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STAFF REPORT AND RECOMMENDATION TO THE HEARINGS OFFICER

CASE FILE: LU 12-179799 PR – Station Place Garage
Pre-App.: EA 11-185167 PC
REVIEW BY: Hearings Officer
WHEN: Wednesday November 14, 2012 @ 1:30 P.M.
WHERE: 1900 SW Fourth Ave., Suite 3000
Portland, OR 97201

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

BUREAU OF DEVELOPMENT SERVICES STAFF: MARK WALHOOD / MARK.WALHOOD@PORTLANDOREGON.GOV

GENERAL INFORMATION

Applicant: Steven Shain
Portland Development Commission
222 NW Fifth Ave
Portland, OR 97209

Representative/Contact:
Matthew Brown
Loci, Inc
3443 NE Couch St.
Portland, OR 97232

Property Owner: City of Portland (PDC)
222 NW 5th Ave
Portland, OR 97209-3812

Site Address: 1020 WI/ NW 9th Avenue

Legal Description: LOT 3, STATION PLACE, LOT 7, STATION PLACE
Tax Account No.: R793100150, R793100350
State ID No.: 1N1E34BB 01303, 1N1E34BB 1307
Quarter Section: 2929

Neighborhood: Pearl District, contact Patricia Gardner at 503-228-3273.
Business District: Pearl District Business Association, contact Adele Nofield at 503-223-0070.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Zoning: **EXd** (Central Employment base zone with Design overlay zone), **Central City Plan District/River District Subdistrict**

Case Type: **PR** (Central City Parking Review)

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

Proposal: Station Place Garage is an existing 411 space parking garage located immediately north of the Lovejoy ramp to the Broadway Bridge. The garage, which opened in 2004, is owned by the Portland Development Commission (PDC), and operated by City Center Parking via a contract with PDC. The garage was envisioned to serve a multi-block development to include senior housing, a grocery store, and other future phases of development, all east of NW 9th Avenue, underneath and north of NW Lovejoy, and west of the Union Station rail yard. This area was subdivided and reviewed through a Major Subdivision and Central City Master Plan in 2001, and is referred to as Station Place.

In order to construct the garage and an adjacent parking lot under the Lovejoy ramp just south of the garage, a Central City Parking Review (PR) was required. In November, 2001, the PR application was approved by the Hearings Officer subject to conditions of approval under case file # LUR 01-00406 PR. The 2001 PR approval was for 435 spaces, however only 411 spaces were ultimately constructed. Also, the PR approval assigned specific parking types to specific lots within Station Place, but the anticipated build-out on individual lots has changed since that time. Senior housing (Station Place Tower) was built on Lot 1 as anticipated, but Lot 2 developed as a office building (ZIBA Headquarters) instead of a grocery store, and Lot 4 will be developed as a hotel instead of housing. Given these changes, the applicant would like to re-allocate the existing parking spaces in the garage to a different mix of parking types and lots to be served, and to adjust the total number of parking spaces as built versus approved.

The proposed changes to the approval can be summarized in the following table:

	Garage (Lot 3)		Surface Lot (Lot 7)		
	Approved	**Proposed**	**Approved**	**Proposed**	**Reason for change**
TOTAL SPACES	**435**	**411**	**65**	**65**	Garage built with 24 fewer spaces than anticipated.
Lot 1: Residential Parking*	130	25	0	40	Station Place Tower using less parking than anticipated.
Lot 2: Growth Parking	75	70	65 shared with Lot 5	0	ZIBA office using less parking than allotted for grocery store.
Lot 4: Residential/ Hotel Parking	0	100	0	0	Marriott Residence Inn to be allocated 100 parking spaces.
Lot 5: Growth Parking	97	83	65 shared with Lot 2	25	Reduction in total spaces for future use on Lot 5.
Union Station Preservation Parking	60	60	0	0	No change
Visitor Parking	73	73	0	0	No change
***Note:** Lot 1 Residential parking is proposed to be re-classified as Residential/Hotel Parking.					

The site is subject to parking-related regulations in the Central City, specifically to the parking regulations for the River District 2 Parking Sector (33.510.265). Although the total number of parking spaces is being reduced, the changes in the types of parking and which lots they serve creates the need to amend the prior land use approval under LUR 01-00406 PR. Changes to conditions of approval use the current procedure type and approval criteria for the original review type (33.730.140.A), triggering a Type III Central City Parking Review for the above proposed changes.

Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are found at **33.808.100.A-O, Central City Parking Review Approval Criteria**.

ANALYSIS

Site and Vicinity: The site includes two adjacent parcels adjacent to the western access ramps for the Broadway Bridge, in Portland's Pearl District. The larger parcel is developed with an existing five-story garage, bound on the north by NW Marshall Street, on the east by NW Station Way, and on the south by NW Lovejoy Court. The smaller parcel to the south is located under the Lovejoy ramp to the Broadway Bridge, and is improved as a landscaped surface parking lot. On the same block as the garage and directly to the west is located a residential high-rise for senior citizens and an office building.

