

CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

Hearings Office

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DECISION OF THE HEARINGS OFFICER

I. GENERAL INFORMATION

File No.: LU 10-201861 CU MS (HO 4110017)

Applicant: Sisters Of Providence
4400 NE Halsey Street, Building 1 #160
Portland, OR 97213

**Applicant's
Representatives:** Marty Stiven
Stiven Planning & Development Services, LLC
300 Oswego Pointe, Suite 220
Lake Oswego, OR 97034

Charles Kelley
ZGF Architects
1223 SW Washington, Suite 200
Portland, OR 97205

Michael Robinson
Perkins Coie
1120 NW Couch Street, 10th Floor
Portland, OR 97209-4128

Hearings Officer: Gregory J. Frank

Bureau of Development Services (BDS) Staff Representative: Kathleen Stokes

Site Address: 4805 NE Glisan Street

Project Address: 4447 NE Glisan Street

Legal Description: BLOCK 1 INC PT VAC ST LOT 5&6 EXC PT IN HWY, CENTER
ADD; BLOCK 1 LOT 2&3&4 TL 3400, CENTER ADD; BLOCK 1
LOT 2-6 TL 3200, CENTER ADD; BLOCK 3 LOT 1-7 INC PT VAC

ST LOT 20-26 EXC PT IN ST, CENTER ADD; BLOCK 3 LOT 8-13
INC PT VAC ST LOT 15-19, CENTER ADD; BLOCK 5 LOT 1 EXC
PT IN STS E 1/2 OF LOT 2 EXC PT IN ST, CENTER ADD; BLOCK 5
W 1/2 OF LOT 2 EXC PT IN ST, CENTER ADD; BLOCK 5 LOT 3
EXC PT IN ST, CENTER ADD; BLOCK 6 LOT 1&2 EXC PT IN E
GLISAN ST, CENTER ADD; BLOCK 6 LOT 3-5 EXC PT IN ST LOT
6 EXC PT IN STS, CENTER ADD; BLOCK 6 N 34' OF E 30' OF LOT
11 N 34' OF LOT 12, CENTER ADD; BLOCK 2 LOT 1 EXC PT IN
ST, CENTER ADD ANX; BLOCK 2 LOT 2, CENTER ADD ANX;
BLOCK 2 LOT 3, CENTER ADD ANX; BLOCK 2 LOT 5&6,
CENTER ADD ANX; BLOCK 2 LOT 7-9 EXC PT IN ST, CENTER
ADD ANX; BLOCK 2 LOT 10 EXC PT IN ST, CENTER ADD ANX;
BLOCK 2 LOT 11 EXC PT IN ST LOT 12 EXC PT IN STS, CENTER
ADD ANX; LOT 1 EXC PT IN ST LOT 2, FOSTER; BLOCK 1 LOT
1-5 NLY 19' OF LOT 9&10, MAPLE HILL PL; BLOCK 1 LOT 6-8,
MAPLE HILL PL; BLOCK 1 S 81' OF LOT 9&10, MAPLE HILL PL;
BLOCK 2 LOT 5-10 LAND & IMPS, MAPLE HILL PL; BLOCK 4
LOT 1-4, MAPLE HILL PL; BLOCK 4 LOT 6, MAPLE HILL PL;
BLOCK 4 LOT 5, MAPLE HILL PL; BLOCK 3 LOT 17&18, NORTH
LAURELHURST; TL 4200 1.80 ACRES, SECTION 31 1N 2E; TL 4100
9.54 ACRES, SECTION 31 1N 2E; TL 4000 0.23 ACRES, SECTION 31
1N 2E; TL 3600 0.41 ACRES, SECTION 31 1N 2E; TL 4300 0.27
ACRES, SECTION 31 1N 2E; LOT 21, FOSTER

Tax Account No.: R145800010, R145800030, R145800090, R145800270, R145800340,
R145800700, R145800720, R145800730, R145800830, R145800850,
R145800960, R146000290, R146000310, R146000330, R146000390,
R146000410, R146000470, R146000490, R293500010, R533200020,
R533200090, R533200100, R533200190, R533200340, R533200380,
R533200420, R612100910, R942312630, R942310140, R942311020,
R942312620, R942310090, R293500410

State ID No.: 1N2E31BD 03300, 1N2E31BD 03400, 1N2E31BD 03200, 1N2E31BD
03800, 1N2E31BD 03700, 1N2E31DB 21400, 1N2E31DB 21500,
1N2E31DB 21600, 1N2E31DB 11200, 1N2E31DB 11300, 1N2E31DB
11900, 1N2E31AC 06300, 1N2E31AC 06200, 1N2E31AC 05900,
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06100, 1N2E31CA 17900, 1N2E31BC 06300, 1N2E31BC 06200,
1N2E31BC 06100, 1N2E31BC 06500, 1N2E31CB 00100, 1N2E31CB
00200, 1N2E31CB 01800, 1N2E31BC 06000, 1N2E31BD 04200,
1N2E31BD 04100, 1N2E31BD 04000, 1N2E31BD 03600, 1N2E31BD
04300, 1N2E31CA 15900

Quarter Section: 2935

Neighborhood: North Tabor

District Neighborhood Coalition: Southeast Uplift

Zoning: CN2 (Neighborhood Commercial 2), CO2 (Office Commercial 2), R1 (R1,000, Medium density Multi-Dwelling Residential)

Land Use Review: Type III, CUMS (Major Amendment to Conditional Use Master Plan)

BDS Staff Recommendation to Hearings Officer: Approval with conditions

Public Hearing: The hearing was opened at 9:00 a.m. on July 25, 2011, in the 3rd floor hearing room, 1900 SW 4th Avenue, Portland, Oregon, and was closed at 11:03 a.m. The record was held open until 4:30 p.m. on August 8, 2011 for new written evidence and until 4:30 p.m. on August 15, 2011 for all rebuttal, no new evidence. 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 on August 15, 2011.

Testified at the Hearing:

Kathleen Stokes, BDS, 1900 SW 4th Avenue #5000, Portland, OR 97201
Michael Robinson, 1120 NW Couch Street, 10th Floor, Portland, OR 97209
James Arp, Providence, 4805 NE Glisan Street, Portland, OR 97213
Mark Foster, 1223 SW Washington Street, Portland, OR 97205
Kim Cottrell, 638 NE 43rd Avenue, Portland, OR 97213
William Hamilton, 4311 NE Hoyt, Portland, OR 97213
Bob Haley, PBOT, 1900 SW 4th Avenue, Portland, OR 97201
Julia Kuhn, Kittelson & Associates, 610 SW Alder #700, Portland, OR 97205

Proposal: Providence Health and Services ("Applicant") is requesting an amendment to the Conditional Use Master Plan for the medical center (LU 02-120615 CUMS AD) to allow the development of guest housing for patients and family members, within the master plan boundary at 4447 NE Glisan Street. The housing would provide 30 units to serve as temporary accommodations, including single to family-sized units and shared dining, kitchen and laundry facilities. Thirty-one accessory parking spaces are proposed.

Applicant requested a modification to condition of approval "B" and such request was addressed in the BDS staff report (Exhibit H.2) and by Applicant during the public hearing. At the end of the July 25, 2011 public hearing, Applicant's representative Robinson stated that Applicant wished to "withdraw the request of modification" of Condition "B" and further stated that Applicant "will accept" Condition "B." Applicant confirmed its request, in writing, to withdraw modification of Condition of Approval "B" (Exhibit H.11). The Hearings Officer accepts Applicant's request to withdraw its requested modification to Condition of Approval "B."

Relevant Approval Criteria: 33.820.050, Conditional Use Master Plans, including 33.815.105 A-E, Institutional and Other Uses in R Zones.

