (909 N. Killingsworth) stating that a minimum of 100 parking spaces will be available for Emmanuel Temple's use on Sunday mornings. The letter must state that the owner of the market property will give Emmanuel Temple 30 days notice prior to terminating the parking agreement. The parking shall be available no later than the date of occupancy of the proposed sanctuary.*
 3. *In the event that the property owner of E & M Market terminates the parking agreement, Emmanuel Temple must submit and have accepted by BOP/PDOT a similar agreement for at least 100 parking spaces to be located within one-quarter mile of the sanctuary and within a commercial or institutional zone at least one week prior to the expiration of the previous agreement. Alternatively, if such an agreement is not submitted and accepted within the time limit identified, Emmanuel Temple must apply within 14 days of the expiration of the agreement for a Type II Conditional Use review for determination of the ongoing need for the parking or an alternative solution that is acceptable to BOP/PDOT.*

Finding: Transportation staff recommends that this condition be removed (Exhibit E-2) and states that condition was required to mitigate for the anticipated parking impacts related to the church's expansion plans in 1995. Expansion plans have not materialized and the church's patronage has significantly declined in numbers over the last 20 years. Based on Transportation's evaluation of the applicant's submitted parking analysis, the above referenced measures are no longer necessary.

- C. *Prior to issuance of either a temporary or permanent occupancy permit for the proposed sanctuary shown in Phase 1, a minimum of 79 parking spaces must be provided as shown on Drawing S1 (dated 1/8/96). The 79 spaces are one less than the 80 shown on the drawing because the space nearest the intersection of N. Michigan and N. Sumner is not acceptable. This space shall not be developed for parking. This space must be landscaped instead so no parking can occur there.*

Finding: Transportation staff recommends that this condition be removed (Exhibit E-2) because the minimum required parking spaces were based on expansion plans that have not occurred and are no longer proposed for the site. The new Conditional Use church site includes 49 spaces, which must be retained.

- D. *If within four years of the date of final approval of this proposal Phase 2 is not implemented, Phase 1a as shown on Drawing S1 (dated 1/8/96) must be implemented so that a total of 100 parking spaces are provided on-site.*

Finding: Transportation staff recommends that this condition be removed (Exhibit E-2). Phase 2 was not implemented and is no longer proposed. Based on Transportation's evaluation of the applicant's parking analysis, this condition is no longer necessary.

- E. *The applicant must submit an on-site signing plan at the time of building permit application for Phase 1 to be approved by Traffic Management to ensure adequate on-site circulation.*

Finding: Transportation staff recommends that this condition be removed (Exhibit E-2) because the minimum required parking spaces were based on expansion plans that have

not occurred and are no longer proposed for the site. Based on Transportation's evaluation of the applicant's parking analysis, this condition is no longer necessary.

- F. The site plans (Drawings S1, S1a, and S2) shall be modified before submission for building permit plans to show a pedestrian crossing at N. Missouri and Sumner. The landscaped projection at the corner shall remain as a paved pedestrian landing (with curb ramp) to allow pedestrians to cross at this location. (The proposed changes are shown on the drawings revised by PDOT and initialed and dated (1/11/96).*

Finding: Transportation staff recommends that this condition be removed (Exhibit E-2). The approved site plan associated with the building permit plans (#1995-00095 CO) shows a modification requiring the pedestrian crossing. Transportation states that the crossing exists at N Missouri and N Sumner, in compliance with this condition.

- G. The applicant must grant a public pedestrian easement along the proposed sidewalks as shown on the S1, S1a, and S2 drawings dated 1/8/96.*

Finding: Transportation staff recommend that this condition be retained (Exhibit E-2). This condition has not been satisfied; the applicant has provided a copy of the recorded street vacation which requires in part that a 10-foot wide public pedestrian and bicycle easement be reserved within the vacated public rights-of-way (Exhibit G-4). However, it appears that the specific easement and its location was not identified and recorded on the site, as required by this Condition G. Public pedestrian and bicycle easements within the vacated rights-of-way remain necessary for circulation.

- H. The applicant must submit an annual report starting one year from occupancy of the new church which must include the results of a survey from five separate Sundays, including Easter Sunday. The survey must include: the date the survey was made, the mode split of all persons attending the service by walking, bicycling, carpooling, public transit, private bus/vanpool, and drive along; the total number of persons attending the service; and the number of vehicles parking on-site and in the satellite lot. An annual report including these items must be submitted every (year) to BOP/PDOT until such time as Emmanuel Temple has 200 parking spaces under their permanent control and this condition is removed.*

Finding: Transportation staff recommends that this condition be removed (Exhibit E-2). The number of required parking spaces approved with the 1995 Conditional Use/Master Plan was based on the anticipated demand from the church's expansion plans. Expansion plans have not materialized and the church's patronage has significantly declined in numbers over the last 20 years. Based on Transportation's evaluation of the applicant's submitted parking analysis, the above referenced measures are no longer necessary.

- I. The applicant must submit in conjunction with the survey identified in Condition H, correspondence or minutes of a meeting with Tri-Met staff regarding a request for increases in transit service on Sundays and the results of the meeting or letter from Tri-Met, if any was received.*

Finding: Transportation staff recommends that this condition be removed (Exhibit E-2). This condition is related with Condition H and is no longer needed.

Applicant's Statement: As part of the January 27, 2016, submittal, the applicant explains the church program and reasons for the proposed reduction in site area:

"The LUR 95-00609 MS CU AD conditional use accommodated a growing, extremely busy church with Sunday School, Worship Services, Sunday Evening Activities, Choir Practice, Al Harding Academy, Youth Crusade, Miscellaneous Meetings, Weddings and Funerals, and Day-Care. The conditional use provided for a major expansion to almost twice the

current size; including the construction of a large gymnasium with the addition of many sport activities and events."

"In reality, two things have occurred. The church has shrunk considerably consistent with national patterns and the effect of dramatic gentrification and displacement in the surrounding neighborhoods. The historic patrons have moved on and out. The new population is predominantly white and young; residents who typically do not attend church and specifically not this type of church."

The applicant describes plans for the church and the properties to be removed from the church site:

"The church has no plans for expansion on the site and no plans for a gymnasium. The church desire(s) to remove the surplus area from the conditional use and release it into the market for desperately needed housing."

