



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

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**Date:** March 22, 2013  
**To:** Interested Person  
**From:** Kathleen Stokes, Land Use Services  
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## **NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has **approved** a proposal in your neighborhood. The notification for this case originally stated that it was a Minor Amendment to the existing Conditional Use Master Plan. However, it was subsequently determined that the review should be a Type II (Minor) Conditional Use Review, instead of an amendment to the master plan. This is because an alternative review procedure for small projects such as this proposal was approved with the master plan, under LU 01-007687 CUMS.

The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

### **CASE FILE NUMBER: LU 13-100064 CU**

#### **GENERAL INFORMATION**

**Applicant:** Steve Stenberg, / Warner Pacific College  
2219 SE 68th Ave / Portland, OR 97215-4026

**Representative:** Mark Schlichting, Christopher Tallmadge / Soderstrom Architects PC  
1200 NW Naito Pkwy, Ste 410 / Portland, OR 97209

**Site Address:** 2219 SE 68TH AVE

**Legal Description:** BLOCK 1 S 55' OF N 110' OF LOT 2 EXC W 50', DRESSELS ADD; BLOCK 1 N 55' OF LOT 2 EXC W 50', DRESSELS ADD; BLOCK 1 LOT 3 EXC N 60', DRESSELS ADD; BLOCK 1 LOT 4, DRESSELS ADD; BLOCK 1 LOT 5 EXC N 60', DRESSELS ADD; BLOCK 2 LOT 1 EXC E 62.9' S 30' OF LOT 2 EXC E 62.9', DRESSELS ADD; BLOCK 1 N 1/2 OF LOT 6&7, VAIL; BLOCK 1 S 1/2 OF LOT 6&7, VAIL; BLOCK 3 LOT 1&2, VAIL; BLOCK 3 LOT 3, VAIL; BLOCK 3 LOT 4, VAIL; BLOCK 3 LOT 10 N 10' OF LOT 11&12, VAIL; BLOCK 3 LOT 11&12 EXC N 10' EXC PT IN ST, VAIL; BLOCK 1 LOT 1 EXC PT IN ST, WARNER PACIFIC; BLOCK 1 LOT 2, WARNER PACIFIC; BLOCK 2 LOT 1, WARNER PACIFIC; BLOCK 2 LOT 2, WARNER PACIFIC; BLOCK 2 LOT 3 EXC PT IN ST, WARNER PACIFIC; TL 4300 0.45 ACRES, SECTION 05 1S 2E; TL 4100 0.82 ACRES, SECTION 05 1S 2E

**Tax Account No.:** R217300050, R217300070, R217300130, R217300190, R217300250, R217300290, R853100160, R853100220, R853100610, R853100670, R853100700, R853100880, R853100940, R879600010, R879600040, R879600070, R879600100, R879600140, R992050210, R992050860, R217300150

**State ID No.:** 1S2E05CD 05800, 1S2E05CD 05700, 1S2E05CD 05600, 1S2E05CD 05200, 1S2E05CD 05100, 1S2E05CD 03800, 1S2E05CC 05500, 1S2E05CC 05600, 1S2E05CC 05200, 1S2E05CC 05100, 1S2E05CC 05000, 1S2E05CC 04500, 1S2E05CC 04400, 1S2E05CD 05900, 1S2E05CD 06000, 1S2E05CC 05300, 1S2E05CC 05400, 1S2E05CC 05800, 1S2E05CC 04300, 1S2E05CC 04100, 1S2E05CD 05500

**Quarter Section:** 3237  
**Neighborhood:** Mt. Tabor, contact Stephanie Stewart at 503-230-9364.  
**Business District:** Not Active  
**District Coalition:** Southeast Uplift, contact Bob Kellett at 503-232-0010.  
**Zoning:** R2 (R2000, Low Density Multi-dwelling Residential), R5 (R5000, High Density Single-dwelling Residential) R1(R1000, Medium Density Multi-dwelling Residential)  
**Case Type:** Conditional Use  
**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**Proposal:** Warner Pacific College is proposing construction of a 2,800 square-foot, two-story addition to the east side of Egtvedt Hall. This addition was not proposed or reviewed under the existing campus master plan. However, the master plan approval included provisions for alternative review procedures for unanticipated future projects. Condition of Approval J.5.b. states that, "Projects that are interior to the site (more than 100 feet from SE Division St. or more than 50 feet from other perimeter property lines) shall be reviewed through a Type III Conditional Use Review if the project increases the floor area, parking area, numbers of staff or students or vehicle trips by more than 10%, or through Type II Conditional Use, if the increase is 10% or less. This proposal meets the parameters to be reviewed through a Type II Conditional Use because it is more than 100 feet from Division Street and more than 50 feet from the other campus boundaries and includes an increase in floor area that is less than 10%.

The proposed addition will create 1,400 square feet of conference rooms on the ground floor, will also offer overflow seating area for the cafeteria. The second story will create the same amount of floor area and will be used as administrative office space. No increase in enrollment or staff is included in the description of the proposal. No changes are proposed to the parking areas, which include 383 on-site parking spaces.

**Relevant Approval Criteria:** In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are: Conditional Use Criteria for Institutional and Other Uses in R Zones, 33.815.105 A-E.