II. ANALYSIS

Site and Vicinity: For the purposes of this review two site areas exist, the overall Master Plan site ("Master Plan Site") and the Project Site ("Project Site"). The Master Plan Site represents the boundaries of the Providence Health System master plan boundary. The Master Plan Site occupies multiple parcels over an area of approximately 25 acres, with the core of activities situated between NE 47th and NE 53rd Avenues, NE Glisan Street, and the I-84 ("Banfield") Freeway. The Master Plan Site also includes several parcels on the south side of NE Glisan Street between NE 45th and NE 55th Avenues and the Project Site, to the west of NE 45th Avenue. The Providence Health System master plan boundary is not impacted by this proposal.

The Project Site area is located on the north side of NE Glisan Street, between NE 44th and NE 45th Avenues. Immediately to the north of the Project Site is a multi-dwelling development that is located in the R1 zone. The area to the west consists of single-dwelling uses in the R5 zone and the Laurelhurst Plan District. The R5 zone and a predominantly single-dwelling area also is located north of the site, between the south side of NE Irving and the north side of NE Oregon Streets, east of NE 44th Avenue and the Laurelhurst Neighborhood. On the east side of 45th Avenue, there are medical office buildings for Providence on the north side of Glisan and store-front retail uses on the south side of Glisan. South and southeast of the Project Site there is commercial development extending for about one-half block from the south side of Glisan Street. Further to the south, the R5 single-dwelling zone and development pattern continues.

Zoning: The Master Plan Site area has many different zoning designations. These include R1, R5, CO2, CN2 (Multi-Dwelling Residential 1,000, Single-Dwelling Residential 5,000, Office Commercial 2, Neighborhood Commercial 2). However, for the purposes of this review and because the Master Plan Site area is not impacted by this proposal, only the zoning of the Project Site area is described here.

The Project Site (the north side of NE Glisan Street, from NE 44th Avenue to NE 45th Avenue) is zoned CN2 (Neighborhood Commercial 2). The CN2 zone is intended for small commercial sites and areas in or near less dense or developing residential neighborhoods. The emphasis of the zone is on uses which will provide services for the nearby residential areas, and on other uses which are small scale and have little impact. Development is expected to be predominantly auto accommodating, except where the site is adjacent to a transit street.

Land Use History: City records include numerous prior land use reviews for the Master Plan Site, going back as far as 1939, when the original Providence Hospital building was constructed. The most recent land use cases include the following:

- *LUR 95-00894 MS CU AD* - Previous Providence Master Plan, approved with conditions in 1996;

- *LUR 95-00865 VA* - Approved Street Vacation request for NE Irving Street between NE 49th and NE 52nd Avenues;
- *LUR 96-00400 UD* - Use Determination allowing the establishment of a Crisis Triage Center at Providence to be operated by Multnomah County;
- *LU 02-120615 CU MS AD* - Current Master Plan for Providence. Case was approved with modifications by City Council after a neighborhood appeal. Master Plan includes various projects over a 10-year period, with several adjustments to development standards.
- *LU 04-064294 AD* - Adjustment approved to increase the height of the "North Tower" building for a mechanical equipment and elevator penthouse, and screening.
- *LU 07-176134 AD* - Adjustment approved to increase area of a sign affixed to the east wall of the new Cancer Center building and oriented only to west-bound motorists on the I-84 freeway from the maximum allowed 50 square feet to 101 square feet.
- *LU 09-106787 CUMS* - Approval of a Conditional Use Master Plan review to replace a transportation system related condition of approval required as part of LU 02-120615 CUMS AD with an alternate mitigation plan. All other conditions of approval required as part of LU 02-120615 CUMS AD remain applicable.
- *LU 09-121435 AD* - Approval of an Adjustment to 33.258.070.2.d to extend the compliance period for phased nonconforming upgrades through August 2012, per the approved site plan, subject to the conditions that required the following:
 - B. The identified parking areas are required to be improved to the landscaping standards current at the time of the 2004 covenant (04-035044 PR). Future improvements not associated with the 2004 covenant must be made to the standards in effect at that time or receive approval through an Adjustment Review or other applicable City land use process.
 - C. Parking area improvements associated with required nonconforming upgrades must follow the phasing plan identified on the attached site plan or a modified phasing plan must receive approval through another Adjustment Review.

Agency Review: A "Request for Response" was mailed May 27, 2011. The following bureaus have responded:

- **Bureau of Environmental Services (BES)** provided information on sanitary sewers and storm water management requirements, finding that the Applicant had provided information that shows that the proposal would be able to meet the requirements of the City's Storm Water Management Manual, at the time of building permits (Exhibit E.1).
- **Portland Bureau of Transportation (PBOT)/Development Review** provided an analysis of the expected impacts on the transportation system and discussed how the proposal meets the transportation-related approval criteria. (The analysis is included in the findings for Criteria 33.815.105 D. 1 and 2, below, and Exhibit E.2).
- The **Water Bureau** responded with information about water services and stated that a fixture count is required as a part of building permit review (Exhibit E.3).
- The **Fire Bureau** noted that fire code requirements must be met as a part of building permit review (Exhibit E.4).

- **The Police Bureau** responded that the Strategic Services Division and the Southeast Precinct Commander reviewed the proposal and found that the "Bureau is capable of serving the proposed use at this time." The response also included advice for additional safety and security measures for the proposed guest housing (Exhibit E.5).
- **The Life Safety Plan Review Division of BDS** noted that building permits would be required and that a process manager can be assigned to coordinate permit review (Exhibit E.6).
- **The Site Development Division of BDS and the Parks Bureau Urban Forestry Division** both responded, electronically, with "no concerns" (Exhibit E.7).

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 30, 2011. BDS received correspondence from neighbors and/or persons with comments/concerns, prior to the issuance of the staff report (Exhibit H.2). BDS staff responded, in Exhibit H.2, to the comments/concerns.

Issues relevant to the approval criteria in this case will be discussed by the Hearings Officer in the relevant findings below.

Preliminary Comments/Findings:

Notice: One or more opponents suggested that notice provided to neighbors of the application and/or hearing was inadequate (testimony of Ms. Cottrell and Exhibit H.10). The Hearings Officer finds that the City timely mailed notice of the public hearing as required (PCC 33.730.030 and PCC 33.730.070 and Exhibit D.6). The Hearings Officer finds notice of the public hearing was posted around the perimeter of the Master Plan Site (PCC 33.730.080 and Exhibit D.4). The Hearings Officer finds that the recognized neighborhood association was made aware of, and participated in, several meetings with Applicant. The Hearings Officer finds adequate notice was provided in this case. The Hearings Officer finds no party's substantial rights have been prejudiced by inadequate notice of the public hearing.

Retail Sales: A number of persons who testified at the hearing or submitted testimony in writing expressed concern that the proposed project did not include any retail sales uses (see, for example, Exhibits F.2, H.6, H.7, H.9 and H.10). The zoning of the Project Site is CN2 (Neighborhood Commercial 2). Retail sales and retail services are allowed in the CN2 zone. The CN2 zone does not limit a developer to retail sales and retail service uses. The CN2 zone allows a developer to select from an array of permitted uses including, but not limited to, household living, retail sales and service, office, park, school, college, medical center, religious and daycare uses. The developer of CN2 zoned property may select one, or a combination of, the permitted uses. The developer is not required to include retail sales and service use on every CN2 zoned property.

The Hearings Officer finds that the use selected (guest housing) is similar to a motel; motel use is permitted on CN2 zoned property (PCC 33.920.100 D.1.). The Hearings Officer finds that Applicant is not required, under the PCC, to include any retail sales or service uses on the Project Site.