Agency Review: A "Request for Response" was mailed **April 14, 2016**. The following Bureaus responded with conditions:

- **Bureau of Environmental Services** (Exhibit E-1). BES does not object to approval of the conditional use application, provided there are no Transportation-associated right-of-way improvements associated with this review and provided BES staff will have the opportunity to evaluate the site's landscaping deficiencies against applicable Stormwater Management Manual standards.
- **Transportation Bureau** (Exhibit E-2). Transportation has no objection to the proposal but with the condition that a public pedestrian and bicycle easement be established within the vacated N Sumner and N Missouri rights-of-way.
- **Water Bureau** (Exhibit E-3). The Water Bureau requires installation of a new water service at N Michigan for the main church building. Current water service for the main church building is provided from N Webster, via the original church building. Because the existing situation does not meet current requirements for water service and because the original church building is proposed to be removed from the conditional use site, a new water service is needed for the main church building.
- **Police Bureau** (Exhibit E-5). To address safety and site visibility, the Police Bureau recommends that the site landscaping be maintained to ensure views of the building's address number. The site must also be maintained according to Crime Prevention Through Environmental Design (CPTED) standards.
- **Life Safety Plans Examiner of BDS** (Exhibit E-7). In the initial response on April 26, 2016, additional information was requested from the applicant to determine compliance with the building code. The issue was the proximity of the new south property line in relation to the main church building's south wall. Subsequently, the applicant provided building permit drawings for the main church, which were reviewed by the Plans Examiner. On May 10, 2016, the Plans Examiner revised comments stating that there appears to be no conflicts between the proposal (new south property line) and applicable building codes.

The following bureaus responded with comments but no conditions:

- **Fire Bureau** (Exhibit E-4). The Fire Bureau states that new development or modifications to existing buildings require compliance with applicable Fire Code requirements at the time of building permit review.

- **Site Development Section of BDS Exhibit E-6).** Site Development has no concerns with the proposed site area revisions. If demolition is proposed to any of the existing buildings, cesspool decommissioning may be required.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was first mailed on April 27, 2016 and later on May 23, 2016, to provide notification of the change in hearing date. No written responses were received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

33.815.105 Institutional and Other Uses in R Zones

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

A. Proportion of Household Living uses. The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the Household Living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the Household Living category and is specifically based on:

1. The number, size, and location of other uses not in the Household Living category in the residential area; and
2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.

Findings: The applicant states:

"The church is reducing the size of the conditional use site area by almost 40 percent, which will decrease the proportion of uses not in the Household Living category. The release of this land from the conditional use will increase the number of household units."

"The older church structure will be demolished within a year of the amended conditional use approval."

The portion of the site to be removed from the conditional use church site contains four detached houses and the original church building. Although the applicant suggests that additional housing units will be created as a result of the boundary change, the applicant does not provide a plan or explain how additional housing units will be added. The applicant proposes to demolish the original church building and makes clear that no development is proposed. A conclusion could be reached that the proposal meets this criterion, given that the exempted part of the church site currently contains residential uses and additional residential units will be created in the future.

Staff visited the site on April 28, 2016. A sign posted on the original church building advertises the Iglesia del Dios Vivente church. The existing Conditional Use approval does not include a second church use and there is no record of a separate conditional use approval. The prior Conditional Use decision, Case File 95-00609 CU MS AD (Exhibit G-2), expected that the original church building would be removed to make way for the proposed gymnasium. While the gymnasium is no longer part of the church's proposal, the applicant's statement does not address how the original church building is being used currently, or when the building will be demolished.

A condition is needed to ensure that the overall appearance and function of the area will not be significantly lessened due to an additional institutional use on the site, and to ensure that any existing and future uses of the original church building and its surrounding site area will be consistent with use and development regulations of the R2.5 Zone. Additionally, by removing the original church building from the boundary of the Conditional Use site, its legal status will be unclear. Options for the original church building include:

- Conversion to an allowed residential use building with a final building permit;
- Reuse as a separate Conditional Use if approved through Conditional Use review;
- Relocate to an approved site for the intended use with a final building permit; or
- Removal with a final demolition permit (deconstruction, salvage are encouraged and may be required).

A condition is needed that requires implementation of one of these options (either as a condition of preliminary approval of a land division, planned development review or building permit). Because of the above reasons and with this condition, this criterion is met.

B. Physical compatibility.

1. The proposal will preserve any City-designated scenic resources; and
2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, tree preservation, and landscaping; or
3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, tree preservation, and other design features.

Findings: The site does not contain any City-designated scenic resources. Therefore, Criterion B.1. does not apply.

The applicant states:

"The church is reducing the size of the conditional use site area by almost 50 percent. No new development is proposed. . . . The building is an attractive architectural amenity"

The five properties to be removed from the Conditional Use site will return to residential use and may eventually be redeveloped in a manner consistent with the R2.5 Single Dwelling zone. Therefore, as a result of the proposal to reduce the site boundary, almost half the site has the potential to be redeveloped with residential uses. Residential uses are expected in the R2.5 zone will be more compatible with adjacent residential development than an institutional use.

No changes are proposed to the main church building. The building was constructed over 10 years ago and is an established landmark in the neighborhood. A landscape plan for the reduced church site was submitted by applicant (Exhibit C-2). An Adjustment is requested to reduce the required landscaping for the reduced site. Still, the applicant proposes to add landscaping to the site to provide the required perimeter parking area screening near the new site's south boundary. This new landscaping will meet the current requirements, and will help mitigate differences in appearance between the existing main church building and parking area and the future residential development to its south.

With the condition that at least 5 feet of landscaping to the L2 standard is installed south of the existing parking area driveway, this criterion is met.

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

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

The applicant states:

"The current program at the church is modest. The maximum occupancy of the sanctuary is now less than half of the 1,000 approved."

Potential for noise, glare from lights, late-night operations, odors and litter impacts is not expected due to the proposal for a reduced church boundary site and a modest church program. The current church program includes well-attended Friday night and Sunday prayer services (100 to 200 people), Thursday service (60 people), and small group services held on Mondays, Tuesdays and Saturdays (up to 35 people). Approximately three to four funerals are held throughout the year.

No changes are proposed for the main church building or to the proposed reduced site at the north, east or west property lines. Screening landscaping will be added near the new south site boundary. The landscaping will reduce visual impacts of the parking area and noise and glare on adjacent residential properties. This criterion is met.

D. Public services.

1. The proposal is supportive of the street designations of the Transportation Element of the Comprehensive Plan;

Findings: At this location, the City's Transportation System Plan (TSP) classifies N Emerson, N Michigan and N Webster as Local Service streets for all modes. The TSP states that "Local Service Traffic Streets are intended to distribute local traffic and provide access to local residences or commercial uses."

The proposed project will have no impacts on the stated functions or objectives of the roadway classifications noted above. The proposed reduction of the existing Emmanuel Temple Church site is supportive of the aforementioned street classification from the Transportation Element of the Comprehensive Plan (Transportation System Plan [TSP]). This criterion is met.