## ANALYSIS

**Site and Vicinity:** The Warner Pacific College campus consists of numerous parcels, with a combined area of about 14 acres. The campus is located on the north side of SE Division Street and extends, west to east, from a midblock area to the west of SE 66<sup>th</sup> to the west side of SE 70<sup>th</sup> Avenue. One parcel also is located on the east side of SE 70<sup>th</sup>. To the north, the property slopes uphill, with the campus boundary abutting Mt. Tabor Park, approximately 630 feet north of SE Division Street.

The site is developed with classroom buildings, residential structures, a gymnasium, administrative building, chapel, miscellaneous accessory structures, and surface parking areas. A number of significant, mature trees are located on the grounds, mainly concentrated on the southwest portion of the campus. A terraced, hillside lawn area, located between the chapel and the A.F. Gray administration building, serves as the main commons area for the school. In 2008 there were 369 existing auto parking spaces, located in several parking areas throughout the campus and 14 bicycle parking spaces. Four spaces were approved for removal, leaving 365 auto parking spaces. No further change to these numbers has been reported for this current review.. *(A small number of these reported existing spaces are located within the undeveloped right-of-way of SE Caruthers Street, and so are not technically considered to be on-site.)* A fire lane provides emergency access from the northern parking area, through the east side of the campus, to the parking area in the southeast corner on Division Street. The Number 4, Division, bus route has a stop that is located in front of the school, on SE Division Street, near the intersection of SE 68<sup>th</sup> Avenue.

The majority of the area to the south and east of the college is developed with residential uses. The existing development includes a mix of single and multi-dwelling structures. A small

neighborhood commercial area, which includes a service station and convenience store is located across from the campus, on the south side of Division, between SE 66<sup>th</sup> and 68<sup>th</sup> Avenues. Mt. Tabor Park is located to the north, on the hillside that abuts the campus boundary. Portions of the western boundary of the campus abut additional City owned property that houses “Mt. Tabor Yard,” the central maintenance facility for Portland Parks and Recreation. Farther to the west, is a multi-dwelling complex for senior residents, developed on a former public reservoir site.

**Zoning:** This site has “split zoning,” which means that there are different zoning designations on different portions of the site. A portion of the site along SE Division Street, between SE 66<sup>th</sup> and SE 68<sup>th</sup> Avenues is zoned R1, Medium Density Multi-dwelling Residential. Another portion of the site, including lots on the west side of SE 70<sup>th</sup> Avenue, and one part of a lot on the east side of the same street, is zoned R5, High Density Single-Dwelling Residential, with an Attached Residential (R2.5) Comprehensive Plan Map Designation. The remainder of the parcels on the site are zoned R2, Low Density Multi-dwelling Residential.

Institutional Uses are allowed in the residential zones, when approved as Conditional Uses. Improvements for the Institutional Uses on these sites are subject to special development standards, found in Sections 33.110.245, and 33.120.275. These standards are intended to ensure that institutional development is compatible with residential development in the area and that negative impacts on the surrounding residential area are limited.

**Land Use History:** City records include numerous prior land use reviews, including several from the 1960s and 1970s for various improvements to the college. Following is a list of these reviews:

CU 004-61	CU 55-63	CU 64-64	CU 48-67
CU 29-73	CU 15-74	V 24-75	CU73-79

Details on these reviews can be found in the 2001 master plan decision report. Other previous land use reviews for the site include:

**CU 10-83** 1983 Conditional Use approval for construction of an addition to the president’s residence at Warner Pacific College

**S(m) 17-89** 1989 application for 5-lot minor subdivision. No other information available.

**LUR 91-00140 CU** 1991 Conditional Use approval to construct a chapel and 21-space parking lot.

**LUR 93-00151 AD** 1993 approval of Adjustments for a residential property that was acquired by the college, at 2343-2348 SE 70<sup>th</sup>, to 1) reduce the number of on-site parking spaces from the required 5 to 3, and 2) increase the allowed density for the site, from 4 to 5 dwelling units, in order to add a new unit in the basement.

**LUR 99-00303 CU AD** 1999 Conditional Use approval to allow a wireless communication facility, on the roof of the Perry Gymnasium building, and associated equipment cabinets, located at the base of the building, with approval of an Adjustment to reduce the landscaped screening requirement for ground level equipment, from 10 feet in depth, at the L3 standard, to a 6-foot-high masonry wall, with no additional plantings. Approvals were subject to the approved plans and conditions that regulated the appearance of the facility.

**LUR 01-00288 CUMS (LU 01-007687)** 2001 Conditional Use Master Plan, approved in 2003, for phased development on the Warner Pacific campus. The approval was subject to expire at the end of 2010, due to lack of evidence that the transportation system would be adequate to support the proposed growth beyond that date. The approval allowed for an extension through 2013, if a submittal for an amendment was made by the end of 2010 that included an updated traffic impact analysis that showed that the transportation system would still be capable of meeting the demands placed upon by the college, in addition to the other uses in the area.

Adjustments were also approved, under this review,

- To waive the Transit Street Setback requirements for the demolition of existing structures and the proposed additions to existing buildings on campus and
- To allow the Alternative Sign Standards for Campus Gateway Features, as indicated in the Warner Pacific College Development Standards, and incorporating the retention of development rights for the existing signage at the Early Learning Center.

