

City of Portland

Bureau of Development Services

Land Use Services Division

1900 SW Fourth Ave. Suite 5000 Portland, Oregon 97201 Telephone: 503-823-7300 TDD: 503-823-6868 FAX: 503-823-5630

www.portlandonline.com/bds

Date: October 7, 2008 To: Interested Person

From: Mark Walhood, City Planner

mwalhood@ci.portland.or.us

503-823-7806

NOTICE OF A TYPE IIX DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 07-184826 DZM IM (Concordia Athletic Field & Parking Lots #4-5)

GENERAL INFORMATION

Applicant: Concordia University

Attn.: Denny Stoecklin, CFO

2811 NE Holman St

Portland, Oregon 97211-6067

Contact/Applicant's Representative:

Theresa Paulson, Planner

Group Mackenzie P.O. Box 14310

Portland, Oregon 97293

Property Owners (within Concordia University Campus/Impact Mitigation Plan Boundary):

Concordia University 2811 NE Holman Street Portland, Oregon 97211

Lutheran Church Missouri Synod

2811 NE Holman St

Portland, OR 97211-6067

Elizabeth and Mary E. Adams

6441 NE 30th Ave

Portland, OR 97211-6606

Edward G. and Jean M. Slaughter

6337 NE 27th Ave

Portland, OR 97211-6069

Jane E. Graham 2735 NE Liberty St

Portland, OR 97211-5946

Harvey P. and Lillian L. Mc Laughlin

6617 NE 27th Ave

Portland, OR 97211-6056

Michael M. and Sandra K. Toner

(503) 280-9371

(503) 224-9560

6645 NE 27th Ave

Portland, OR 97211-6056

Nolan and Dorothy Bremer

6315 NE 27th Ave

Portland, OR 97211-6069

Michael P. Hathaway 6437 NE 27th Ave

Portland, OR 97211-6054

Don C. and Dolores Sharadin

2635 NE Liberty St

Portland, OR 97211-5944

Robert W Meyer 6705 NE 27th Ave

Portland, OR 97211-5913

Randal R. Shoquist

6717 NE 27th Ave

Portland, OR 97211-5913

Jung H. and Kim A. Suh

11130 SW Chickadee Ter

Beaverton, OR 97007

Site Address: 2823 NE HOLMAN ST (Primary Campus Address)

Tax Account Nos.: R421308360, R421308390, R421312260, R421312280, R421312300,

R421312320, R421312490, R421312520, R421312540, R421312570, R421312680, R421321230, R421321270, R421321290, R421321360, R421321380, R421321390, R421321400, R421322770, R421322780, R421322790, R421322800, R421322810, R421322820, R421322830, R421322840, R421322860, R421322880, R421322920, R421322940, R421322980, R421323000, R421323080, R421323090, R421323100, R421323110, R421323120, R421323130, R421323140, R421323150, R421323160, R421323180, R421323190, R421323200, R421323200, R421323200, R421323200, R4213233200, R4213233200, R421323340, R421323350, R421323360, R421323370, R421323330, R421323340, R421323340, R421323400, R421323400, R421323440, R421323450, R421323440, R421323450, R421323460, R421323470, R421323480, R421323490, R421323590, R421323600, R421323610, R421323620, R421323630, R421323640, R421323650, R421323660, R421323670, R421323660, R421323670,