'd' Overlay: One person submitted a letter asserting that the 'd' overlay zone "must be applied" to the Project Site (Exhibit F.1). Applicant's attorney provided a response to the 'd' overlay assertion as follows:

"This comment suggests that the property should be subject to the Design Review ("d") overlay district. The Hearings Officer should reject this argument for three (3) reasons. First, while Providence is certain this is a sincere recommendation, it is not relevant to the approval criteria. Second, none of the surrounding area is subject to the "d" overlay district. Finally, while the conditional use master plan ("CUMP") approval criteria do not constitute a design review process, the Hearings Officer must nevertheless find compliance with Portland City Code ("PCC") 33.815.105(B) and (C), which, respectively, require that Providence demonstrate that the Guest Housing building is compatible with adjacent residential development and that the Guest Housing building not impact the livability of the surrounding area."

The Hearings Officer generally agrees with the comments quoted above. Specifically, the Hearings Officer finds that no property within the Master Plan Site contains a 'd' overlay designation. As such, the Hearings Officer finds the assertion that the 'd' overlay zone approval criteria need be applied is without merit.

ZONING CODE APPROVAL CRITERIA

The proposed construction of 30 units of guest housing for patients and families of patients of Providence Medical Center requires a major amendment to the existing Conditional Use Master Plan.

Conditional Use Master Plans

33.820.050 Approval Criteria

Requests for conditional use master plans will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

- A.** The master plan contains the components required by 33.820.070;

Findings: This criterion is evaluated below under 33.820.070 Components of a Master Plan and is found to be met. This criterion is met.

- B.** The proposed uses and possible future uses in the master plan comply with the applicable conditional use approval criteria; and

Findings: The proposed guest housing is, under the Portland Zoning Code ("PCC"), considered to be short term housing, which is allowed when approved as a Conditional Use on an institutional campus such as Providence Medical Center. The Hearings Officer finds

that the approval criteria set forth in PCC 33.815.105 A-E are found to be met, as addressed in findings below. The Hearings Officer finds this approval criterion is met.

- C. The proposed uses and possible future uses will be able to comply with the applicable requirements of this Title, except where adjustments are being approved as part of the master plan.

Findings: All of the development standards of 33.130, for the CN2 zone, and the standards of 33.285, Short Term Housing and Mass Shelters, will be met by the proposed development. The Hearings Officer finds this approval criterion is met.

33.820.070 Components of a Master Plan

The applicant must submit a master plan with all of the following components. The review body may modify the proposal, especially those portions dealing with development standards and review procedures. The greater the level of detail in the plan, the less need for extensive reviews of subsequent phases. Conversely, the more general the details, the greater the level of review that will be required for subsequent phases.

- A. **Boundaries of the use.** The master plan must show the current boundaries and possible future boundaries of the use for the duration of the master plan.

Findings: No changes to the master plan boundary are proposed as part of this land use review. The Hearings Officer finds this approval criterion is not applicable.

- B. **General statement.** The master plan must include a narrative that addresses the following items:

1. A description in general terms of the use's expansion plans for the duration of the master plan;

Findings: The original narrative for the Providence Health System Master Plan (LU 02-120615 CU MS AD) included this information and the Applicant does not propose any changes. The Hearings Officer finds this approval criterion is not applicable.

2. An explanation of how the proposed uses and possible future uses comply with the conditional use approval criteria; and

Findings: The proposed short term housing requires approval through Conditional Use Review. The Hearings Officer finds this proposal meets the criteria for this review, 33.815.105 A-E, as explained in the findings, below. The Hearings Officer finds this approval criterion is met.

3. An explanation of how the use will limit impacts on any adjacent residentially zoned areas. The impacts of the removal of housing units must also be addressed.

Findings: The original explanation for the Providence Health System Master Plan (LU 02-120615 CU MS AD) included this information and the Applicant does not propose any changes that would remove housing or cause impacts on the adjacent residentially zoned area, as discussed in the findings for 33.815.1105 A-E, below. The Hearings Officer finds this approval criterion is met.

C. Uses and functions. The master plan must include a description of present uses, affiliated uses, proposed uses, and possible future uses. The description must include information as to the general amount and type of functions of the use such as office, classroom, recreation area, housing, etc. The likely hours of operation, and such things as the approximate number of members, employees, visitors, special events must be included. Other uses within the master plan boundary but not part of the conditional use must be shown.

Findings: The original description for the Providence Health System Master Plan (LU 02-120615 CU MS AD) included this information and the Applicant does not propose any changes, other than the addition of the guest housing in the CN2 zone. As noted above, the Hearings Officer finds this proposal meets the Approval Criteria of 33.805.105 A-E. The Hearings Officer finds this approval criterion is met.

D. Site plan. The master plan must include a site plan, showing to the appropriate level of detail, buildings and other structures, the pedestrian, bicycle, and vehicle circulation system, vehicle and bicycle parking areas, open areas, and other required items. This information must cover the following:

1. All existing improvements that will remain after development of the proposed use;
2. All improvements planned in conjunction with the proposed use; and
3. Conceptual plans for possible future uses.
4. Pedestrian, bicycle, and transit facilities including pedestrian and bicycle circulation between:
 - a. Major buildings, activity areas, and transit stops within the master plan boundaries and adjacent streets and adjacent transit stops; and
 - b. Adjacent developments and the proposed development.

Findings: The original Providence Health System Master Plan (LU 02-120615 CU MS AD) submittal included this information and the Applicant does not propose any changes, beyond the proposed development for the Project Site. A site plan that includes all of the proposed development for the guest housing has been provided. The Hearings Officer finds this approval criterion is met.

- E. Development standards.** The master plan may propose standards that will control development of the possible future uses that are in addition to or substitute for the base zone requirements and the requirements of Chapters 32.32 and 32.34 of the Sign Code. These may be such things as height limits, setbacks, FAR limits, landscaping requirements, parking requirements, sign programs, view corridors, or facade treatments. Standards more liberal than those of the code require adjustments.

Findings: The original Providence Health System Master Plan (LU 02-120615 CU MS AD) submittal included this information and the Applicant does not propose any changes. The Hearings Officer finds this approval criterion is not applicable.

- F. Phasing of development.** The master plan must include the proposed development phases, probable sequence for proposed developments, estimated dates, and interim uses of property awaiting development. In addition the plan should address any proposed temporary uses or locations of uses during construction periods.

Findings: The original Providence Health System Master Plan (LU 02-120615 CU MS AD) submittal included this information and the Applicant does not propose any changes. The Applicant's proposal for the development of 30 units of guest housing with accessory parking will be completed in one phase. The Hearings Officer finds this approval criterion is not applicable.

- G. Transportation and parking.** The master plan must include information on the following items for each phase.

1. Projected transportation impacts. These include the expected number of trips (peak, events, and daily), an analysis of the impact of those trips on the adjacent street system, and proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system or specific programs and strategies to reduce traffic impacts such as encouraging the use of public transit, carpools, vanpools, and other alternatives to single occupant vehicles.
2. Projected parking impacts. These include projected peak parking demand, an analysis of this demand compared to proposed on-site and off-site supply, potential impacts to the on-street parking system and adjacent land uses, and mitigation measures.

Findings: The original Providence Health System Master Plan (LU 02-120615 CU MS AD) submittal included this information for the development of the overall campus. The potential impacts from the current proposal, for 30 units of guest housing and 31 on-site parking spaces, was analyzed and addressed in a Traffic Impact Report, prepared by Kittelson and Associates, Inc., December 9, 2010. The Hearings Officer finds that the master plan *does* include information on the transportation impacts and parking impacts of the proposed guest housing. The Hearings Officer finds this approval criterion is met.

H. Street vacations. The master plan must show any street vacations being requested in conjunction with the proposed use and any possible street vacations that might be requested in conjunction with future development. (Street vacations are under the jurisdiction of the City Engineer. Approval of the master plan does not prejudice City action on the actual street vacation request.)

Findings: The original Providence Health System Master Plan (LU 02-120615 CU MS AD) submittal included this information and the Applicant does not propose any changes. The Hearings Officer finds this approval criterion is not applicable.