Approvals were based on the proposal as described in Exhibits A. 1-11 and as reflected on the approved Site Plans, Exhibits C. 1-12, and subject to the conditions that addressed requirements for permit submittals and copies of the approved master plan and also:

- C. Approval of vacation of the portion of SE Caruthers, east of SE 66<sup>th</sup> Avenue is required before building permits can be approved for a plan for the library/resource center that includes parking within the Caruthers Street right-of-way. If the applicants wish to proceed with construction of the library/resource center without approval of a street vacation for SE Caruthers, the alternative parking plan (Exhibit C-12) must be used.
- D. The Amended Warner Pacific Development Standards (Exhibit A-11) are adopted as a part of approval of this Conditional Use Master Plan. Future development on campus is subject to these standards, under the review procedures outlined in Condition J, below.
- E. On-site parking must be provided with each phase of development, as described in the proposal for the Master Plan. The college is to make every effort to discourage students from parking in the residential area on SE 70<sup>th</sup> Avenue.
- F. Future development on the Warner Pacific College campus must be located so that existing trees, shown on the Tree Survey (Exhibit C-10), are preserved, if at all possible, within the constraints of meeting Title 33 and Building Code requirements. This Condition allows flexibility on the placement and configuration of conceptually approved buildings and other structures and development, within the defined phasing areas, in order to preserve existing trees. Landscape plans are required for building permit submittals for each project and must indicate existing vegetation that will remain, as well as proposed new plantings. The Landscape Plan must also incorporate information on tree preservation and a plan for tree protection that meets the requirements of 33.248.065 and 068.
- G. Access for Fire Bureau emergency vehicles and distance to hydrants for both sprinkled and unsprinkled buildings must meet Policy B-1 requirements, at each phase, before building permits for that phase are approved.
- H. Street improvements are required, according to the timeline and specifications required by the City Engineer. The applicant will be required to dedicate an additional 4-feet of ROW to achieve a 12-foot-wide sidewalk corridor that includes a full 6-foot-wide pedestrian walkway and street trees on SE Division Street. Proposed improvements in the right-of-way on SE 68<sup>th</sup> Avenue are not a part of this approval and require approval through a separate process with Portland Transportation.
- I. Stormwater management for each phase must meet the requirements of the City's Stormwater Management Manual that is in effect at the time of application for building permits and must be approved by the Bureau of Environmental Services and the Bureau of Development Services.
- J. Future development on the Warner Pacific College campus will be subject to the following review procedures for the life of this Master Plan:
  1. Development that received conceptual approval through the Conditional Use Master Plan Review is not subject to further land use review, provided that the development complies with all Conditions of Approval, meets all relevant Development Standards of Title 32 and Title 33, except as adjusted through this review, and also meets the approved Warner Pacific Development Standards.
  2. Any future development that does not meet the approved Warner Pacific Development Standards, but otherwise meets the requirements listed above, can seek approval through a Type I Conditional Use Review. The burden of proof for approval of the review shall be limited to meeting Criterion 33.815.105 B and demonstrating that the proposal is generally compatible with the design of existing campus development.
  3. Development proposals that received conceptual approval through the Conditional Use

Master Plan or that otherwise do not require Conditional Use Review do not require concurrent Conditional Use Review or Master Plan Amendments if they include requests for Adjustments to Titles 32 and 33.

4. Development that received conceptual approval through the Conditional Use Master Plan Review, but that does not meet the approved phasing schedule can be approved through a Type I Master Plan Amendment, intended only for the purpose of modifying the approved phasing schedule. This includes requests that would extend the life of the plan up to the end of 2013. An updated Traffic Impact Study must be presented to Portland Transportation for their review at least 30 days prior to application for the review. The Approval Criteria for this review shall be as follows:

*The proposed modification to the approved Phasing Schedule will be approved if the following requirements are met,  
Associated nonconforming development upgrade requirements are reordered to reflect the change in phasing, and  
Adequate parking will be provided to meet the demand created by the proposed development.*

5. Any future development proposal that has not received conceptual approval as a part of this Master Plan Review or that does not comply with the conditions of approval or other aspects of the approved Master Plan will be reviewed as follows:
  - a. Projects that are 100 feet or less from SE Division St. or 50 feet or less from other perimeter property lines shall be reviewed through a Major Master Plan Amendment, if the project increases the floor area, parking area, numbers of staff or students, or vehicle trips by more than 10%, or through a Minor Master Plan Amendment, if the increase is 10% or less.
  - b. Projects that are interior to the site (more than 100 feet from SE Division St. or more than 50 feet from other perimeter property lines) shall be reviewed through a Type III Conditional Use Review if the project increases the floor area, parking area, numbers of staff or students or vehicle trips by more than 10%, or through Type II Conditional Use, if the increase is 10% or less.
  - c. The exception allowed in Title 33, Portland Zoning Code, Section 33.815.040 B.1 will still apply, allowing individual buildings or additions that are less than 1,500 square feet without review as a Master Plan Amendment or Conditional Use. In addition to the Code exception, increases in exterior development, such as walkways, that are associated with these small development projects are also exempt from further review requirements.
6. Final occupancy approval will not be granted for any proposed development until the related nonconforming upgrades have been completed. Deferment of nonconforming upgrade requirements for a particular development phase will expire if an application has not been made for building permits by the end of the last starting date of the next subsequent phase. Requests for changes to the approved plan for nonconforming upgrades will be reviewed as a Type II Conditional Use and Adjustment Review.