The surrounding area includes a broad range of uses and developments. Immediately east of the site is the Union Station rail yards, separated from NW Station Way by a metal fence and landscaping strip. Directly to the south, across the Lovejoy Ramp, are the yards and buildings of the Main U.S. Post Office. The remainder of the surrounding area is developed with mixed-use apartment and condominium buildings, office buildings, and the Union Station.

The adjacent frontages are all improved with paved roadways, on-street parking, and paved public sidewalks with street trees. The only exception to this arrangement is on the north side of NW Lovejoy Court west of Station Way, where a landscaped strip replaces the sidewalk: sidewalks are only located on the south frontage of NW Lovejoy Court adjacent to the site.

Zoning: The Central Employment (EX) base zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area. Parking garages are also allowed, subject to the Central City Parking regulations, which in this case require approval of the garage through a Central City Parking Review. The Design overlay zone is always applied in conjunction with the EX base zone, and seeks to preserve, enhance, and protect the special scenic, architectural, and cultural values of various areas throughout the City, including the entire River or Pearl District.

The Central City plan district implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation Management Plan. The Central City plan district implements portions of these plans by adding code provisions that address special circumstances existing in the Central City area.

Land Use History: City records indicate several prior land use reviews at the site. These include the following:

- *LUR 01-00281 SU MS* – Original Subdivision and Central City Master Plan for all of Station Place, including the land east of NW 9th Avenue, in and north of NW Lovejoy Street, and east to the mid-point of the north portion of the Union Station rail yards. Approved with conditions;
- *LUR 01-00406 PR* – Original Central City Parking Review for the Station Place Garage and the adjacent surface parking lot, with approval for specific parking types and lots to be served by the parking, including conditions of approval;
- *LUR 01-00776 DZM* – Approved Design Review approval for the Station Place Garage, the adjacent senior housing high-rise tower, and the surface parking lot under the Lovejoy Ramps to the Broadway Bridge, including approval of six Modifications through Design Review; and
- *LU 07-116749 DZ* – Approved Design Review for exterior changes to the design of the parking garage as approved under LUR 01-00776 DZM.

Agency Review: A "Request for Response" was mailed **October 12, 2012**. The following Bureaus have responded:

- The *Development Review Section of Portland Transportation* has reviewed the proposal and provided detailed responses to the relevant approval criteria, included later in this report. The *Development Review Section of Portland Transportation* has no objection to approval of the requested Central City Parking Review. Exhibit E.1 contains staff contact and additional information;
- The *Site Development Section of the Bureau of Development Services* has reviewed the proposal and responded without objections, comments, or concerns (Exhibit E.2); and
- The *Bureau of Environmental Services* has reviewed the proposal and responded without objections, comments, or concerns (Exhibit E.3).

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on October 22, 2012. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

33.808.100 General Approval Criteria for Central City Parking Review
The request will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

A. The proposal will not by itself, or in combination with other parking facilities in the area, significantly lessen the overall desired character of the area. The desired character of the area is determined by City-adopted area, neighborhood, or development plans; by Comprehensive Plan designations and zoning, and by allowed densities.

Findings: This criterion directs that the desired character of the area be discerned from 'City adopted area, neighborhood, or development plans; by Comprehensive Plan designations and zoning; and by allowed densities". Policy 14 of the Central City Plan provides a general overview of the desired character of the Central City area:

> "*Strengthen the Downtown as the heart of the region, maintain its role as the preeminent business location in the region, expand its role in retailing, housing and tourism and reinforce its cultural, educational, entertainment, governmental, and ceremonial activities*".

In addition to the above, Policy 17 of the Central City Plan provides a more refined description for the desired character of the River District, where the Station Place Garage is located. Policy 17 states:

> "*Extend downtown development throughout the River District that is highly urban in character and which creates a unique community because of its diversity; its existing and emerging neighborhoods housing a substantial resident population, providing jobs, services and recreation, and most important, its embrace of the Willamette River*".

Desired character can also be defined utilizing the Comprehensive Plan and Zoning designations for the property. The Station Place Garage parcel is designated EX on both the Comprehensive Plan and Zoning Maps. The EX zone is intended to foster the development of mixed-use development at a high intensity, reflecting the zone's application to traditional urban employment zones within or adjacent to the city center. The purpose statement for the EX zone, which defines the desired character of the zone, reads as follows (33.140.030.B):

> "*The EX zone implements the Central Employment map designation of the Comprehensive Plan. The zone allows mixed-uses and is intended for areas in the*

Central City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area. The development standards are intended to allow new development which is similar in character to existing development".

The previous CCPR approval reviewed the proposed parking facility within the context of a roughly 2-block area around the Station Place Garage. This area lies entirely within the River District of the Central City Plan area. Today this area includes a broad mix of housing types, office uses, neighborhood-serving retail establishments, entertainment uses, and transportation facilities such as Union Station, the Transit Mall, and the Greyhound Bus Depot. Aside from accessory residential and commercial parking garages attached to a specific building, and several surface parking lots sprinkled throughout the Old Town/Chinatown area, there are no other large multi-purpose parking garages in the River District.