I. Adjustments. The master plan must specifically list any adjustments being requested in conjunction with the proposed use or overall development standards and explain how each adjustment complies with the adjustment approval criteria.

Findings: The original Providence Health System Master Plan (LU 02-120615 CU MS AD) submittal included this information and, while the previously approved Adjustments will be carried forward, the Applicant does not propose any additional Adjustments. The Hearings Officer finds this criterion is not applicable.

J. Other discretionary reviews. When design review or other required reviews are also being requested, the master plan must specifically state which phases or proposals the reviews apply to. The required reviews for all phases may be done as part of the initial master plan review, or may be done separately at the time of each new phase of development. The plan must explain and provide enough detail on how the proposals comply with the approval criteria for the review.

Findings: No other discretionary reviews are proposed as part of this land use review. The Hearings Officer finds this approval criterion is not applicable.

K. Review procedures. The master plan must state the procedures for review of possible future uses if the plan does not contain adequate details for those uses to be allowed without a conditional use review.

Findings: The original Providence Health System Master Plan (LU 02-120615 CU MS AD) decision included this information and no changes to possible future uses are proposed at this time. The Hearings Officer finds this approval criterion is not applicable.

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 Project Site is zoned CN2 (Neighborhood Commercial 2) and so the proposed use and development is not located within a residential zone. However, as the overall campus is located on properties that are mainly zoned residential, the guest housing requires approval through a Conditional Use Review. This approval criterion requires that the residentially zoned area that might be impacted by the proposed use be defined. The residential area was determined by the same Hearings Officer making the decision in this case in the 2002 master plan review (LU 02-120615 CU MS AD). In the master plan review the Hearings Officer described the area as follows:

"Beginning at the center of NE 47th, immediately south of the Banfield Freeway, and following the south line of the Banfield Freeway east until NE 56th Avenue. Then, south along NE 56th to NE Everett. West along NE Everett (including residences on both sides of street) to NE 47th. South on NE 47th to NE Davis. West along NE Davis to NE 43rd. North along NE 43rd to NE Laurelhurst. East on NE Laurelhurst to NE 44th. North on NE 44th to the Banfield Freeway and the along the south side of the Banfield to NE 47th Avenue, the beginning point of this description. This "residential area" description includes residences on both sides of all streets mentioned. The north boundary of the "residential area" used for analysis in 33.815.105 is the Banfield Freeway. There are no residential areas which are immediately impacted by this application immediately to the north of the Banfield Freeway excepting east of NE 53rd."

The residential area defined by the Hearings Officer above is the area that would be expected to experience the overall impacts from this major medical institution. The proposed guest housing offers 30 short term housing units, with 31 on-site parking spaces. The use is not significantly different than a small motel, which could locate on the property in the CN2 site, by right, if this were not a part of the institutional campus. The impacts from this use are much lower than the overall impacts from the medical center, in general, and would likely impact a much smaller area that would be limited to one to two blocks in each direction.

The existing building on the Project Site was used as a commercial printing business (Moore Lithograph) and had no residential function. Therefore, the Hearings Officer finds that the proposed guest housing does not alter the proportion of household uses in the residential area.

The intensity of the proposed use is not expected to be different than what would be experienced if the Project Site were developed with 30 residential units; a number that could be accommodated on this 36,134 square foot property (by using the allowed height and floor area ratio of the zone). Therefore, the Hearings Officer finds that the appearance and function of the nearby residential area (primarily to the north, west and south) will not be significantly lessened, due to the proportion of non-household living uses or the intensity of the use.

B. Physical Compatibility.

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

Findings: There are no City-designated scenic resources on this Project Site. Therefore, this criterion is not relevant.

2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks and landscaping or,

Findings: The Project Site abuts a multi-dwelling residential development, in the R1 zone, to the north. While the R1 zone is also applied to the properties to the east, on the opposite side of NE 45th Avenue, that side of the block is developed with Providence Medical Center offices. Single-dwelling uses and development are located to the west of the Project Site, on the opposite side of NE 44th Avenue. Considering that the Project Site is zoned CN2, a non-residential use, one possible interpretation would be that any allowed CN2 use would be incompatible with the adjacent residential uses. An equally plausible interpretation would be that any allowed by right CN2 use of the Project Site would be compatible to the nearby residential uses. As the proposed guest housing use can reasonably be considered a type of residential use (limited term occupancy), the proposed use could be considered, as suggested by BDS staff, similar to a motel use. The Hearings Officer agrees with BDS staff that the motel analogy is appropriate. The Hearings Officer finds that had a motel been proposed at the Project Site, an allowed by right use, the issue of compatibility would not have been considered relevant.

The Hearings Officer notes that a number of nearby residents (see, for example, Exhibits H.6, H.7 and H.10) suggested that one or more retail commercial use(s) be added to the proposed project. The Hearings Officer finds that "retail commercial" uses are less "residential" than the proposed guest housing.

The Hearings Officer finds no evidence in the record to suggest that the proposed guest housing will be incompatible with the nearby residential uses.

The Hearings Officer finds the Project Site, being used as guest housing for the Applicant's medical facility, operates as an effective transition from the residential neighborhoods west of the Project Site to the more intense uses found on the remainder of the Master Plan Site.

Table One in the Applicant's submittal contains a comparison of the development standards of the CN2, R-1 and R-5 zones. As shown, the maximum height allowed in both the CN2 and R-5 zones is 30 feet (Exhibit A.4). The existing apartments to the north of the Project Site are two stories and the zoning allows a maximum height of 45 feet. Although the plan is for a 30-foot tall building along the north side of the Project Site, the proposed parking area and required landscaping will minimize the difference in elevation between the existing apartments and the guest housing. Along the west side of the Project Site, the two (2) stories of the guest housing site will be similar to the height allowed in the R-5 zone.

The Hearings Officer finds that the use and design of the guest housing will be compatible with residential uses in both scale and style. The pitched roof design, the use of windows, the outdoor patio areas and dormers all contribute to a residential character, making the building compatible with the adjacent residential uses.

The Hearings Officer finds that this approval criterion is met.

3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

Findings: The proposed guest housing facility and the existing adjacent residential uses are compatible with one another because of the development standards allowed within the applicable zones. Therefore, no mitigation is required and the criterion is not applicable.

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

Findings: Guest housing is subject to the use regulations of Chapter 33.285 of the Portland Zoning Code which will assist in ensuring that the proposed housing does not have adverse impacts on the livability of the residential development to the north and west. Applicant provided a narrative for the proposed guest housing showing that the standards of 33.285.050 for short term housing, including density, hours of operation, reservations and referrals, and parking will be met.

The nature of the use is that the guest housing is intended to provide a "home away from home" while family members or friends are receiving medical treatment. There is no evidence in the record to suggest that guests are likely to infringe on the safety or privacy of those in the surrounding area.

The Hearings Officer finds that the proposed guest housing units will not have significant adverse impacts on the livability of the nearby residentially zoned lands particularly from noise, glare from lights, late-night operations, odors, and litter and privacy or safety issues based on the following:

- Guest housing will be staffed with a full time caretaker, along with other staff, which will ensure that guest rules (such as noise) are enforced.
- Although registered guests may enter the facility 24 hours per day, reservations for lodging will be prearranged. Therefore, no potential guests will be outside waiting for Guest Housing accommodations.
- Guests will typically live at least 40 miles from the medical campus. A shuttle service will be provided for all guests to and from other parts of the Master Plan Site. Use of the shuttle service will minimize negative impacts on safety and privacy of the nearby residentially zoned land.
- Providence will patrol this Project Site to collect any litter.
- Policies will require that no pets are allowed in the proposed guest housing facility, except for service dogs and that persons under the age of 18 will be allowed to occupy a guest housing unit only if accompanied by an adult.
- The use is generally residential in nature, so its impacts should not be inconsistent with nearby residentially zoned lands. Exterior lights will be limited to that needed for safety. Glare will be avoided by the use of cut-off shields.
- Odors will not be created by the use.