**LUR 02-126623 CU AD** Approval of 2002 Conditional Use request to allow installation of two rooftop PDS panel antennas on the A.F. Gray Hall administrative building, operating at no greater than 100 watts ERP, and also approval of an Adjustment to eliminate the required 10-foot deep landscaped buffer to the L3 standard around the ground-mounted accessory equipment, based on substantial conformance with the approved plans and subject to conditions for submittal of plans and required colors for painting and materials to be used for screening.

**LU 08-103723 CU AD** 2008 approval of Conditional Use Review for development that was not contemplated under the 2001 master plan. This development consisted of three additions, for improvements to Egtvedt East, Egtvedt West and McGuire South, with a cumulative floor area of 12,000 square feet. Removal of four parking spaces and the temporary use of two

modular buildings during construction and a revised schedule for upgrading nonconforming development (amending Condition of Approval J.6 of LU 01-0017687, aka LUR 01-00286) were also approved. This review also approved two Adjustments:

- To amend the phasing schedule for upgrades to nonconforming development by removing the dates from the phasing and allowing the upgrades to accompany each development phase, up to the Code-stated maximum of 10% of the project value, whenever each phase of the development occurred. A specific proposal for upgrades that would occur with the proposed development for the 2008 review was specified and the adjustment requested that this proposal for upgrades be considered adequate to accompany these development projects, even if the proposed upgrades were less than 10% of the project value.
- To waive the maximum Transit Street Setback standard for the additions proposed in the 2008 review.

These approvals were subject to conditions that included requirements for permit submittals and the following requirements:

- B. The proposed additions and the construction management area must be located so that existing trees, shown on the Tree Survey (Exhibit C-10), are preserved, if at all possible, within the constraints of meeting Title 33 and Building Code requirements. Landscape plans are required for building permit submittals and must indicate existing vegetation that will remain, as well as proposed new plantings. The Landscape Plan must also incorporate information on tree preservation and a plan for tree protection that meets the requirements of 33.248.065 and 068.
- C. Street improvements are required, according to the timeline and specifications of the City Engineer. At this time, the anticipated requirements include dedication of an additional 4-feet of ROW to achieve a 12-foot-wide sidewalk corridor that includes a full 6-foot-wide pedestrian walkway and street trees on SE Division Street.
- D. A nonconforming upgrade plan must accompany each development proposal that is submitted. Final occupancy approval will not be granted for any proposed development until the related nonconforming upgrades have been completed for that phase area. Requests for changes to the approved plan for nonconforming upgrades will be reviewed as a Type II Conditional Use and Adjustment Review. This condition amends Condition J.6 of LU 01-007687 (LUR 01-00288) for all development for the Warner Pacific campus, including the development that was conceptually approved in the 2001 Master Plan. Other Conditions of Approval of the Master Plan continue to apply to the development that was proposed and approved in the 2001 review.
- E. The proposed modular buildings must be removed from the site within one month of the time that final occupancy is approved for the proposed additions. Removal of the modular buildings will not trigger a situation where the site is moving further out of compliance with the Maximum Transit Street Setback Standard. The proposed additions to the existing buildings are subject to the Warner Pacific Development Standards, adopted in the approval of LU 01-007687 (LUR 01-00288). The two modular buildings are not subject to these standards.

**LU 10-200934 CUMS** Approval of an Amendment to the Warner Pacific College Master Plan (LU 01-007687 CU MS AD and also to LU 08-103723 CU AD) to extend the approvals through December 31 (or the last business day) of 2013, removing the proposed start and end-dates of the development phases and approving the proposed project-by-project plan for nonconforming upgrades, in general compliance with the approved site/phasing plan, Exhibit C-1. Relevant conditions of approval for previous, post-1981 land use reviews, including LU 01-007687 CU MS AD and LU 08-103723 CU AD were carried forward as a part of the approval.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **February 14, 2013**. The following Bureaus have responded, electronically, to indicate that there are no issues or concerns related approval of this review:

- Environmental Services
- Site Development Section of BDS
- Parks-Forestry Division

The following bureaus provided written responses that indicated no concerns, but also provided information for the applicants regarding building permit submittal requirements:

- Transportation Engineering noted that no impacts are expected, as the applicants have stated that there will be no change in the numbers of staff or students and the applicants will continue to implement their adopted Transportation Management Demand (TDM) plan and the traffic analysis that was reviewed in 2010 covers all activities through 2013 (Exhibit E-1).
- Water Bureau noted that, although there do not appear to be any issues related to the proposed development, the bureau will require the consolidation of separate parcels under on tax account before they give approval to building permits (Exhibit E-2).
- Fire Bureau stated that all applicable Fire Code requirements apply at the time of building permit review and development (Exhibit E-3).
- Police Bureau provided a response that noted that the Bureau is capable of serving the proposed change at this time. The response also recommended that on-site persons and the developer work with the East Precinct Commander on any public safety issues or concerns (Exhibit E-4).
- Life Safety Plan Review Section of BDS stated that a separate Building Permit is required and recommended that the applicant request a Preliminary Life Safety Meeting to verify building Code requirements. These include requirements that buildings on the same lot be reviewed to determine that there is adequate separation between them. The response also noted that a separate Mechanical Permit would be required. (Exhibit E-5).