2. The transportation system is capable of supporting the proposal in addition to the existing uses in the area. Evaluation factors include street capacity, level of service, and other performance measures; access to arterials; connectivity; transit availability; on-street parking impacts; access restrictions; neighborhood impacts; impacts on pedestrian, bicycle, and transit circulation; safety for all modes; and adequate transportation demand management strategies;

Findings: Prior to writing the findings for this approval criterion/evaluation factors, the Portland Bureau of Transportation (PBOT) must refer to the applicant's submitted narrative indicating that there is no increase or change in use on the subject site - conversely, the site is proposed to be reduced in size due to a long term decline in the church's patronage. The previously approved master plan and multi-phased development on the current site has never been realized. Accordingly, PBOT staff identified that with no increase in use; similarly, no increase in trip generation would be expected as a result of the proposed project. As no additional trip generation is expected, PBOT advised the applicant that a professionally prepared Transportation Impact Study (TIS) would not be necessary to address the above referenced approval criterion/ evaluation factors. As parking was a primary issue with the City's review of the 1995 Conditional Use for the church on the site, and a reduction in site area might also impact parking in the area, the applicant was required to have a parking study prepared and submitted for PBOT's consideration. The following brief findings are reflective of PBOT's assessment of the submitted evidence in the record.

Street capacity, level of service, and other performance measures As mentioned previously, the premise of this land use proposal is to shrink the size of the current church boundaries as a result of a reduced number of and change in make-up of the patronage of the church. For comparison purposes, during the City's review of the 1995 Conditional Use/Master Plan for the church, attendance figures were obtained wherein over 900 patrons attended a Sunday service. In relation to the subject Conditional Use request, attendance observations during more than one Sunday service were also made identifying approximately 400 patrons – less than one-half of those from the 1995 time-frame. Further, the church's overall programming that was approved in the 1995 Conditional Use/Master Plan included a greater number of regular activities/meetings/associated church services than are currently occurring (and proposed to continue to occur). Of significance, one of the major elements of the 1995 Conditional Use/Master Plan that was approved, but has never been constructed, is the gymnasium. This element would have further increased the activities at the church. This information is included to demonstrate that conditions related to the church, particularly as trip generation is considered, have changed significantly in the 20+ years since the church's Master Plan was approved. With a substantial decrease in overall church patronage and programming at the subject site, a reduction in overall trip generation has also materialized.

The transportation-industry standard is to measure street capacity and level-of-service (LOS) only at intersections during the critical time period, such as weekday AM or PM peak hour. Although capacity is a part of the LOS, the City of Portland's performance standards are defined only by LOS, which is defined by average vehicle delay. The City does not have performance standards for any of the other evaluation factors. Given the unique usage related to churches and the traditional times when church uses/activities are at their peak, transportation impacts are not typically considered during the traditional peak periods of traffic noted above. The short and concentrated timeframe during which the Emmanuel Temple currently operates its most intense use, Sunday prayer services at 11:00-1:00, occurs when intersection operations are not typically stressed. With no increase in use proposed, PBOT concludes that there will be no additional impacts to the local transportation system or further degradation of any area intersections.

Access to arterials

Findings: The subject site does not have frontage along any arterial roadways. The closest arterial street is N Killingsworth Street, two blocks north of the subject site. The site is directly served by a series of Local Service streets, as expected. The Local Service street network then leads church patrons out towards the broader transportation system, including arterial streets. The proposed Conditional Use will have no bearing on access to arterials.

Connectivity

Findings: The City's spacing goals for public through streets and public pedestrian connections is a maximum of 530 feet and 330 feet, respectively. The subject site is located in an area wherein blocks are linear and consistent in size. Generally, the above referenced spacing goal for public streets is satisfied, and along some blocks, so is the pedestrian spacing goal. The subject site previously had frontages along N Sumner and N Missouri – N Sumner bisected the site and N Missouri was located along the site's western boundary. As part of the City's decision for the 1995 Conditional Use/Master Plan, these rights-of-ways were vacated for the primary reason to allow for additional "on-site" parking opportunities. As a condition of approval involving the street vacations, the church was required to provide public (bicycle and pedestrian) access easements along these previously recognized rights-of-ways. These access easements would, in essence, continue to support the referenced connectivity goals along/through the subject site. It does not appear that the church provided the required easements since that previous approval. Accordingly, a condition of approval will be recommended to again require that the applicant provide said public bicycle and pedestrian access easements along those segments of the vacated N Sumner and N Missouri rights-of-ways. With this condition of approval, the aforementioned connectivity evaluation factor is satisfied.

Transit availability

Findings: The closest transit service available to the subject site is Tri-Met's bus route #4 (Division/Fessenden) with service along N Albina Avenue, two blocks east of the subject site. There is additional Tri-Met service west of the site along N Interstate via the MAX Yellow Line. The proposed Conditional Use request will have no impact on transit availability.

On-street parking impacts

Findings: This was the evaluation factor that PBOT expected to be of most interest to the proposed Conditional Use request. The applicant's traffic consultant was directed to focus on this issue and provide a thorough parking analysis.

The on-site parking supply for the church was considered to be the apparent marked stalls within the parking lot of the main church building as well as the marked spaces along the west side of the church between N Sumner/N Emerson. Off-site parking spaces included street segments along N Missouri, N Michigan, N Webster and N Sumner.

The applicant's traffic consultant provided data obtained from 4 different observation dates performed during Sunday services. As expected, the on-site parking demand was nearly at or actually exceeded capacity (cars observed to be parked in un-striped locations). Off-site parking data was more challenging to obtain because vehicles parked along the street segments within the parking survey area also included those unassociated with the church. Generally, parking demand along two of the four area streets included in the parking survey were at approx 33% occupied while the other two streets were at approx 75% occupied.

During the time of the 1995 Conditional Use/Master Plan review for the church, the parking demand at the time suggested the need for considerable mitigation. Said mitigation was in the form of the N Sumner and N Missouri street vacations mentioned earlier in this response. As also previously identified in this report, the church's patronage has declined in number over the last 20+ years. The church has not indicated an expectation that its congregation would grow to what it was at the time of the 1995 Conditional Use/Master Plan. The observed current parking demand therefore represents a reduction in the overall church members and suggests that the impacts to area streets (likely to include streets beyond the parking survey area included for the subject Conditional Use request) have also been reduced. This overall reduction in parking impacts can also be supported by the introduction of the nearby MAX Yellow-line light-rail transit service that did not exist at the time of the 1995 Conditional Use/Master Plan review.

In summary, though the remaining patrons of the church rely heavily on personal vehicles to arrive to the most common church activity that has highest parking generator, Sunday prayer services, the observed parking demand is capable of being accommodated within the current supply, on-site (59 spaces) and off-site. With the removal of Condition C regarding the required minimum number of parking spaces (LUR 95-00609 CU MS AD), a new condition of approval is needed to ensure that at least 59 on-site spaces will be maintained.

Access restrictions

Findings: The 1995 Conditional Use/Master Plan approval included provisions for public access via easements along the vacated N Sumner and N Missouri rights-of-ways. As previously discussed, the church never granted said easements since the approval. To avoid any access conflicts, it is recommended that as a condition of approval of the current Conditional Use request, that the church provide said public access (bicycle and pedestrian) easements along the vacated portions of the N Sumner and N Missouri rights-of-ways. Notwithstanding this necessary action by the church, there are no other access restrictions concerning the proposed subject Conditional Use request.