R421323630, R421323640, R421323650, R421323660, R421323670, R809201070, R809201090, R809201110, R809201150, R941130360

State ID Nos.: 1N1E13CB 05700, 1N1E13CB 00200, 1N1E13CA 09400, 1N1E13CA 09500,

1N1E13CA 09300, 1N1E13CA 08800, 1N1E13CA 09200, 1N1E13CA 09100, 1N1E13CA 09000, 1N1E13CA 08900, 1N1E13CA 08700, 1N1E13CB 00500, 1N1E13CB 00400, 1N1E13CB 00300, 1N1E13CB 05600, 1N1E13CB 05500, 1N1E13CB 05400, 1N1E13CB 05300, 1N1E13CB 01300, 1N1E13CB 01200, 1N1E13CB 01100, 1N1E13CB 01000, 1N1E13CB 00900, 1N1E13BC 08300, 1N1E13BC 08400, 1N1E13BC 08500, 1N1E13BC 08100, 1N1E13BC 08000, 1N1E13BC 08200, 1N1E13CB 00800, 1N1E13CB 00700, 1N1E13CB 00600, 1N1E13BC 07900, 1N1E13BC 06200, 1N1E13BC 06300, 1N1E13BC 06400, 1N1E13BC 06500, 1N1E13BC 06600, 1N1E13BC 06700, 1N1E13BC 06800, 1N1E13BC 06900, 1N1E13BC 07000, 1N1E13BC 07100, 1N1E13BC 07200, 1N1E13BC 07300, 1N1E13BC 07400, 1N1E13BC 07500, 1N1E13BC 07600, 1N1E13BC 07700, 1N1E13BC 07800, 1N1E13BC 04600, 1N1E13BC 04700, 1N1E13BC 04800, 1N1E13BC 04900, 1N1E13BC 05000, 1N1E13BC 05100, 1N1E13BC 05200, 1N1E13BC 05300, 1N1E13BC 05400, 1N1E13BC 05500, 1N1E13BC 05600, 1N1E13BC 05700, 1N1E13BC 05800, 1N1E13BC 05900, 1N1E13BC 06100, 1N1E13BC 06000, 1N1E13BC 13700, 1N1E13BC 13800,

Quarter Sections: 2333, 2433 Neighborhood: Concordia,

Concordia, contact George Bruender at 503-287-4787.

North-Northeast Business Assoc, contact Joyce Taylor at 503-445-1321.

Northeast Coalition of Neighborhoods, contact Lauren McCartney at 503-

1N1E13BC 13900, 1N1E13BC 14000, 1N1E13BC 14100, 1N1E13BC 14200, 1N1E13BC 14300, 1N1E13BC 14400, 1N1E13BC 14500, 1N1E13BD 09600, 1N1E13BD 09500, 1N1E13BD 09800, 1N1E13BD 09900, 1N1E13CB 00100

823-4135.

Zoning: R5ah, R5ah (IRd), IRdh, CN2h - Single-Dwelling Residential 5,000 (R5),

Institutional Residential (IR) and Neighborhood Commercial 2 (CN2) base zoning, with portions of the site also including the "a" or Alternative Design Density overlay zone, the "d" or Design overlay zone, and the "h" or Aircraft Landing overlay zones. Many of the R5-zoned properties also include the IRd Comprehensive Plan Map designation, as indicated by a

parenthetical notation on the zoning maps.

Case Type: DZM IM (Design Review, Modifications through Design Review, Impact

Mitigation Plan Compliance Review, Impact Mitigation Plan Amendment) **Type II**, an administrative decision by Bureau of Development Services

Staff that can be appealed to the Design Commission (DZ portion) and/or

the Land Use Hearings Officer (IM portion).

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Business District:

District Coalition:

Procedure:

Proposal: Concordia University (hereinafter Concordia) received approval of an Impact Mitigation Plan (IMP) for a 15-year program of campus improvements in 2002 (LU 02-106366 IM). Per conditions of approval in the IMP, Concordia must receive City land use approval for various elements and phases of campus improvements over time, depending on the project size and location. The 2002 IMP approved, in concept, the development of a large athletic field and two parking lots on a future 'superblock' between NE 27th and NE 29th Avenues, and between NE Liberty and NE Dekum Streets, on the north edge of campus. Per conditions of approval in the 2002 IMP, because the field and parking areas occur within the '150-foot transition zone', these projects must be evaluated through a Type II Design Review and Type II Impact Mitigation Plan Compliance Review.