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on February 14, 2013. No written responses have been 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**

#### **33.815.040 Review Procedures**

The procedures for conditional use reviews depend on whether the proposal is for a new conditional use, a change to another type of conditional use, or a modification to the development at an existing conditional use. The review procedure may also depend upon the type of use that is being proposed. This proposal is for an addition, to a previously existing institution at a site that is located in a residential zone. The proposed addition increases the floor area by more than 1,500 square feet, but less than 10% overall, and so requires approval through a Type II Conditional Use Review.

#### **33.815.105 Approval Criteria for Non Household Living Uses in R Zones**

These approval criteria apply to most conditional uses in R zones. The approval criteria allow institutions and other non household living uses in a residential zone which 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 residential area includes residentially-zoned properties within several blocks of the site. This area was previously defined as x to y.

The continued college use on the same property will not have any effect on the proportion of nonhousehold living uses in the residential area. The proposed addition is not intended to provide any additional student capacity and so it is not expected to create any significant increase in the intensity of the use. Therefore, these criteria are met.

**B. Physical compatibility.**

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

**Findings:** City-designated scenic resources are protected with an “s” or Scenic Resource Overlay Zone. There are no City-designated scenic resources at the site or adjacent to the site, therefore, this criterion does not apply.

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

**Findings:** The proposed addition will be consistent with the original structure, and since it will be located at the rear of the building, will not actually be readily visible off campus. The existing architectural character of the building and the setbacks and screening for the facility will be maintained, ensuring its continued compatibility with the surrounding area. Therefore, these criteria are 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.

**Findings:** No significant adverse impacts related to noise, glare from lights, late-night operations, odors or litter or privacy or safety issues are expected to result from this proposal. The addition is intended to provide better accommodations for already existing activities on the campus. Therefore, these criteria are met.

**D. Public services.**

1. The proposed use is in conformance with the street designations of the Transportation Element of the Comprehensive Plan;

**Findings:** The Transportation Element of the Comprehensive Plan places the following classifications on the streets that are adjacent to the site: Southeast Division Street is classified as a Neighborhood Collector, Major City Transit Street, City Bikeway, City Walkway, and Minor Truck Street. Southeast 66<sup>th</sup>, 68<sup>th</sup>, and 70<sup>th</sup> Avenues, and SE Caruthers Street are all classified as Local Service Streets for all transportation modes.

The classifications for the streets surrounding the site are noted above. The proposed addition will serve a use that has previously been found to be consistent with the intended use of streets with these classifications and continues to be consistent. Therefore, this criterion is met.

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:** Portland Transportation/Development Review has reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services and provided the following analysis:

The campus will continue to implement their adopted TDM plan. The current proposal will not include any additional staff, students, or activities that have not already been approved. As such, there will be no impacts on any transportation facilities. Therefore, 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:** The service agencies responded to indicate that public services are adequate to serve the proposal. This criterion is met.

- E. Area plans.** The proposal is consistent with any area plans adopted by the City Council such as neighborhood or community plans.

**Findings:** This site is not located within the boundaries of any adopted area plans. Therefore, this criterion does not apply.

**CONCLUSION:** All of the relevant criteria of the Conditional Use Review for the proposal to build an addition to Egtvedt Hall are met.

## 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.

**Per Code Section 33.700.110 B, all previous conditions of approval of land use reviews that have been conducted since 1981 still apply, unless they were amended or replaced in a subsequent land use reviews or changes to the Zoning Code.**

## CONCLUSIONS

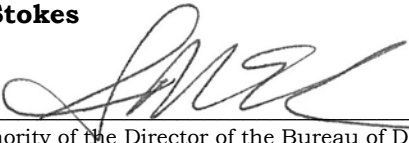
All of the relevant approval criteria for a Conditional Use Review for the proposed addition to Egtvedt Hall, at Warner Pacific College have been met. The proposal to construct a small addition to the north side of Egtvedt Hall will serve the existing uses. It will not increase the enrollment capacity or have any perceived impacts on City services or on the surrounding residential area. The proposal can be approved, in general compliance with the site plan and elevation drawings.

## ADMINISTRATIVE DECISION

Approval of a Conditional Use review, to allow construction of a 2,800 square-foot addition to Egtvedt Hall. Approval is subject to general compliance with the approved site plan and elevation drawings, Exhibits C-1 through C-4, signed and dated March 20, 2013, subject to the following condition:

- A. As part of the building permit application submittal, the following development-related conditions (B) must be noted on each of the 4 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 13-100064 CUMS ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."

**Staff Planner: Kathleen Stokes**

**Decision rendered by:**  **on March 20, 2013**

By authority of the Director of the Bureau of Development Services

**Decision mailed: March 22, 2013**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on January 2, 2013, and was determined to be complete on **February 12, 2013**.

*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 2, 2013.

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 five days, as stated with Exhibit A-3. Unless further extended by the applicant, **the 120 days will expire on: June 18, 2013**.

**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 decision 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.

**Appealing this decision.** This decision may be appealed to the Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on April 5, 2013** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will

be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**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.

- *Unless appealed*, The final decision may be recorded on or after **April 8, 2013**.
- 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 superceded; or
- As specified in the plan; or
- As otherwise specified in the final decision.