In reviewing the above policy and Zoning and Comprehensive Plan Map designations, the proposed changes to the types of parking and lots served as proposed in this application will not significantly change the overall desired character of the area. This amendment to the original CCPR approval remains consistent with the goal of providing an urban level of development in the River District, supporting a mix of residential and commercial uses, and allowing a variety of retail, office, hotel, and other uses to develop at urban densities. The fundamental changes in the request include reducing the overall number of spaces approved, and re-allocating existing parking spaces to various lots in the Station Place Subdivision. No physical changes are proposed to the garage itself, nor will traffic increase beyond what was originally anticipated when the garage was approved.

The proposal will support the desired character of the area by supporting the proposed hotel use on Lot 4, by more efficiently using existing parking spaces in a previously approved garage, and by memorializing the slight reduction in number of parking spaces at the site in the garage as built versus approved. *Therefore, this criterion is met.*

B. The transportation system is capable of safely supporting the proposed facility in addition to the existing uses in the area. Evaluation is based on the transportation impact analysis and includes factors such as street capacity and level of service, on-street parking impacts, access requirements, impacts on transit operations and movement, impacts on the immediate and adjacent neighborhoods, and pedestrian and bicycle safety.

Findings: Portland Transportation staff has found that the above issues were addressed in the applicant's traffic impact assessment (Exhibit A.2). Preliminary findings indicate that the transportation system will safely and operationally accommodate the proposed facility in addition to the existing uses in the area. The project will not impact transit operations. Access to the parking facility is proposed via NW 6th Avenue and NW Station Way. No impacts are anticipated with regards to pedestrian or bicycle safety. *Therefore, this criterion is met.*

C. The parking facility is in conformance with the street classifications of the Central City Plan District and the Central City Transportation Management Plan.

Findings: The site will be accessed by a driveway along an extension of NW 6th Avenue (NW Station Way), which was not designated in the Central City Transportation Management Plan. Streets not specifically identified in the Central City Plan or the Transportation Element of the Comprehensive Plan are automatically designated as Local Service Streets. Access to parking facilities is a functional purpose of Local Service

Streets. The parking facility is in conformance with the street classifications of the Central City plan district and the Central City Transportation Management Plan. *Therefore, this criterion is met.*

D. If the proposal will generate more than 100 vehicle trips during the peak hour commute; and is Growth Parking or is Preservation Parking where the parking area is created through internal conversion of a building, by excavating under the building, or by adding gross building area to the building: The Transportation Management Plan includes measures to increase the number of trips taken by alternatives to the single-occupant vehicle during the peak hour commute.

Findings: In that this current proposal will result in fewer parking spaces than have previously been approved at the site, and no building conversion, addition, or excavation is proposed, *this criterion does not apply.*

E. If the site is in the RX zone, the parking will not by itself or in combination with other nearby parking, decrease the desirability of the area for the retention of existing housing or the development of new housing.

Findings: The site is in the EX zone, not the RX zone. *This criterion does not apply.*

F. If the site is within the areas shown on the "CCTMP Hot Spot Area Map," the carbon monoxide hot spot analysis meets Federal air quality standards, as determined by the Portland Department of Transportation and Oregon Department of Environmental Quality. The map is maintained by the Parking Manager.

Findings: The site is not within the area shown on the CCTMP Hot Spot Area Map. *This criterion does not apply.*

G. If the proposal is for Preservation Parking, and the parking is not under the same ownership as the buildings for which the parking is provided, criteria G.1 and G.2, below, apply. If the proposal is to convert Visitor Parking to Preservation Parking, criteria G.1 through G.3, below, apply.

1. The agreements between the garage operator and the owners of the buildings for which the parking is provided are for at least 10 years; and
2. For initial approval, the agreements cover 100 percent of the Preservation Parking.
3. The parking demand analysis shows there is not a need for Visitor Parking at this location.

Findings: No changes are proposed to the 60 Union Station Preservation Parking spaces as previously approved. *This criterion does not apply.*

H. If the proposal is for Visitor Parking, the parking demand analysis shows a need for this parking at this location. The analysis must show the following criteria are met:

1. At least 65 percent of the short term parking demand is from uses within 750 feet of the parking structure or lot; and
2. At least one of the following is met:
   a. There is a cumulative increase in short-term parking demand due to an overall increase in activity associated with existing or new retail or other visitor-related uses; or
   b. The parking will serve major new attractions or retail development, or
   c. There has been a significant loss of on-street parking due to recent public works projects, or
   d. There has been a significant loss of short-term parking spaces.

3. If the site is in an I zone, all of the following are met:
   a. The parking will primarily serve industrial firms;
   b. The parking facility will not have significant adverse effects on nearby industrial firms; and
   c. The parking facility will not significantly alter the overall industrial character of the area, based on the existing proportion of industrial and non-industrial uses and the effects of incremental changes.