One person testifying in opposition expressed concern about potential impacts (noise) arising from HVAC units located on the Project Site (See Exhibit H.9a). Applicant responded (Exhibit H.11) that;

"...at this point in the design of the Guest Housing building, Providence has not yet selected the HVAC system. Heating and cooling will be supplied by in-room units, not by a building-wide HVAC system, so there will be no roof top air-handling units. The installed system will not detract from the appearance of the Guest Housing building. Furthermore, the HVAC equipment will be specified to meet acoustic requirements and ensure compliance with applicable City of Portland noise standards found in PCC Title 18, 'Noise Control.'"

The Hearings Officer finds that noise from HVAC units will not have a significant adverse impact on the livability of the nearby residentially zoned land.

Concern was expressed regarding impacts created by construction activities related to the proposed guest housing (see, for example, Exhibit H.10). The Hearings Officer finds that impacts as the result of constructing the guest housing are not subject to consideration under this approval criterion. The Hearings Officer finds that this approval criterion applies

specifically to the use of the guest housing when construction is completed. This approval criterion applies to the actual operational impacts of the guest housing once constructed.

The Hearings Officer finds that the design of the guest housing building is similar to the existing building. Guest housing will have an east/west orientation along NE Glisan Street. Parking will be located similarly to the existing parking, north of the Guest Housing building between it and the apartments to the north.

The Hearings Officer finds that proposed screening, fencing and landscaping will prevent headlight glare from impacting the existing apartments. City standards for trash enclosures will apply to the final design and compliance will be ensured at the time building permits are approved. Applicant suggested, in Exhibit H.12, that Applicant would commit to *not* having garbage pick-up "late at night." The Hearings Officer finds it appropriate to add a condition of approval that garbage will not be picked up from the Project Site between the hours of 10:00 p.m. and 5:00 a.m.

The guest housing use will not generate odors or litter. Full time staff will be present to ensure that grounds are maintained and surfaces are free from litter.

Applicant, in its original application, requested amendment to Condition of Approval B (LU 02-120615). Such request was withdrawn by Applicant at the conclusion of the public hearing and confirmed in Exhibit H.11. As the request to modify Condition of Approval B has been withdrawn, the Hearings Officer makes no findings, in the context of this approval criterion, related to modification of Condition of Approval B.

Based upon the above findings, the Hearings Officer finds that there will be no significant impacts, from the proposed guest housing use, on the livability of the residential area from glare from lights, late-night operations, odors, and litter. The Hearings Officer finds that this approval criterion can be met.

2. Privacy and safety issues.

Findings: The proposed guest housing will not result in any changes to privacy. The Bureau of Police reviewed the proposal and did not state any objections or concerns related to safety. The Hearings Officer finds that this approval criterion is met.

D. Public services.

1. The proposed use is in conformance with the street designations of the Transportation Element of the Comprehensive Plan;
2. The transportation system is capable of supporting the proposed use 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: Persons testifying in opposition expressed numerous concerns related to the proposed guest housing in the context of this approval criterion (hearing testimony of Ms. Cottrell and Mr. Hamilton, and written documents Exhibit H.8, Exhibit H.9, Exhibit H.9a, and Exhibit H.10).

The opposition testimony was generally focused on the traffic and parking impacts on NE 44th, Applicant parking (generally) in residential neighborhoods and, safety of the intersection at NE 44th and NE Glisan.

The Hearings Officer reviewed opposition testimony and written comments and also reviewed the testimony and written submissions of Applicant's traffic consultant and PBOT (see, for example, Exhibits A.4, E.2, and H.11a). The Hearings Officer finds that Applicant's traffic consultant, in Exhibits A.4 (Appendix containing Kittelson & Associates report dated December 9, 2010) and H.11a (Kittelson memorandum dated August 1, 2011) and PBOT's response letter (Exhibit E.2) accurately set forth the traffic and parking data and impacts that are likely to result if this application for guest housing at the Project Site is approved. The Hearings Officer finds that Applicant has adequately addressed street classification and configuration, street capacity/level of service, 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 transportation demand management strategies. The Hearings Officer adopts, and by this reference incorporates herein, the BDS staff findings on for this approval criterion found in Exhibit H.2, pages 12 and 13.

The Hearings Officer commends opponents Ms. Cottrell and Mr. Hamilton for their thoughtful and comprehensive testimony and written submissions related to this approval criterion (Exhibits H.8, H.9 and H.9a). However, the Hearings Officer disagrees as to the severity of the potential traffic and parking impacts that are likely to be created by approval of the application for the proposed guest housing.

The Hearings Officer relies, in making the findings for this approval criterion, primarily upon the testimony and written comments of Applicant's traffic consultant and PBOT. It is clear to the Hearings Officer that the traffic reasonably expected to be created by approval of the proposed guest housing will be equal to or less than traffic created by many, if not most, uses that could legally be made of the Project Site under the current CN2 zoning (uses allowed by right include, but are not limited to household living, retail sales and service, office, schools, colleges, medical centers and day care).

Ms. Cottrell (and Mr. Bolton) suggested (Exhibit H.9) that access to the guest housing parking lot on NE 44th be "closed off," or in the alternative parking lot traffic be directed to travel from

west to east. Applicant's traffic consultant addressed this issue in Exhibit H.11a. Applicant's traffic consultant stated, in Exhibit H.11a, that;

"...based on our study, it is not necessary to restrict the access to Guest Housing to occur only via NE 45th Avenue. As stated above, the trip generation of the facility is very low. Further, the restriction of access to a single location could actually result in additional traffic to the residential area along NE Hoyt to the north for any deliveries of a shuttle service that would need to make a circular route to access the facility. Under the current proposal, traffic of this nature can turn right onto NE 44th off NE Glisan, drop-off/deliver in the Guest Housing lot and turn right on NE 45th to access NE Glisan. If the NE 44th access were eliminated from consideration, deliveries and the shuttle service may have to rely on the on-street loading along NE 45th (given an inability to turn around within or travel through the site) and therefore use NE 47th to access NE Hoyt to travel to NE 45th to the facility, resulting in additional traffic within the neighborhood. To encourage guests to use the NE 45th Avenue access, Providence will work with the City to install directional signage on NE Glisan as well as within the Guest Housing site to direct guests to the NE 45th Avenue access. It is logical that many of the guests will use this access given it is the closest access to the hospital."

Ms. Cottrell suggested that the "speed limit" on NE Glisan be reduced from 35 mph to 25 mph (Exhibit H.9). The Hearings Officer finds that there is no credible evidence in the record to indicate that the posted 35 mph speed on NE Glisan contributes to a safety problem in the vicinity of the Project Site. The Hearings Officer finds, therefore, that Ms. Cottrell's suggestion (35 mph to 25 mph) is not relevant to this decision.

Ms. Cottrell raised concerns about the "management" of the guest housing parking. Included in these concerns was monitoring of the parking lot and guest housing employee (service supplier) parking. Applicant's attorney responded to Ms. Cottrell's concern by stating, "the proposed off-street parking area meets relevant approval standards" (Exhibit H.12). Applicant's parking consultant also addressed parking lot supply and demand issues in Exhibit H.11a). The Hearings Officer finds that that Applicant proposes to construct 31 parking spaces (see Exhibit C.1) for the 30 guest housing units. The Hearings Officer notes that Applicant's traffic consultant estimates an average occupancy rate of 85 percent (Applicant's traffic consultant used the Travis Cross House at St. Vincent Hospital as a guide). Applicant's traffic consultant concluded that "no parking impacts are anticipated to the neighborhood associated with the Guest Housing" (Exhibit H.11a). The Hearings Officer concurs with Applicant's attorney and traffic consultant that adequate off-street parking is provided in this application and that no significant negative impacts to the surrounding residential areas will result.