**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;

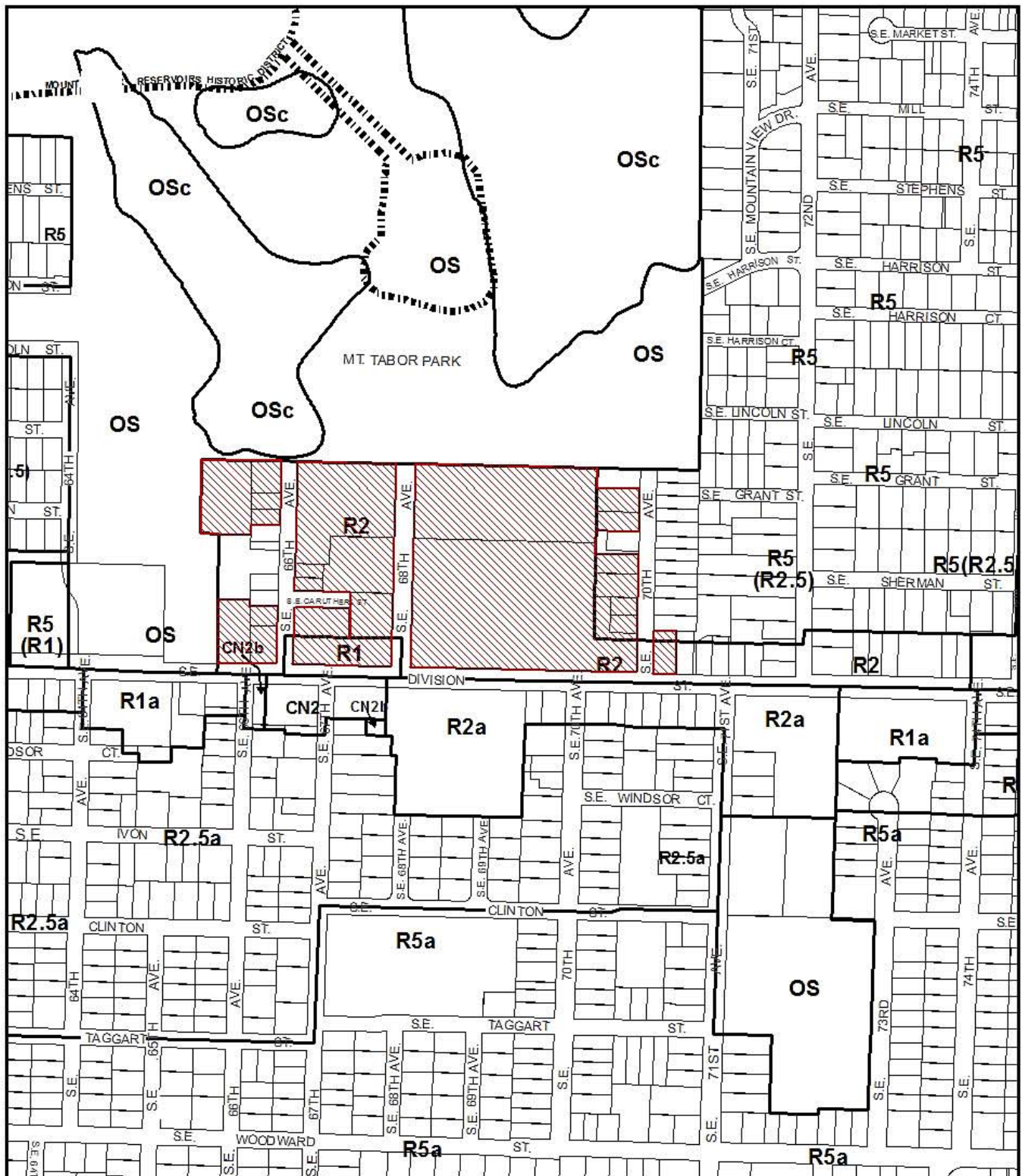
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Application and original plans and narrative
  - 2. Supplemental submittal, February 6, 2013
  - 3. Request to postpone decision, March 1, 2013
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Campus Site Plan (attached)
  - 2. Detail Site Plan for Egtvedt Hall Addition (attached)
  - 3. South Elevation Drawings (attached)
  - 4. West and North Elevation Drawings (attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Transportation Engineering and Development Review
  - 2. Water Bureau
  - 3. Fire Bureau
  - 4. Police Bureau
  - 5. Life Safety Plan Review Section of BDS
  - 6. Summary of electronic responses from City service agencies
- F. Correspondence: (none received)
- G. Other:
  - 1. Letter from Kathleen Stokes to Mark Schlichting, January 16, 2013