   Findings: No changes are proposed to the 73 Visitor Parking spaces as previously approved. *This criterion does not apply.*

I. If the site is in the Core Area:

1. If the proposal is for Growth, Visitor, or Residential/Hotel Parking: The parking management plan supports alternatives to the single-occupant commuting vehicle through accommodations for carpooling, short-term parking, and other demand management measures appropriate to the type, size, and location of the parking facility, and consistent with the Central City Transportation Management Plan. If the proposal is for Visitor Parking, the parking management plan ensures that the parking will be primarily used for short-term parking.

2. If the proposal is for Preservation Parking:
   a. There are adequate spaces in the Replacement Reserve or Pool, which are administered by the Parking Manager; and
   b. The Parking Management Plan includes measures to ensure that:
      (1) The parking is used primarily for commitments of at least 10 years to buildings that have less than 0.7 parking spaces per 1,000 square feet of net building area, and
      (2) Other uses of the parking will occur only when the spaces are not used by the contracted parkers.

3. If the proposal is for Growth or Visitor Parking on a surface parking lot:
   a. It will be an interim use only, as documented by the phased development plan;
   b. The phased development plan ensures that the later phases of development are realistically feasible, taking into account such factors as location of buildings on the site and zoning of the site; and
   c. The first phase of development in the phased development plan includes creation of gross building area, and uses other than parking.

4. If the proposal is for Residential/Hotel Parking on a surface parking lot, and the parking will serve a residential use, either I.4.a or I.4.b, below, apply.
   a. If the total surface parking area on the site is 40,000 square feet or less and the parking is an interim use, the criteria of Paragraph I.3, above, are met; or
   b. If the total surface parking area on the site is more than 40,000 square feet or the parking is not an interim use, the Parking Management Plan includes measures to ensure that the surface parking is serving only the residential uses.

5. If the proposal is for new access for motor vehicles within 75 feet of a Light Rail Alignment, but not on the alignment itself, criteria I.5.a through I.5.c, below, apply. If the proposal is for new access for motor vehicles on a Light Rail Alignment, criteria I.5.a through I.5.e, below, apply.
   a. There will not be a significant adverse impact on transit operations;

b. There will not be a significant adverse impact on operation and safety of vehicle and bicycle circulation;
c. There will not be a significant adverse impact on the overall pedestrian, bicycle, and transit environment and safety. A driveway is not automatically considered such an impact. On blocks where stations are located, the pedestrian environment on both sides of the streets will be considered and protected;
d. Motor vehicles can enter and exit the parking facility without being required to cross the tracks of a light rail alignment;
e. The development includes at least 0.8 FAR of retail, office, hotel or residential development in the same structure and on the same block as the parking. The retail, office, hotel or residential development must be on multiple levels. For purposes of this paragraph, net building area will be counted towards this requirement if any portion of the floor to be counted is at or above any adjacent grade.

6. If the proposal is for a parking structure—a building where parking occupies more than 50 percent of the gross building area—within 100 feet of Fifth and Sixth Avenues between NW Glisan and SW Mill Streets:
   a. There will not be a significant adverse impact on the overall pedestrian environment and safety;
   b. There will not be a significant adverse impact on vehicle operation and safety, and
   c. The development includes at least 0.8 FAR of retail, office, hotel or residential development in the same structure and on the same block as the parking. The retail, office, hotel or residential development must be on multiple levels. For purposes of this paragraph, net building area will be counted towards this requirement if any portion of the floor to be counted is at or above any adjacent grade.

   Findings: The site is not in the Core area, but is in the River District north of Burnside. *This criterion does not apply.*

J. If the site is outside the Core Area:

1. If the proposal is for Growth or Visitor Parking: The parking management plan supports alternatives to the single-occupant commuting vehicle through accommodations for carpooling, short-term parking, and other demand management measures appropriate to the type, size, and location of the parking facility, and consistent with the Central City Transportation Management Plan. If the proposal is for Visitor Parking, the parking management plan ensures that the parking will be primarily used for short-term parking.

   Findings: The Parking Management Plan identifies five percent, or five parking spaces, that will be reserved for carpoolers as part of the Growth Parking requirements on a district-wide basis. These spaces will be signed at a preferential location, such as near an elevator or on the first parking level. The applicant will also support other alternatives to single-occupant commuting by including three additional carpool-designated spaces at Union Station and approximately 204 parking spaces for various short-term uses. *Therefore, this criterion is met.*

2. If the proposal is for new access for motor vehicles within 75 feet of a Light Rail Alignment, but not on the alignment itself, criteria J.2.a through J.2.c, below, apply. If the proposal is for new access for motor vehicles on a Light Rail Alignment, criteria J.2.a through J.2.d, below, apply.
   a. There will not be a significant adverse impact on transit operations;

b. There will not be a significant adverse impact on operation and safety of vehicle and bicycle circulation;
c. There will not be a significant adverse impact on the overall pedestrian, bicycle, and transit environment and safety. A driveway is not automatically considered such an impact. On blocks where stations are located, the pedestrian environment on both sides of the streets will be considered and protected; and
d. Motor vehicles can enter and exit the parking facility without being required to cross the tracks of a light rail alignment.