Mr. Hamilton suggested that the shuttle service that is proposed to transport guests and staff to/from the guest housing to the main hospital area would create negative traffic safety impacts and parking impacts to residents of NE 44th (Exhibit H.8). Applicant's traffic consultant addressed Mr. Hamilton's concern (Exhibit H.11a). Applicant's traffic consultant stated:

"There will be no regularly scheduled service and defined headways. Guests will need to call and request pick-up/drop-off by the shuttle in advance. The impacts of the shuttle service will be negligible."

The Hearings Officer agrees with the above-quoted comments from Applicant's traffic consultant. The Hearings Officer finds the number of shuttle trips generated by the guest housing will not be significant. The Hearings Officer finds that shuttle trips to/from the guest housing and main hospital area will not create significant traffic and/or parking impacts to the surrounding residential area.

The Hearings Officer finds that the existing Transportation Demand Management Plan ("TDM") will remain in effect.

The Hearings Officer finds that this approval 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: The City's service agencies have responded to indicate that all services were found to be available for the proposed addition of the guest housing development to the Providence campus. The proposed sanitary waste disposal and stormwater disposal systems were reviewed by BES, who found that the systems will be able to meet approval, with additional details provided at the time of building permit review. The Hearings Officer finds this approval 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: There are no community plans or area plans adopted by the City Council at the site. This criterion is not applicable.

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.

III. CONCLUSIONS

Applicant proposes to construct and operate guest housing on the Project Site to provide friends and/or families of Providence Medical Center patients overnight accommodations. The Project Site is located on NE Glisan, between NE 44th and NE 45th, at the west end of the Master Plan Site. The Project Site is zoned CN2 (Neighborhood Commercial 2); a zone which is intended for small commercial sites and areas in or near dense residential neighborhoods. Uses permitted by right, within the CN2 zone include residential, retail sales and service, office and school. The proposed guest housing use is analogous to a motel which is a permitted use in CN2 (motels are considered a retail sales and service use – see PCC 33.920.100.D).

The Hearings Officer reviewed the relevant approval criteria and found that all criteria could be met; some with the addition of conditions. The Hearings Officer finds that with adherence to conditions imposed in a prior land use approval (LU 02-120615 CUMS AD), conditions imposed herein, and in accordance with the proposed Site Plan and drawings, the application for guest housing at the Project Site can be approved.

IV. DECISION

Approval of an Amendment to the Conditional Use Master Plan for Providence Medical Center (LU 02-120615 CUMS AD) to allow construction of 30 guest housing units with an accessory parking lot with 31 on-site parking spaces, and amend conditions of approval, as set forth below:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the four required Site Plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 10-201861 (Old) CUMS." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Garbage collection from the Project Site shall not occur between the hours of 10:00 p.m. and 5:00 a.m.
- C. Applicant will initiate a request to PBOT to install directional signage on NE Glisan to direct vehicles using the Project Site to access the Project Site via NE Glisan and NE 45th Avenue. Applicant will post, on the Project Site and in any promotional information material, notice that the preferred entry to the Project Site is via NE Glisan and NE 45th.
- D. Applicant will post a sign, in the vicinity of the main guest housing entrance, with 24-hour contact information (telephone number for the guest housing manager or other Applicant-designated person). Applicant will provide, not less than once per calendar year, updated contact information to any neighborhood association whose boundary is within 500 feet of the Project Site.

- E. With the exception of the added conditions above, relating solely to the Project Site, all other approvals and conditions of LU 02-120615 CUMS AD still apply.


Gregory J. Frank, Hearings Officer

August 30, 2011
Date

Application Determined Complete:	May 19, 2011
Report to Hearings Officer:	July 15, 2011
Decision Mailed:	September 1, 2011
Last Date to Appeal:	4:30 p.m., September 15, 2011
Effective Date (if no appeal):	September 16, 2011 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). Until 3:00 p.m., Tuesday through Friday, file the appeal at the Development Services Center on the first floor. Between 3:00 p.m. and 4:30 p.m., and on Mondays, the appeal must be submitted at the Reception Desk on the 5th Floor. **An appeal fee of \$4,636.00 will be charged (one-half of the BDS application fee, up to a maximum of \$5,000.00).** 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, City Council will hold an evidentiary hearing, one in which new evidence can be submitted to them. Upon submission of their application, the applicant for this land use review chose to waive the 120-day

time frame in which the City must render a decision. This additional time allows for any appeal of this proposal to be held as an evidentiary hearing.

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. Conditional Use Master Plans and any concurrent reviews other than a Zone Change or Comprehensive Plan Map Amendment remain in effect until:

- All development allowed by the plan is completed; or
- The plan is amended or superseded; or
- As specified in the plan; or
- As otherwise specified in the final decision.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

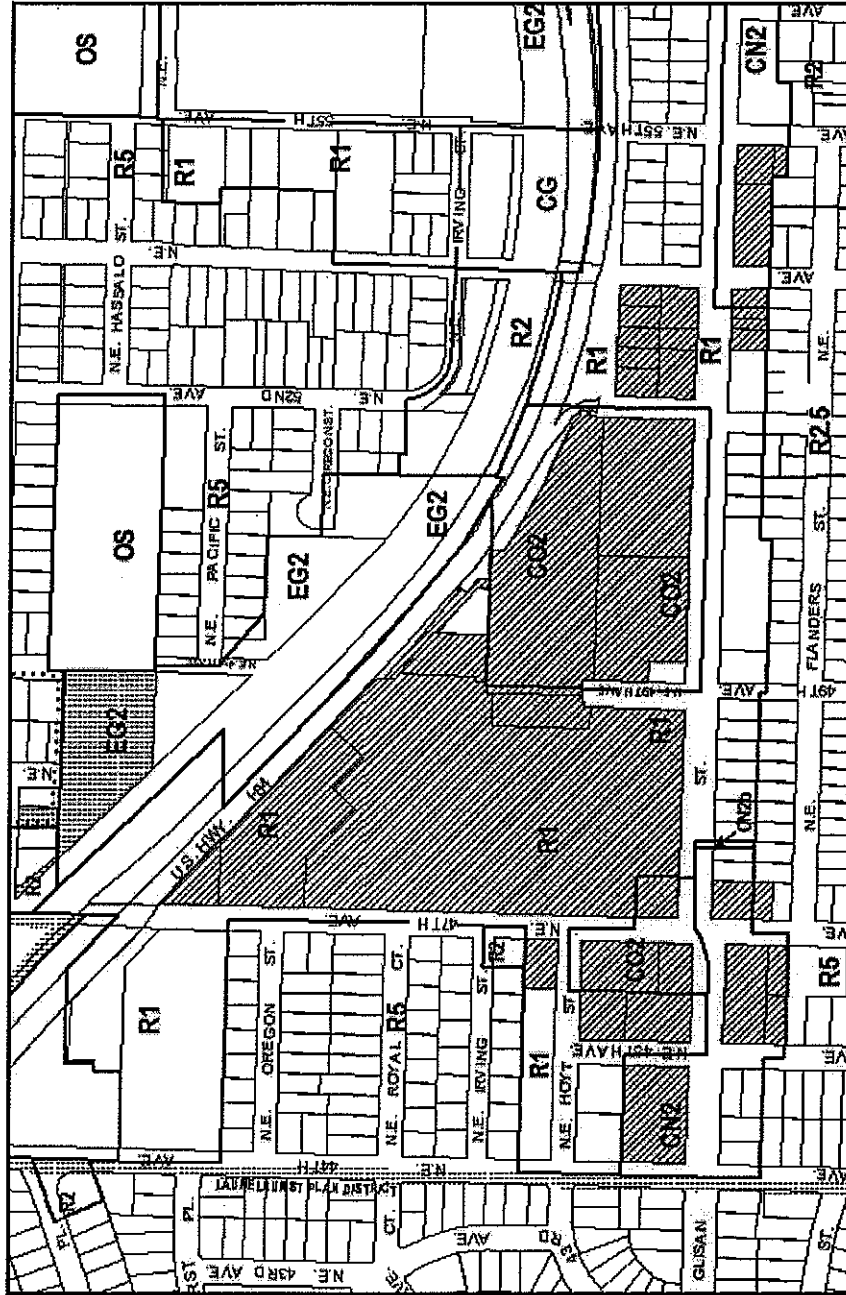
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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