Neighborhood impacts

Findings: Traffic volumes on area roadways and at area intersections are not expected to change significantly upon approval of the proposed Conditional Use. Though the applicant has submitted this land use request to continue to allow the use of the site as an institutional use, the church has been operating at this site for greater than 20 years. No significant operational or safety problems have been identified. There is a sufficient overall on-site and off-site parking supply to accommodate the existing and proposed use. It is PBOT's determination that the proposed Conditional Use request will not result in adverse impacts on the surrounding neighborhood.

Impacts on pedestrian, bicycle, and transit circulation/safety for all modes

Findings: Streets surrounding and beyond the subject site are improved to current City standards with respect to sidewalk corridors. There is an existing robust sidewalk network in the area that facilitates pedestrian passage.

There are identified bike facilities (Portland Bike/Walk Map) in the area including a Neighborhood Greenway/signed & marked route along N Michigan and Shared Roadways along N Killingsworth St, N Albina and N Alberta – respectively north, east and south of the subject site.

Tri-Met's bus service was described earlier in this response.

None of these transportation modes will be adversely impacted by the proposed Conditional Use request.

Adequate transportation demand management strategies

Findings: Transportation Demand Management Plans (TDMP) are typically considered when mitigation measures are necessary to address impacts related to proposed developments. Strategies are developed in said TDMPs to help eliminate or minimize potential impacts determined to result on the local transportation system and/or neighborhood. As analyzed above, PBOT staff has found that all of the transportation-related approval criteria related to this land use request are satisfied. Accordingly, no adverse impacts to the transportation system or to the neighborhood are expected to result from the proposed continued church use on the (reduced) site, and therefore, no TDMP is necessary.

In summary, with the conditions that a public bicycle and pedestrian easement be established within the vacated portions of N Missouri and N Sumner, and a clarification on the reduced number of required on-site parking spaces, this criterion is met.

3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.

Findings:

Water Supply The Water Bureau requires a new water service in N Michigan for the main church building, in order to comply with current regulations. Currently the water service for the main church building is provided in N Webster, through the original church building site. This water service improvement must be completed prior to approval of new development on any of the properties that will be removed from the Condition Use site (Exhibit E-3).

Police The Police Bureau states that it is capable of serving the proposal at this time. However, recommendations (not conditions) are suggested to ensure that the building street address is easily identified and to maintain the site so it is in compliance with the standards of Crime Prevention Through Environmental Design (CPTED). This involves maintaining a low shrub height of three feet and a ground clearance for trees of at least 6 feet (Exhibit E-5).

Fire Protection The Fire Bureau does not recommend conditions for the reduced Conditional Use site boundary but states that proposed modifications to buildings must be in compliance with applicable Fire Code requirements. No modifications are proposed to the main church building. The applicant indicates that the original church building will be demolished, which requires a permit. Fire Code regulations will be applied to future demolition and building permits (Exhibit E-4).

Sanitary Waste Disposal and Stormwater Disposal Systems The Bureau of Environmental Services does not recommend conditions related sanitary sewer systems. Regarding stormwater systems, BES staff requests a condition that allows for BES review any upgrades to site landscaping for compliance with the City's Stormwater Management Manual (Exhibit E-1).

In summary with the above water service- and stormwater system-related conditions, this criterion is met.

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

Findings: The site is within the Humboldt Neighborhood Plan area. The Plan was developed as part of the Albina Community Plan and was adopted by City Council on September 30, 1993. Relevant policies and objectives of the Humboldt Plan are:

Policy 1: Neighborhood Livability Improve neighborhood livability and quality of life by promoting a strong sense of community and ensuring the safety and well-being of the people and businesses of Humboldt.

This policy is supported by the proposal as the existing church will continue to provide programs and services for the surrounding residents. The Police Bureau has reviewed the proposal for adequacy of police services and has determined that it is capable of serving the reduced church site. Recommendations to improve site visibility and emergency response are provided (Exhibit E-5).

Policy 3: Housing Preserve and enhance the quality and quantity of existing housing while promoting affordability and choice.

Objectives

- 1. Reduce real estate speculation in the neighborhood.*
- 2. Encourage quality rehabilitation of abandoned, dilapidated and deteriorating structures. Promote rehabilitation assistance for residences.*
- 3. Increase owner-occupancy while ensuring housing choice.*
- 4. Maintain historic structures.*
- 5. Protect the integrity of residential areas.*
- 6. Create an environment to encourage limited equity housing corporations.*

The site contains four detached houses. The applicant has not provided a future plan for these houses, but does state these properties will be returned to the market for desperately needed housing. Therefore, the proposal is supportive of this policy.

Policy 8: Land Use Promote land use compatibility and efficiency in the Humboldt Neighborhood through strong citizen involvement.

Objectives

1. *Provide opportunities for the development of neighborhood commercial nodes. Promote businesses which provide goods and services to the neighborhood.*
2. *Promote the productive use of vacant land.*
3. *Increase neighborhood participation in the land use process through improved notice on land use applications.*
4. *Recognize the role of institutions within the Humboldt Neighborhood. Provide opportunities for institutional expansion while ensuring protection of existing and future residential development.*

This Type III Conditional Use review process includes public notification, review and comment. Emmanuel Church is a landmark institution in the neighborhood. This proposal is not for expansion, but for a reduction in its site area. Therefore, the proposal is supportive of this policy.

In summary, the proposal to reduce the Emmanuel Church Conditional Use site boundary is supportive of relevant policies of the Humboldt Neighborhood Plan. This criterion is met.

33.805.040 Adjustment Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F., below, have been met.

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

Findings: The applicant has requested two Adjustments: to reduce the minimum overall site landscaping requirement; and to increase the maximum floor area ratio (FAR) requirement. The subject standards are part of the Institutional development standards of Section 33.110.245. The purpose of the Institutional development standards states:

"The general base zone development standards are designed for residential buildings. Different development standards are needed for institutional uses which may be allowed in single-dwelling zones. The intent is to maintain compatibility with and limit the negative impacts on surrounding residential areas."

Site landscaping The institutional development standards require at least 25 percent of the site area to be landscaped to the L1 standard. The current church site contains more than 25 percent landscaping and meets the standard. Most of the existing landscaping is located on the south portion of the site that is to be removed from the church boundary. Landscaping is likely to remain a predominant feature since residential development exists and is expected on this portion in the future.

The reduced site area contains the main church building and associated parking areas. Staff estimates that landscaping covers 6,615 square feet of the reduced site area. The applicant proposes to add approximately 1,150 square feet of perimeter landscaping at the new south site boundary. In total, the existing and proposed landscaping accounts for only half the required landscaping. Other than this additional perimeter landscaping, no changes are proposed to the church building and no additional development is proposed on the remaining Conditional Use church site.