Findings: The site is not within 75 feet of a Light Rail Alignment. *This criterion does not apply.*

K. If the site is in the Lloyd District Subdistrict, Goose Hollow Subdistrict, Central Eastside Subdistrict, Lower Albina Subdistrict or River District Sectors 1 or 2:

1. If the proposal is for Growth or Visitor Parking: The parking management plan supports alternatives to the single-occupant commuting vehicle through accommodations for carpooling, short-term parking, and other demand management measures appropriate to the type, size, and location of the parking facility, and consistent with the Central City Transportation Management Plan. In addition:
   a. If the proposal is for Visitor Parking, the parking management plan ensures that the parking will be primarily used for short-term parking; and
   b. If the proposal is for Growth Parking to serve office uses, and there are more than 60 spaces included that will serve non-office uses: The parking management plan ensures that there is operational or physical separation of the office and non-office parking, so that the office users do not have access to the non-office parking.

   Findings: The Parking Management Plan identifies five percent, of five parking spaces, that will be reserved for carpoolers as part of the Growth Parking requirements on a district-wide basis. These spaces will be signed at a preferential location. The Visitor Parking spaces shown in the Parking Management Plan will be physically separated from the monthly parking and will be primarily used for short-term parking. *Therefore, these criteria are met.*

2. If the proposal is for Preservation Parking, the parking management plan includes measures to ensure that:
   a. If the parking will serve office uses, the parking is used primarily for buildings that have less than the maximum ratio allowed for the parking sector, and
   b. If the parking will serve both office and non-office uses, and there are more than 60 spaces included that will serve non-office uses: The parking management plan ensures that there is operational or physical separation of the office and non-office parking, so that the office users do not have access to the non-office parking; and
   c. Other uses of the parking will occur only when the building contracting for the parking does not need the spaces.

   Findings: No changes are proposed to the 60 previously-approved Preservation Parking spaces. *This criterion does not apply.*

3. If the proposal is for Growth or Preservation Parking for non-office uses, and there will be more than 60 spaces on the site:
   a. There will not be a significant adverse impact on transit operations;

b. There will not be a significant adverse impact on operation and safety of vehicle and bicycle circulation; and
c. There will not be a significant adverse impact on the overall pedestrian, bicycle, and transit environment and safety. A driveway is not automatically considered such an impact.

Findings: There is a net decrease in Growth Parking proposed, and no changes to Preservation Parking for non-office uses. *This criterion does not apply.*

4. If:
   a. The site is in a C, E, OS, or R zone;
   b. The proposal is for Growth, Preservation, Visitor, or Residential/Hotel Parking; and
   c. The site is in the Lloyd District Subdistrict, Goose Hollow Subdistrict, or Central Eastside Sectors 2 or 3, and the proposal is for a surface parking lot where the total surface parking area on the site is larger than 40,000 square feet in area; or
   d. The site is in the Lower Albina Subdistrict; Central Eastside Sectors 1, 4, 5, or 6; or River District Sectors 1 or 2; and the total surface parking area on the site is larger than 40,000 square feet in area, or the parking area covers more than 30 percent of the site, whichever is larger;

   The following must be met:
   e. The amount of parking area larger than 40,000 square feet will be an interim use only, as documented by the phased development plan;
   f. The phased development plan ensures that the later phases of development are realistically feasible, taking into account such factors as location of buildings on the site and zoning of the site; and
   g. The first phase of development in the phased development plan includes creation of gross building area, and uses other than parking.

   Findings: The site is in an E zone, and in the River District Parking Sector 2, but the surface parking area is only 25,619 square feet, and less than 30 percent of the total site area. *Therefore, this criterion does not apply.*

L. If the site is in the Lloyd District, and the proposal is for Preservation Parking: There are adequate spaces in the Replacement Reserve, which is administered by the Parking Manager.

Findings: The site is not in the Lloyd District. *This criterion does not apply.*

M. If the site is in the Goose Hollow Subdistrict, and the proposal is for Undedicated General Parking:
1. The facility will provide parking primarily to those whose destination or residence is within the boundaries of the Goose Hollow Neighborhood, as shown on the most recent Neighborhood Boundaries Map published by the Office of Neighborhood Involvement. Long-term parking by others is prohibited. Short-term parking may be made available to others if it is coupled with a mechanism to ensure it is short-term parking. A parking management plan will be submitted to document how this criterion will be met;
2. The number of spaces provided is the same or less than the number of parking spaces being removed by the light rail construction;
3. The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, access requirements, and neighborhood impacts;

4. The proposal will not by itself, or in combination with other parking facilities in the area, significantly affect the character of the area by discouraging housing and commercial uses which are compatible with a growing community;
5. If the proposal is for a surface parking lot, the proposed parking area will meet or exceed the landscaping and screening standards applicable to the site and for parking areas;
6. Design of the facility will provide for a safe and attractive pedestrian environment. Evaluation factors include the following: number and location of curb cuts; visibility at curb cuts; and adequate separation, landscaping, and screening between the sidewalk and surface parking areas to reduce the impact on adjacent public and private spaces; and
7. If the proposed access to the facility is within 75 of a light rail alignment, the access should be as far as possible from the light rail alignment. Access will be onto the right-of-way proposed for or containing the light rail alignment only if no other access is feasible.