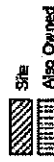
- A. Applicant's Statement
 - 1. Application and original submittal
 - 2. 120-day waiver, received January 7, 2011
 - 3. Addendum regarding storm water information, dated January 18, 2011
 - 4. Revised submittal, received May 19, 2011
- B. Zoning Map (**attached**)
- C. Plans and Drawings
 - 1. Site/Landscape Plan (**attached**)
 - 2. Elevation Drawing, south (**attached**)
 - 3. Elevation Drawing, east (**attached**)
 - 4. Elevation Drawing, north (**attached**)
 - 5. Elevation Drawing, west (**attached**)
- D. Notification information
 - 1. Request for response
 - 2. Posting letter sent to Applicant
 - 3. Notice to be posted
 - 4. Applicant's statement certifying posting
 - 5. Mailing list
 - 6. Mailed notice
- E. Agency Responses
 - 1. BES
 - 2. PBOT Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Police Bureau
 - 6. Life Safety Plan Review Section of BDS
 - 7. Summary of electronic responses from City agencies
- F. Letters
 - 1. Rami D. Abdulwahab
 - 2. Brian L. Briasco
 - 3. Eric Fruits, President Laurelhurst Neighborhood Assn.
 - 4. Eric Fruits, President Laurelhurst NA and Zach Michaud, President N. Tabor NA
 - 5. Lisa Hersh to N. Tabor Neighborhood Association, February 16, 2010
 - 6. Lisa Hersh, "Substantiating Documenting Summary," February 1, 2010
 - 7. Lisa Hersh to Commissioner Dan Saltzman, June 29, 2011
- G. Other
 - 1. Site History Research
 - 2. Letter from Kathleen Stokes to Marty Stiven, January 7, 2011
- H. Received in the Hearings Office
 - 1. Hearing Notice - Kathleen Stokes
 - 2. Staff Report - Kathleen Stokes

3. Email cover - 7/22/11 – Michael Robinson
 - a. Fax cover sheet from Corinne Ryan – 7/22/11 – Michael Robinson
 - b. Letter, including maps – 7/22/11 – Michael Robinson
4. PowerPoint presentation printout – Kathleen Stokes
5. Fax cover sheet from Corinne Ryan – 7/22/11 – Michael Robinson
 - a. Letter, including maps – Michael Robinson
6. Letter – 8/5/11 – Eric Miller
7. Letter – 8/8/11 – Kama Simonds and Joseph Earhart
8. Letter – 8/4/11 – William Hamilton
9. Letter and petition – 8/7/11 – Kim Cottrell
 - a. Email from James Parker to Kim Cottrell – 7/25/11 – Kim Cottrell
 - b. Supporting documentation – Kim Cottrell
10. Letter – 8/7/11 – Philip Meyer and Jennifer Topping
11. Letter – 8/8/11 – Michael Robinson
 - a. Memo from Julia Kuhn – 8/1/11 – Michael Robinson
12. Final rebuttal – Michael Robinson

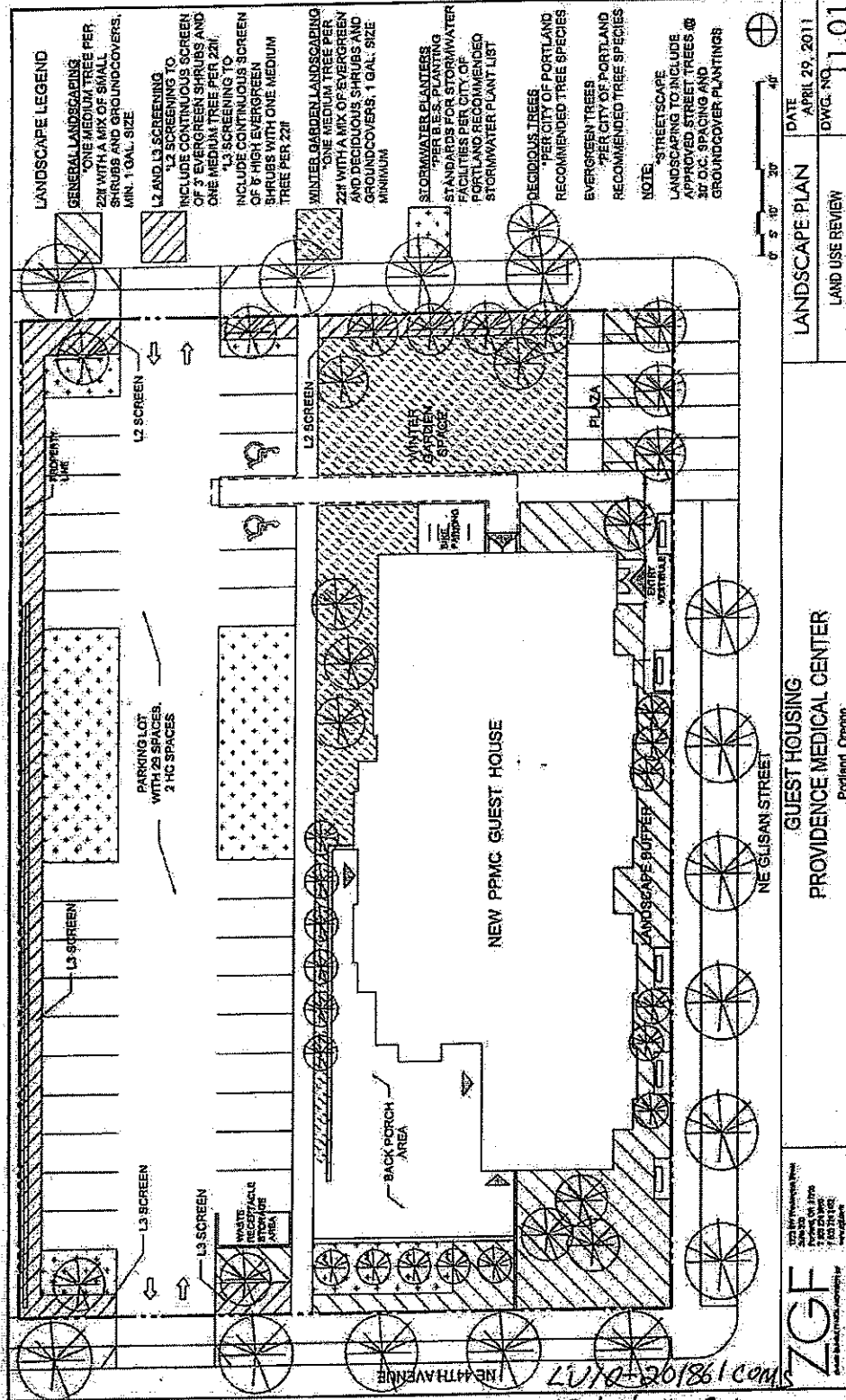


ZONING

1/4 Section 2935, 2936, 3035, 3036
 NORTH Exhibit B (Jul 14, 2011)