The applicant states that the church "... helps buffer the housing from the freeway." Staff generally agrees with this assessment. The church was built over 10 years ago and is a landmark in the neighborhood. While landscaping areas around the church and parking area

are well maintained, existing landscape areas have the capacity for additional trees. Staff finds that the approved building permit plans (#1997-00095 CO) included 21 new trees around the building and parking area. The applicant's landscaping identifies only 11 trees, and identifies "bark dust" within a landscape area at the south building wall. To maintain compatibility with nearby residential development, and to limit impacts of the church activities and parking areas, additional shrubs and trees must be added to existing landscape areas. A row of at least 25 low level evergreen shrubs must be planted within the south building wall landscape area (provides for 3-foot spacing), and an additional 10 trees must be planted at various locations to provide needed screening of the building and parking area, thereby reducing negative impacts on the surrounding residential area. With a condition requiring the planting of additional shrubs and trees, this criterion is met.

Floor area ratio Building permit plans (#1997-00095 CO) for the main church building indicate 32,982 square feet of building area was approved for the first and second floors. The proposed site area of 59,800 square feet results in a floor-area-ratio (FAR) of 0.55:1, approximately 3,100 square feet more than the maximum FAR limit of 0.5:1. The applicant states that "homes are further set back by streets and the vacated no build Sumner." Staff agrees that the location of the church near I-5, and the restriction on building within the vacated portions of N Sumner Street reduce the impact on nearby residences.

A recent survey identifies the church building footprint at 22,290 square feet in area, which is approximately 7,500 square feet less than the maximum building coverage. This condition strikes a fair balance for the new site in that although extra floor area, or building mass, is present, the building footprint is relatively small for the site and results in additional open area. Additionally, no changes are proposed to the building and no additional floor area is proposed elsewhere on the remaining Conditional Use church site. For these reasons, the increase of FAR is compatible with the surrounding residential area. This criterion is met.

- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

Findings: The site is within the R2.5 residential zone. Since an approved expansion plan in 1995, the church program is reduced and its congregation decreased in number. These conditions result in reduced site activity and reduced impacts on the residential area. The proposal to reduce the site landscaping and increase the maximum FAR will not significantly detract from the livability or appearance of the residential area, with the added condition to plant new trees and shrubs as described in Criterion A. Changes to the existing building are not proposed. Building coverage represents only 38 percent of the new site area, while up to 50 percent is allowed. In addition, vacated portions of N Sumner Street will remain open as restriction prohibits new buildings. For these reasons, and with the condition requiring planting of new trees and shrubs, this criterion is met.

- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

Findings: Two Adjustments are requested. The overall purpose of the single dwelling zones, including the R2.5 Zone, is found in Section 33.110.010 and states:

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing.

The proposal to reduce the Conditional Use church site meets the purpose of the single-dwelling zone, in that the applicant states that properties to be removed from the Conditional Use site boundary will be converted to housing. The requested increase in FAR is small in area, representing an additional 3,100 square feet. The building was constructed over 10 years ago, and is a recognized institution within the residential area. No changes are proposed to the building's exterior. Planting of additional trees and shrubs within existing landscape areas will reduce any cumulative impacts of the combined Adjustments to the maximum FAR and minimum site landscaping. The reduced site and existing building results in a development that remains consistent with the overall purpose of the single-dwelling zones. This criterion is met.

D. City-designated scenic resources and historic resources are preserved; and

Findings: City designated scenic resources are shown on the zoning map by the 's' overlay; historic resources are designated by a large dot, and by historic and conservation districts. There are no such City designated resources on the site. Therefore, this criterion does not apply.

E. Any impacts resulting from the adjustment are mitigated to the extent practical; and

Findings: Under this approval criterion, the application identifies attributes of the proposal:

- *The church is bordered by a freeway on the west; city streets on the north and east, and a vacated right-of-way on the south where the City retained that right-of-way for pedestrians and prohibits new construction.*
- *Two existing homes on the southeastern corner near the planned church expansion (gymnasium), will now be surrounded by new residential development.*

Staff agrees with the applicant on these points. In addition, for the requested Adjustment to FAR, it is not necessary or practical to reduce the floor area of the existing church building, as it would be at a significant expense and may not result in a reduced building mass. It is also not necessary or practical to increase the area of landscaping, given that this likely would result in a decrease in the number of needed on-site parking spaces. Given these conditions, practical mitigation can be provided to reduce potential impacts. Additional trees and shrubs, planted within existing landscape areas will mitigate negative impacts of the combined additional floor area and smaller landscape area. Such additional plantings are on par with the amount of landscaping that was approved with the building permit for the church building. This criterion is met with this condition for the planting of additional trees and shrubs.

F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable.

Findings: The site is not within an environmental zone, so this criterion does not apply.

DEVELOPMENT STANDARDS

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

CONCLUSIONS

Over twenty years ago, Emmanuel Church planned significant expansion that included development of a new and larger church building and a gymnasium. Adequacy of onsite parking, given this expansion, was a significant issue of the Conditional Use review. Multiple conditions were placed on the approval in order to limit negative impacts on the surrounding neighborhood. The City approved removal of 25,000 square feet from public right-of-way into the church site for this expansion. The new church was built in 2004 and its program provides regular services and education for the community.

Over the past twenty years, the church's congregation has declined in number. Plans for the gymnasium and additional on-site parking have not been realized. Instead, the church is pursuing new programs at other locations. The southern portion of the site, containing the original church building and four houses, will be removed from the larger church site and likely new housing will be added. The original church is proposed to be demolished; it is unclear if the existing houses will be retained, or demolished.

On the face of it, Emmanuel Church's request is straightforward; given dwindling numbers of attendees and its focus on other sites, the church desires to remove unneeded and underutilized land from its boundaries. The church does not propose significant physical changes or improvements to the site. The proposed south boundary will be relocated through either property line adjustments or land division to include all of the former N Sumner Street. The decreased site area causes the church development site to become out of compliance with minimum landscaping area and maximum floor area requirements. To balance these requests, perimeter screening landscaping will be added adjacent to the parking area driveway, and existing landscaping beds will be supplemented with trees and shrubs.

While demolition is proposed for the original church building, it is located on a tax lot that has no public street frontage. Either right-of-way dedication, a lot consolidation (land use review), or land division is needed to ensure legal street frontage for this property. Lastly, public pedestrian easements must be established in accordance with the prior Conditional Use and Street Vacation approvals.

The church's request can be approved with these conditions. Because no changes are proposed to the main church building a follow-up building permit is not needed or proposed, the conditions will be tied to new development or demolition of buildings proposed on the properties to be removed from the Conditional Use site. This requirement will help ensure compliance with the conditions, and result in a smaller church site that fits its well with the surrounding residential neighborhood.