Findings: The site is not in the Goose Hollow Subdistrict. *This criterion does not apply.*

N. If the site is in the South Waterfront subdistrict and the proposal is for surface parking:

1. If the proposal is for parking on a surface lot where the total surface parking area on the site exceeds the threshold of Paragraph N.3., below, criteria N.4.a. through N.4.c., below, apply. If the site is in an R, C, E, or OS zone; and is for Growth, Preservation, Visitor, or Residential/Hotel Parking; and is not created in conjunction with a regional attractor, criteria N.4.d. through N.4.f., below, also apply.
2. If the proposal is for Growth or Preservation parking on a surface lot, and if the proposal includes supplemental parking as specified in Subparagraph 33.510.267.A.3.b., criteria N.4.a. through N.4.f., below, apply.
3. Threshold: The amount of surface parking area on the site is larger than 40,000 square feet, or the parking area covers more than 30 percent of the site, whichever is larger.
4. Approval criteria:
   a. There will not be a significant adverse impact on transit operations;
   b. There will not be a significant adverse impact on operation and safety of vehicle and bicycle circulation;
   c. There will not be a significant adverse impact on the overall pedestrian, bicycle, and transit environment and safety. A driveway is not automatically considered such an impact;
   d. Interim use.
      (1) If the amount of parking area exceeds the threshold in Paragraph N.3, above, the amount of parking area that exceeds the threshold will be an interim use only, as documented by the phased development plan; and
      (2) If the proposal includes supplemental parking as specified in Subparagraph 33.510.267.A.3.b., the supplemental parking will be an interim use only, as documented by the phased development plan;
   e. The first phase of development in the phased development plan includes creation of gross building area, and uses other than parking; and
   f. The phased development plan ensures:
      (1) That the later phases of development are realistically feasible, taking into account such factors as location of buildings on the site and zoning of the site; and
      (2) After the final phase is built, the threshold in Paragraph N.3, above, will not be exceeded.

Findings: The site is not in the South Waterfront Subdistrict. *This criterion does not apply.*

O. If the site is in the South Waterfront subdistrict and the proposal is for residential parking that will be operated as commercial parking, the proposal must meet the approval criteria for Visitor Parking in the South Waterfront subdistrict.

Findings: The site is not in the South Waterfront Subdistrict. *This criterion does not apply.*

DEVELOPMENT STANDARDS

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

CONCLUSIONS

The proposal is essentially a 'clean-up' request to modify the prior Central City Parking Review approved for the Station Place Garage. Slightly fewer spaces were constructed in the garage than approved, and parking spaces are being re-allocated within the Station Place Subdivision to reflect actual parking space usage at the senior housing tower on Lot 1, and to provide parking spaces for a pending new hotel on Lot 4. Based on the information and traffic engineer memo provided by the applicant, the request is able to meet the applicable criteria and should be approved.

TENTATIVE STAFF RECOMMENDATION

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

Approval of **Central City Parking Review** to make changes to the total number of parking spaces and parking types at the Station Place Garage and adjacent surface parking lot as indicated in the following table:

	Garage (Lot 3)		Surface Lot (Lot 7)		
	Approved	**Proposed**	**Approved**	**Proposed**	**Reason for change**
TOTAL SPACES	**435**	**411**	**65**	**65**	Garage built with 24 fewer spaces than anticipated.
Lot 1: Residential Parking*	130	25	0	40	Station Place Tower using less parking than anticipated.
Lot 2: Growth Parking	75	70	65 shared with Lot 5	0	ZIBA office using less parking than allotted for grocery store.
Lot 4: Residential/ Hotel Parking	0	100	0	0	Marriott Residence Inn to be allocated 100 parking spaces.
Lot 5: Growth Parking	97	83	65 shared with Lot 2	25	Reduction in total spaces for future use on Lot 5.
Union Station Preservation Parking	60	60	0	0	No change
Visitor Parking	73	73	0	0	No change
***Note:** Lot 1 Residential parking is proposed to be re-classified as Residential/Hotel Parking.					

No conditions of approval or building/zoning permits are necessary in this case, as the parking exists today. Operational changes at Station Place Garage on Lot 3 and the adjacent Surface Lot

on Lot 7 can be made effective once the final decision in this case is recorded with Multnomah County.

Procedural Information. The application for this land use review was submitted on September 6, 2012, and was determined to be complete on Sep 27, 2012.

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 September 6, 2012.

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 did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on January 25, 2012.**

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

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

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

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

This report is not a decision. The review body for this proposal is the Hearings Officer who will make the decision on this case. This report is a recommendation to the Hearings Officer by the Bureau of Development Services. The review body may adopt, modify, or reject this recommendation. The Hearings Officer will make a decision about this proposal within 17 days of the close of the record. Your comments to the Hearings Officer can be mailed c/o the Hearings Officer, 1900 SW Fourth Ave., Suite 3100, Portland, OR 97201 or faxed to 503-823-4347.