**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



NORTH

File No. LU13-100064 CU

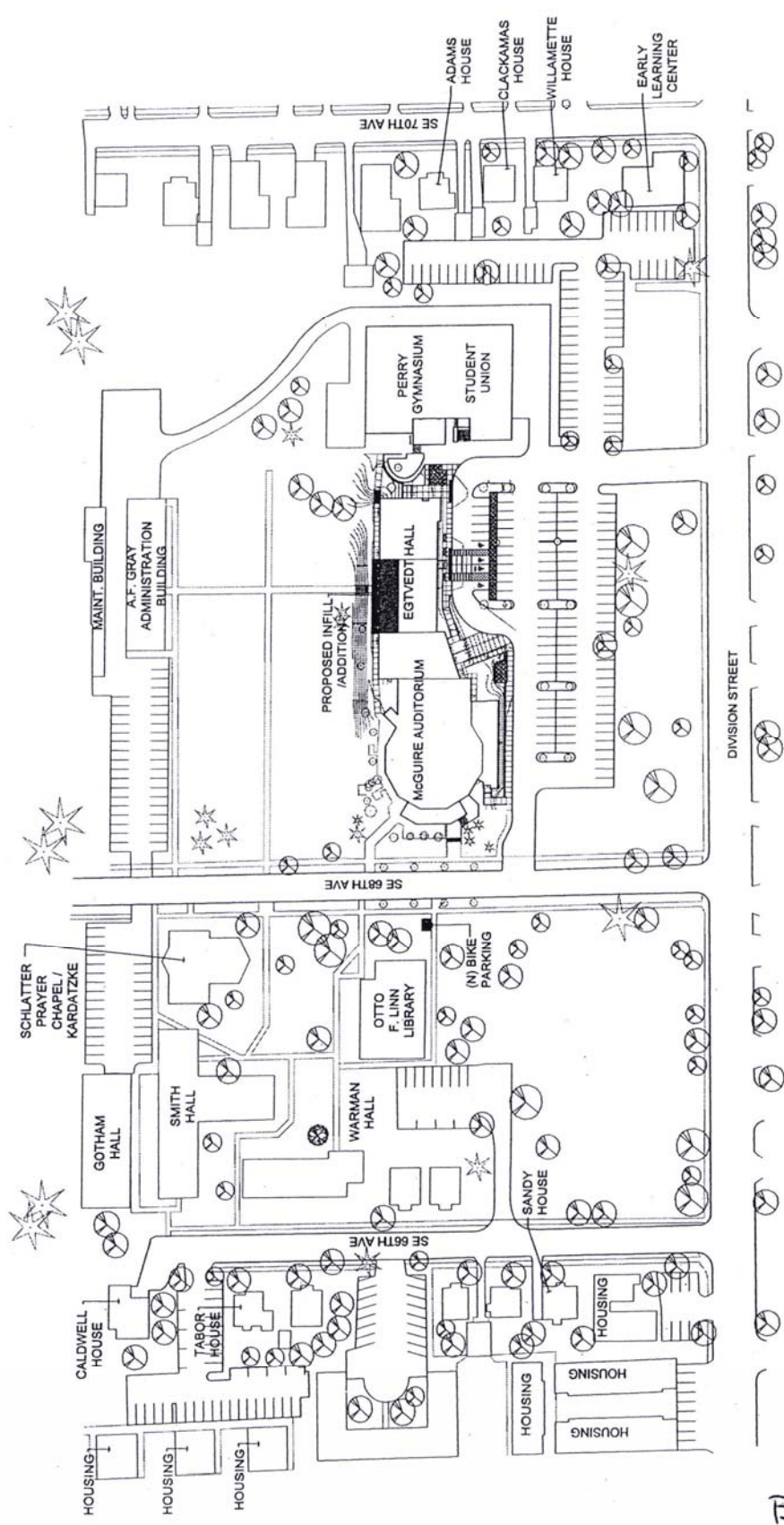
1/4 Section 3237

Scale 1 inch = 400 feet

State\_Id 1S2E05CD 5900

Exhibit B (Jan 03,2013)

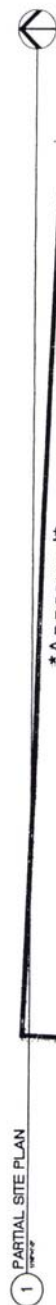




1 OVERALL SITE PLAN

\* Approved\*  
City of Portland - Bureau of Development Services  
Planner Kathleen A. Stokes Date March 20, 2013  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