TENTATIVE STAFF RECOMMENDATION

(May be revised upon receipt of new information at any time prior to the Hearings Officer decision)

Approval of a Conditional Use request to remove the following properties from the Emmanuel Church site: Tax accounts numbers:

- | | |
|---------|--|
| Site 1. | R210699, except the north 30 feet (original church building at 1032 N Sumner); |
| Site 2. | R210694, except the north 30 feet (house at 5133 N Michigan); |
| Site 3. | R210697 (house at 5123 N Michigan); |
| Site 4. | R210701 (house at 1029 N Webster); and |
| Site 5. | R210548 (house at 5034 N Missouri). |

Approval of the Applicant's request to delete Conditions of Approval A through I, required by the land use decision LUR 95-00609 CU MS AD.

Approval of two Adjustments for the reduced and new Conditional Use church site:

1. Reduce the Minimum landscaped area from 25 percent to 12.5 percent (33.110.245.C and Table 110-5); and
2. Increase the Maximum floor area ratio (FAR) from 0.5:1 FAR to 0.55:1 FAR (Section 33.110.245.C and Table 110-5).

All approvals are to be in substantial conformance with Exhibits C1 and C2 and subject to the following conditions:

- A. The applicant must satisfy the following conditions prior to "Development" on Sites 1, 2, 3 and 4 of the above-referenced tax accounts, whereas "Development" means final city approval of either a land use review, final plat review, property line adjustment request, or building permit, whichever occurs first:
 1. The approved Emmanuel Church Conditional Use site will include all of tax account 1033 N Sumner Street (main church building) and the north 30 feet of Sites 1 and 2. The site dimensions will be 230 feet (east-west) by 260 feet (north-south). Creation of this approved Conditional Use site boundary requires final approval and recording of two Property Line Adjustments or final approval of a Land Division Final Plat.
 2. One of the following must be completed for the original church building on Site 1:
 - Conversion to an allowed residential use building with a final building permit;
 - Reuse as a separate Conditional Use if approved through Conditional Use review;
 - Relocation to an approved site for the intended use with a final building permit; or
 - Removal with a final demolition permit (deconstruction, salvage are encouraged and may be required).
 3. Legal street frontage must be acquired for Site 1 (R210699) through a Lot Consolidation (replat), Land Division Final Plat, or dedication of public right-of-way. A tax account consolidation with Multnomah County does not meet this requirement.
 4. Ownership of Site 1 (R210699) and Site 4 (R210701) must remain with the "Full Gospel Pentecostal Church" and not be changed unless one of the following requirements is enacted to regain compliance with City Title 21:
 - Request and pay for a new water service to be located within the frontage of the existing Church, and pay for the killing of the existing service at 1032 N Sumner St which is in current violation of City Title 21.12.010 and 12.12.070; or
 - Where water services are to be shared between multiple properties, City Title 21.12.070 will apply and a Tax Lot Account consolidation will be required prior to the Water Bureau approval of any building permits and or selling any water services to this property. Tax account consolidation is a simple process and can be done at Multnomah County Records Management Division. For more information, please call 503-988-3326 or visit <https://multco.us/assessment-taxation/changes>.
 5. A minimum 10-foot-wide public pedestrian and bicycle easement is required to be established within the vacated N Missouri Avenue and N Sumner Street, per the requirements of the Bureau of Transportation. Within the vacated N Missouri, the easement will connect the existing sidewalks within N Webster and N Emerson. Within the vacated N. Sumner, the easement will connect the pedestrian/bicycle easement within N Missouri and the existing sidewalk within the west side of N. Michigan.

6. A sidewalk must be installed, to be reviewed and approved by the Bureau of Transportation (PBOT) within the established easement area required by Condition 5. Existing sidewalks may satisfy this condition.
7. New landscaping must be planted and maintained on the Approved Emmanuel Church Conditional Use site. A final approved Development Review Permit, that includes BES review and approval, is required for:
 - At least 5 feet of landscaping to the L2 standard near the south site boundary, adjacent and parallel to the south side of the existing parking area driveway, as shown on Exhibit C-2.
 - A minimum of 10 trees and 25 low level evergreen shrubs must be planted within existing landscape areas on the Approved Conditional Use site, as shown on Exhibit C-2.

Procedural Information. The application for this land use review was submitted on January 27, 2016, and the applicant requested that it be determined to be complete on Mar 31, 2016.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on January 27, 2016.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended by 7 days and by 66 days as stated in Exhibit G-5 and Exhibit G-6. Unless further extended by the applicant, **the 120 days will expire on: October 10, 2016.**

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

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

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

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

This report is not a decision. The review body for this proposal is the Hearings Officer who will make the decision on this case. This report is a recommendation to the Hearings Officer by

the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Hearings Officer will make a decision about this proposal within 17 days of the close of the record. Your comments to the Hearings Officer can be mailed c/o the Hearings Officer, 1900 SW Fourth Ave., Suite 3100, Portland, OR 97201 or faxed to 503-823-4347.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. This Staff Report will be posted on the Bureau of Development Services website. Look at www.portlandonline.com. On the left side of the page use the search box to find Development Services, then click on the Zoning/Land Use section, select Notices and Hearings. Land use review notices are listed by the District Coalition shown at the beginning of this document. You may review the file on this case at the Development Services Building at 1900 SW Fourth Ave., Suite 5000, Portland, OR 97201.

Appeal of the decision. The decision of the Hearings Officer may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Hearings Officer, only evidence previously presented to the Hearings Officer will be considered by the City Council.

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. Appeals must be filed within 14 days of the decision. **Appeals must be filed within 14 days of the decision. An appeal fee of \$5,000 will be charged (one-half of the BDS application fee, up to a maximum of \$5,000).**

Appeal Fee Waivers: Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

Recording the final decision.

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

- A building or zoning permit will be issued only after the final decision is recorded.

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

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

For further information on recording, please call the County Recorder at 503-988-3034.