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

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

Who can appeal: You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. Appeals must be filed within 14 days of the decision. **Appeals must be filed within 14 days of the decision. An appeal fee of $1,725.50 will be charged (one-half of the BDS application fee, up to a maximum of $5,000).**

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

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

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

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

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

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

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

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

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

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

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:

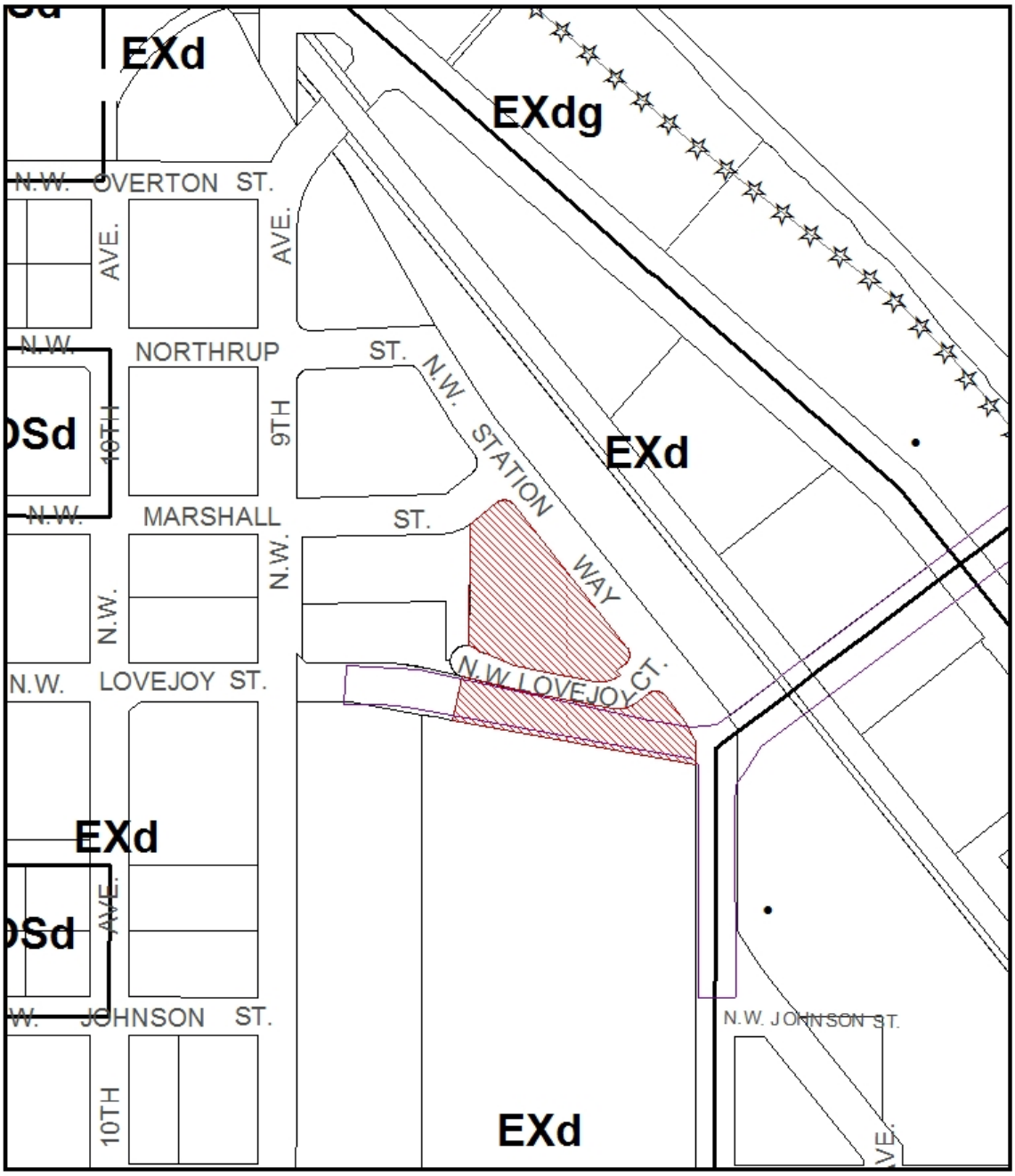
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

Planner's Name: Mark Walhood
Date: November 2, 2012

EXHIBITS
NOT ATTACHED UNLESS INDICATED

A. Applicant's Statement:
   1. Original application narrative
   2. Traffic engineer memo
B. Zoning Map (attached):
C. Plans & Drawings:
   1. Station Place Lot Map and Parking Change Summary Table (attached)
D. Notification information:
   1. Request for response
   2. Posting information and notice as sent to applicant
   3. Applicant's statement certifying posting
   4. Public hearing notice with mailing list
   5. Mailed public notice
   1. Mailed notice
E. Agency Responses:
   1. Development Review Section of Portland Transportation
   2. Site Development Section of Bureau of Development Services
   3. Bureau of Environmental Services
F. Letters:
   1. (*none received at time of staff report publication*)
G. Other:
   1. Original LUR Application Form and Receipt