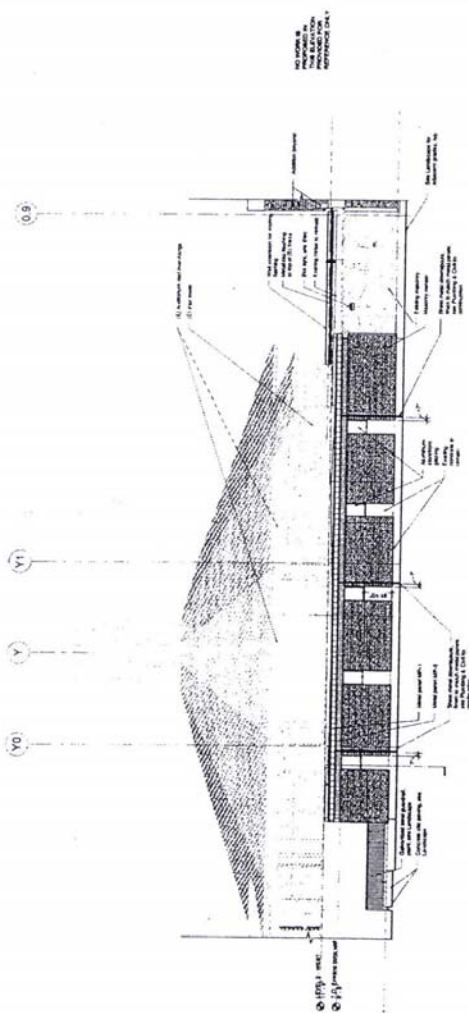
LU13-100064  
CU  
Exhibit C-1



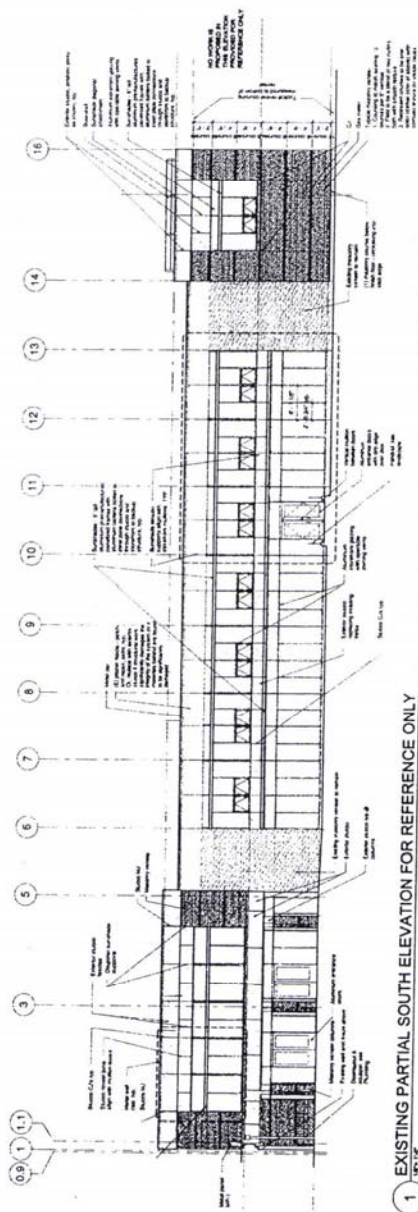
\*Approved\*  
City of Portland - Bureau of Development Services  
Planner Kathleen A. Stokes Date March 20, 2013  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LU 13-100064 CO  
Exhibit C-2





1 EXISTING PARTIAL SOUTH ELEVATION FOR REFERENCE ONLY

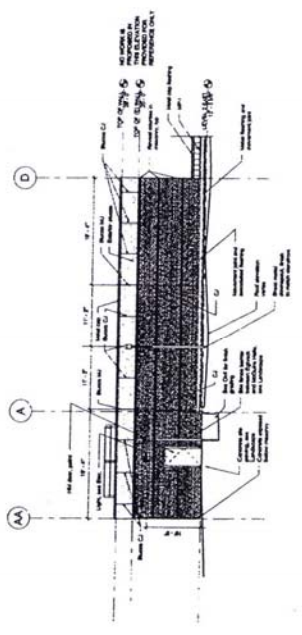


1 EXISTING PARTIAL SOUTH ELEVATION FOR REFERENCE ONLY

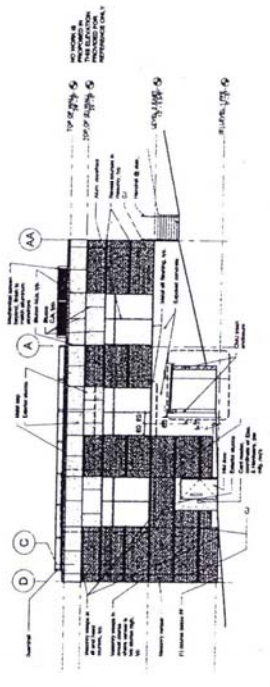
\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner Kathleen A. Stokes Date March 20, 2013  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LU 13-100064 CU  
 Exhibit C-3

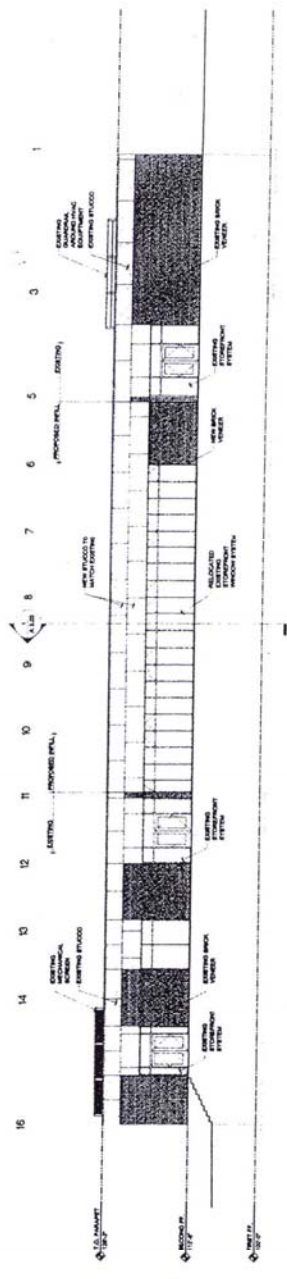




1 EXISTING EAST ELEVATION FOR REFERENCE ONLY



2 EXISTING WEST ELEVATION FOR REFERENCE ONLY



3 PROPOSED NORTH ELEVATION

LU 13-100064 CU  
 Exhibit C-4

\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planned *Kathleen A. Stokes* Date *March 20, 2013*  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.