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

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

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

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

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

Planner's Name: Marguerite Feuersanger

Date: June 17, 2016

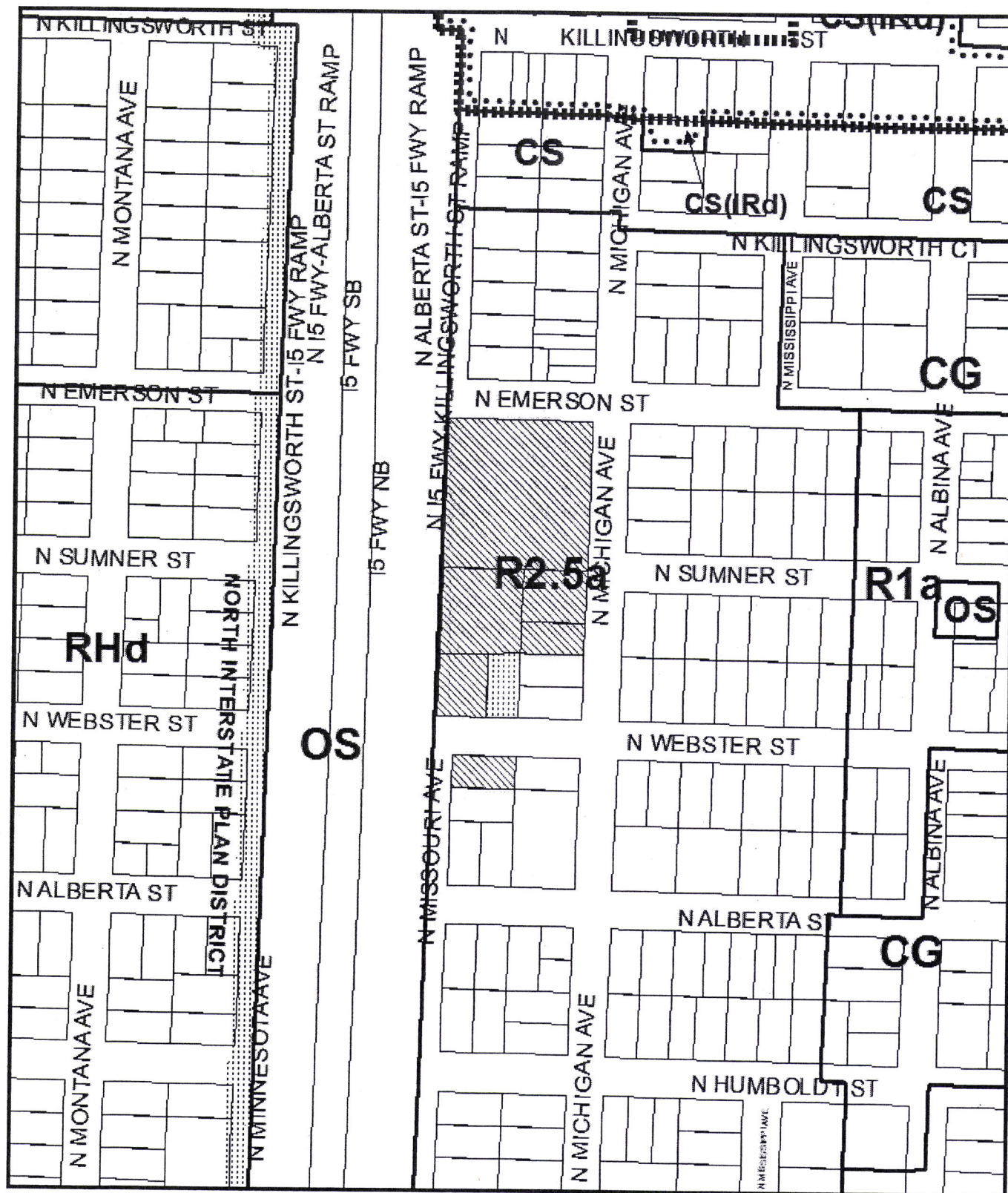
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
 - 1. Initial Submittal, January 27, 2016
 - 2. Revised Submittal, March 31, 2016
 - 3. Revised Submittal, April 18, 2016
 - 4. Revised Submittal, May 10, 2016
 - 5. Parking Evaluation, January 26, 2016
 - 6. Supplemental Parking Evaluation, March 31, 2016
 - 5. Parking Management Plan, June 9, 2016
- B. Zoning Map (attached)
- C. Plans & Drawings:
 - 1. Site Plan (attached)
 - 2. Updated Landscape Plan (attached)
 - 3. Updated Conditional Use Site Plan, May 24, 2016
 - 4. Property Proposed to be Released from Conditional Use Site, May 24, 2016
 - 5. Initial Site Plan, January 27, 2016
 - 6. Initial Landscape Plan, May 10, 2016
 - 7. Boundary Survey
- D. Notification information:
 - 1. Request for response
 - 2. Posting letter sent to applicant, April 24, 2016
 - 3. Posting letter sent to applicant, May 19, 2016
 - 4. Notice to be posted for May 25, 2016 hearing
 - 5. Updated Notice to be posted for June 29, 2016 hearing
 - 6. Applicant's statement certifying posting, April 25, 2016

8. Applicant's statement certifying posting, May 20, 2016
 9. Mailing list, April 27, 2016
 10. Mailing list, May 23, 2016
 11. Mailed notice for May 25, 2016 hearing
 12. Mailed notice for Rescheduled June 29, 2016 hearing
- E. Agency Responses:
1. Bureau of Environmental Services
 2. Bureau of Transportation
 3. Water Bureau
 4. Fire Bureau
 5. Police Bureau
 6. Site Development Review Section of BDS
 7. Life Safety Plans Examiner of BDS
- F. Letters:
- None
- G. Other:
1. Original LUR Application
 2. Report and Decision of the Hearings Officer, Case File 95-00609 MS CU AD
 3. Approved Site Plans S1, S1a, S2, Case File 95-00609 MS CU AD
 4. Street Vacation Ordinance #170759 for N Sumner Street and N Missouri Avenue
 5. Applicant's 120-day Extension, April 20, 2016
 6. Applicant's 120-day Extension, May 12, 2016
- H.