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

Historic Landmark

NORTH

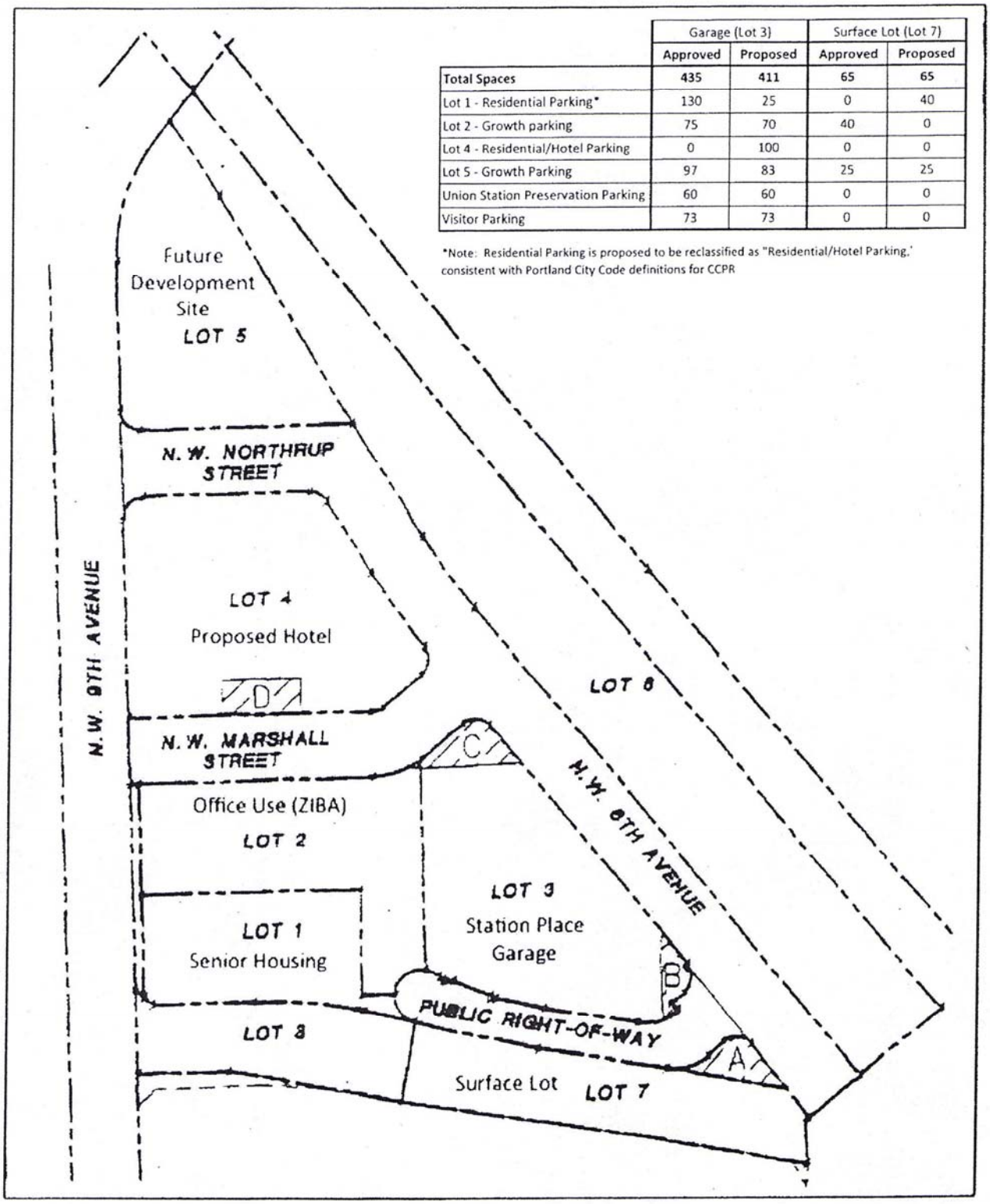
This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	LU 12-179799 PR
1/4 Section	2929
Scale	1 inch = 200 feet
State_Id	1N1E34BB 1303
Exhibit	B (Sep 28,2012)

Figure 1 – Station Place Lots and Current/Proposed Parking Allocations

	Garage (Lot 3)		Surface Lot (Lot 7)	
	Approved	Proposed	Approved	Proposed
Total Spaces	**435**	**411**	**65**	**65**
Lot 1 - Residential Parking*	130	25	0	40
Lot 2 - Growth parking	75	70	40	0
Lot 4 - Residential/Hotel Parking	0	100	0	0
Lot 5 - Growth Parking	97	83	25	25
Union Station Preservation Parking	60	60	0	0
Visitor Parking	73	73	0	0

*Note: Residential Parking is proposed to be reclassified as "Residential/Hotel Parking,' consistent with Portland City Code definitions for CCPR



Exh. C.1.
LU 12-179799 PR