File No. LU 10-201861 CUMS
 State Id 1N2E31BD 3700
 Scale 1 inch = 300 feet



LANDSCAPE LEGEND

GENERAL LANDSCAPING
 *ONE MEDIUM TREE PER 224' WITH A MIX OF SMALL SHRUBS AND GROUNDCOVERS, MIN. 1 GAL. SIZE

L2 AND L3 SCREENING
 *L2 SCREENING TO INCLUDE CONTINUOUS SCREEN OF 3 EVERGREEN SHRUBS AND ONE MEDIUM TREE PER 224'

L2 SCREENING TO INCLUDE CONTINUOUS SCREEN
 OF 8 HIGH EVERGREEN SHRUBS WITH ONE MEDIUM TREE PER 224'

WINTER GARDEN LANDSCAPING
 *ONE MEDIUM TREE PER 224' WITH A MIX OF EVERGREEN AND DECIDUOUS SHRUBS AND GROUNDCOVERS, 1 GAL. SIZE MINIMUM

STORMWATER PLANTERS
 *PER B.E.S. PLANTING STANDARDS FOR STORMWATER FACILITIES PER CITY OF PORTLAND
 *PORTLAND RECOMMENDED STORMWATER PLANT LIST

DECIDUOUS TREES
 *PER CITY OF PORTLAND RECOMMENDED TREE SPECIES

EVERGREEN TREES
 *PER CITY OF PORTLAND RECOMMENDED TREE SPECIES

NOTE: STREETSCAPE
 LANDSCAPING TO INCLUDE APPROVED STREET TREES @ 20' OC, SPACING AND GROUNDCOVER PLANTINGS

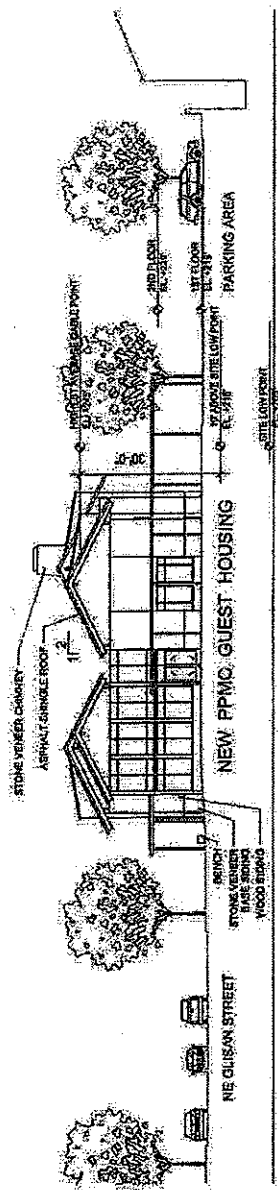
DATE APRIL 29, 2011
DWG. NO. L1.01

LANDSCAPE PLAN
LAND USE REVIEW

GUEST HOUSING
PROVIDENCE MEDICAL CENTER
 Portland, Oregon

ZGF
 1000 NE Oregon Street
 Portland, OR 97232
 503.255.1000
 www.zgf.com

LU10-201861.com
 Exhibit C-1



LU10-201861
COMS
Exhib. FC-3

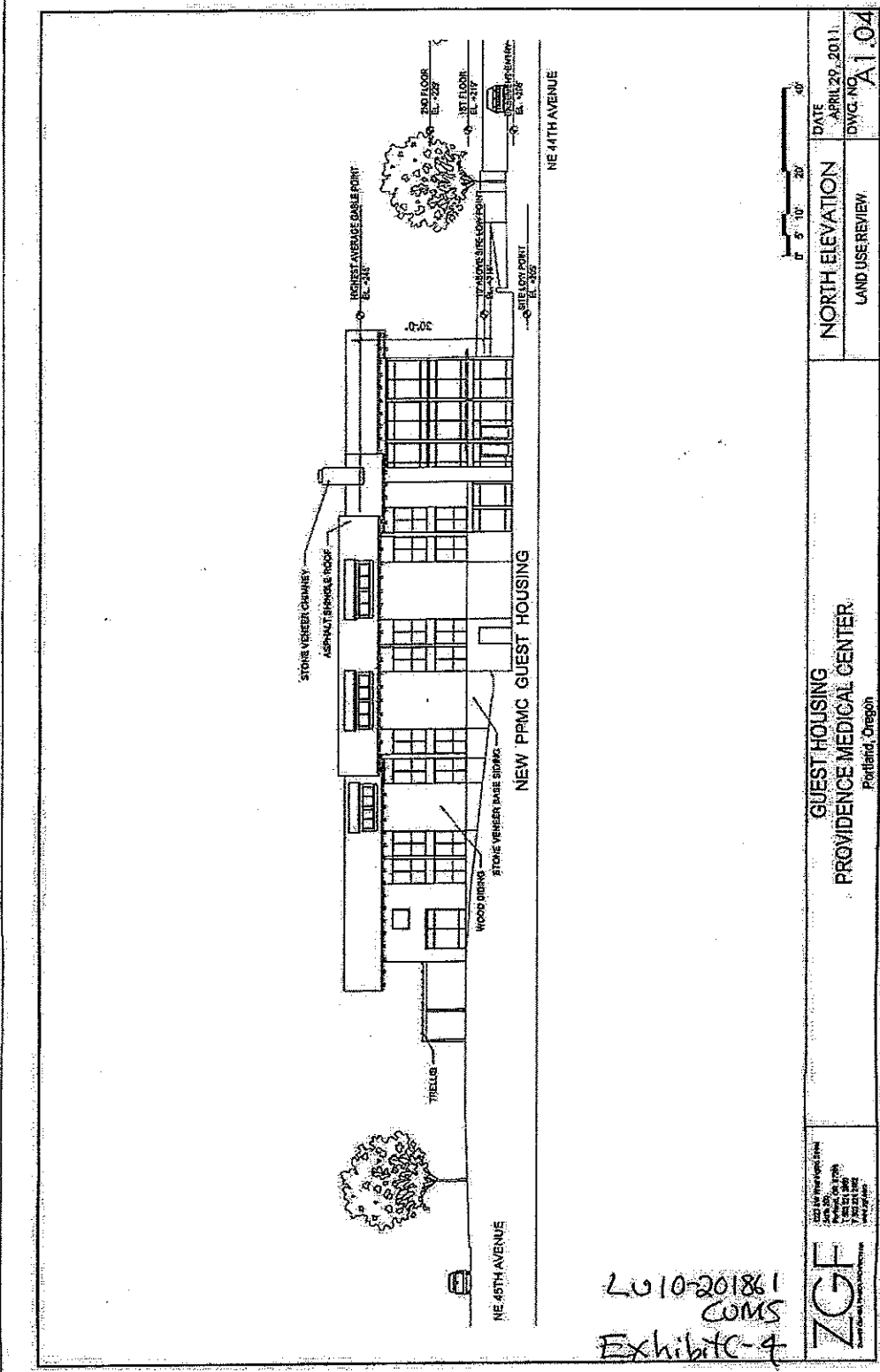
ZGF
Zachry Group, Inc.
Architect
Portland, OR 97208
P 503.221.5000
F 503.221.5000
www.zgf.com

GUEST HOUSING
PROVIDENCE MEDICAL CENTER
Portland, Oregon

EAST ELEVATION
LAND USE REVIEW

DATE
APRIL 29, 2011
DWG NO.
A.1.05





2010-201861
COMS
Exhibit C-4

<p>DATE APRIL 29, 2011</p> <p>DWG. NO. A104</p>	<p>NORTH ELEVATION</p> <p>LAND USE REVIEW</p>	<p>GUEST HOUSING PROVIDENCE MEDICAL CENTER Portland, Oregon</p>
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1271 SW Washington Blvd
Miami, FL 33135
Tel: 305 224 3600
Fax: 305 224 3487

NGE

GUEST HOUSING
PROVIDENCE MEDICAL CENTER

Portland, Oregon

WEST ELEVATION

LAND USE REVIEW

DATE _____

April 29, 2011

DWC: NO A1.02