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING

- Site
- Also Owned Parcels



NORTH

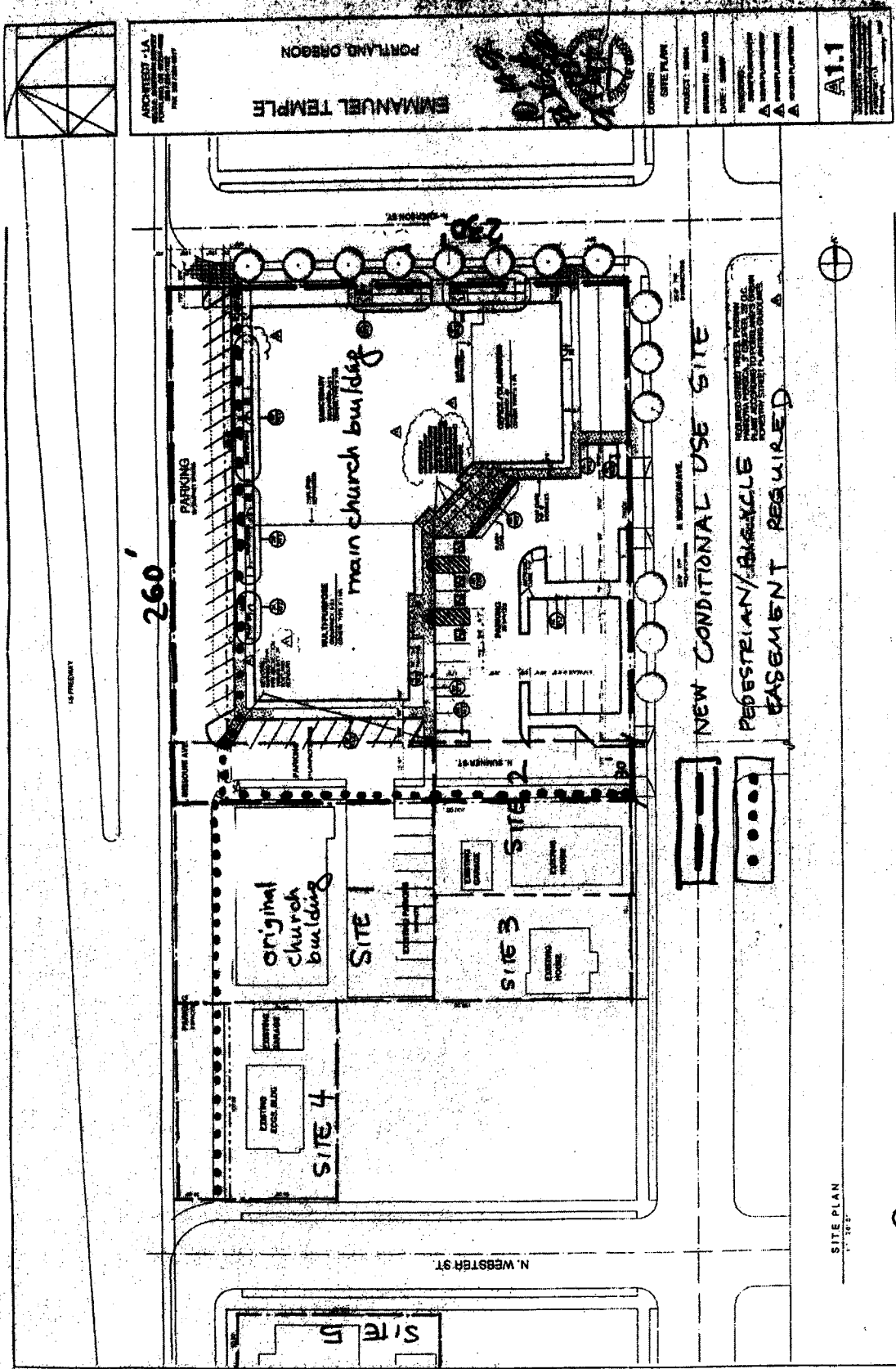
File No. LU 16-111819 CU AD

1/4 Section 2529

Scale 1 inch = 200 feet

State Id 1N1E22BB 3000

Exhibit B (May 10, 2016)



SITE PLAN
EXHIBIT C-1

16.111819 C4AD

~~Floor to Area Ratio: .37~~
~~Landscaping: 25%~~

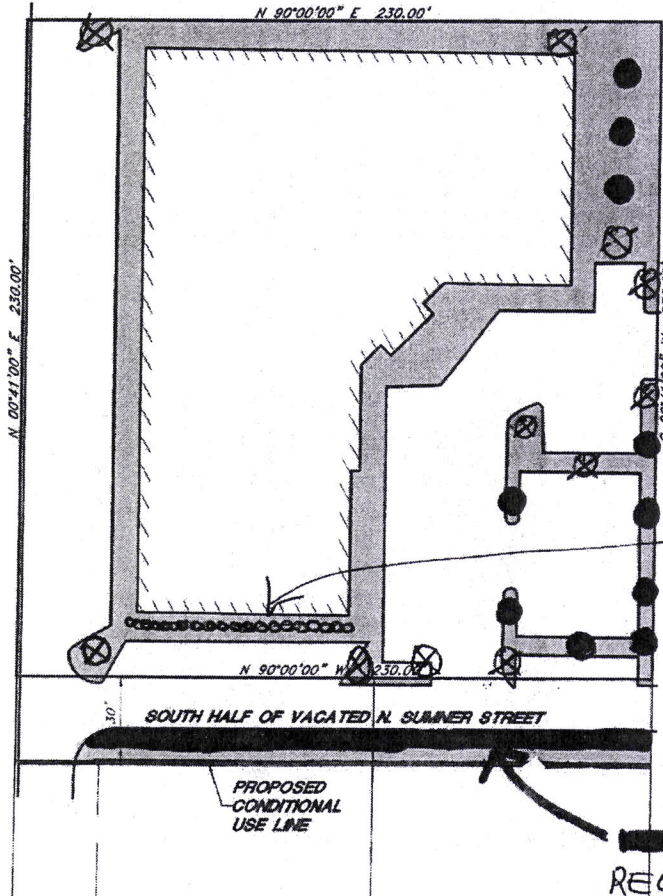
REQUIRED LANDSCAPING

N. EMERSON STREET

PER CONDITION

A-6

INTERSTATE 5

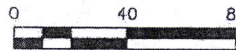


⊗ EXISTING TREE

● REQUIRED NEW TREE (10) MIN. 1.5" Caliper

REQUIRED MIN. 25 NEW EVERGREEN SHRUBS MATURE HEIGHT OF 3 FEET

REQUIRED MIN. 5' OF LANDSCAPING ADJACENT TO EXISTING CURB TO THE L2 STANDARD



AREA TABLE

	BUILDING = 22,290
	ASPHALT = 22,500
	Landscaping (LI): 15,007

and hardscape

NOTES:

1. THE PROPERTY SHOWN HEREON IS THE PROPERTY CONVEYED TO FULL GOSPEL PENTECOSTAL CHURCH, IN STATUTORY QUITCLAIM DEED RECORDED JUNE 15, 2007 AS DOCUMENT NO. 2007-106799.
2. THE AREA OF THE PROPERTY PLUS THE AREA OF THE SOUTH HALF OF VACATED N. SUMNER STREET IS 58,797. (THAT IS TO THE "PROPOSED CONDITIONAL USE LINE".)
3. ALL AREAS SHOWN ARE IN SQUARE FEET AND ARE MORE OR LESS.

AREA MAP

FOR FULL GOSPEL PENTECOSTAL CHURCH
 BEING BLOCK H, "M. PATTONS TRACT", AND VACATED STREETS
 SITUATED IN THE NORTHWEST 1/4 OF SECTION 22, T. 1 N., R. 1 E., W.M.
 CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
 MAY 10, 2011
 BRADY T. MCGARRY
 85268

EXPIRES: 12-31-16

R.S. GREENLEAF (1885-1915)
 MARSHALL BROTHERS (1915-1957)
 BOOTH & WRIGHT (1957-1977)
 SETON, JOHNSON & ODELL (1977-1983)
 CHASE, JONES & ASSOCIATES, INC. (1983-)

CHASE, JONES & ASSOCIATES INC.			
716 S. E. 11TH AVE.		PORTLAND, OREGON 97214	
PHONE: (503) 228-9844			
PROJECT NO.	1/4 SECTION	DATE	SHEET
14309	2529	MAY 23, 2016	1 OF 1
DRAWN BY	CHECKED BY	SCALE	
DLW	BTM	1" = 20'	

EXHIBIT C.2
 UPDATED LANDSCAPE PLAN

Rec. 5/26/16

16.111819 CUAD