The athletic field includes a combined artificial turf baseball and soccer field, two batting cages and bull pens, spectator seating/bleachers, an enclosed athletic building, two small ticket booths, and perimeter fencing and gates. The bleacher structures, primary fence and gate piers, athletic building, and ticket booths are clad in a red brick laid in a running bond with horizontal soldier courses. The perimeter fencing and gates are constructed of ornamental wrought iron around the majority of the field, except for a segment abutting NE Dekum where black vinyl-coated chain link fencing is proposed. The bleacher structures are clad in colored concrete masonry unit (CMU) material where they face inwards, towards the athletic field, and also include the black vinyl-coated chain link material in several locations as perimeter safety railings. The roofs of the athletic building, ticket booths, and press box are a silver-colored metal roofing material. Freestanding scoreboards, oriented inwards to the athletic field, are located near the northeast corner of the field (soccer scoreboard), as well as at the central west edge of the field (baseball scoreboard).

The pedestrian entries to the field are along the south edge, with a soccer entry plaza at the southeast corner, and a baseball entry plaza at the southwest corner. New on-site pedestrian walkways abut the field on the south and east sides, connecting to public sidewalks in NE 27th Avenue and Dekum Street, with brick paving identifying the entry plazas on the south edge. Tall backstop support posts and barrier netting, each extending approximately 30'-0" above the adjacent field surface, are proposed on each of the three baseball bleachers at the southwest corner, as well as along the north edge of the soccer field, abutting the perimeter fencing along NE Dekum Street.

Two parking areas, providing a total of 175 spaces, are proposed to the south and east of the field. The parking areas are surfaced in asphalt, include areas of interior and perimeter landscaping, and are separated by 'planter strip' type landscaped beds from the adjacent walkways and public sidewalks, except along the southernmost edge, where the parking areas abut the walkway adjacent to the (future) library building. Because the Zoning Code would require 7,875 square feet of interior parking lot landscaping for 175 parking spaces (33.266.130.G.3), but because only 4,858 square feet of interior is proposed, the applicant has requested an adjustment to this standard. **NOTE**: The mailed notice indicated that 3,475 square feet of interior parking lot landscaping was proposed. Some areas on the west side of lot #5, and on the north and south sides of lot #4, were originally counted as perimeter landscaping, but technically serve as interior landscaping (i.e. they don't screen parking from a street lot line). The amount of interior landscaping was therefore increased slightly, although the layout and planting scheme remains the same.

Nine tall field lighting posts are provided at the edges of the athletic field near the perimeter fencing, ranging from 70'-0" to 80'-0" tall. Three of the field lighting posts are located along the field edge abutting NE Dekum Street, and two each are located at the field edges in NE Liberty Street, NE 27th Avenue, and NE 29th Avenue. Five of the nine posts (four along NE 29th and NE Liberty, and the northerly of the two along NE 27th) are 80'-0" tall, which exceeds the 75' height limit of the IR base zone (33.120.277, Table 120-3, 33.120.215B). In order to allow the light poles to exceed the 75'-0" height limit, the applicant has requested a modification to this standard.

The lighting fixtures include a hooded light design which is intended to cast light in a downward direction as much as possible, to avoid glare spillover to adjacent properties. Concordia has retained a lighting consultant to design a field lighting plan that seeks to reduce light trespass to adjacent properties, and their application includes a series of maps indicating expected illumination (foot candle) levels at the edges of the field. The Zoning Code allows a maximum illumination on other properties of 0.5 foot candles of light (33.262.080). The applicant has requested a modification to exceed this maximum light spillover (glare) standard. The lighting analysis indicates lighting levels at adjacent properties for four different lighting scenarios per the following table (all measurements in foot candles):

| Event | Range- NE Dekum | Range - NE 27th | Range - NE 29th |
|-------------------------|-----------------|-----------------|-----------------|
| Baseball Practice (Low) | 0.12 - 1.35 | 0.32 - 1.13 | 0.09 - 0.48 |
| Baseball Game (High) | 0.20 - 1.61 | 0.42 - 1.47 | 0.11 - 0.71 |
| Soccer Practice (Low) | 0.09 - 1.19 | 0.11 - 0.71 | 0.06 - 0.37 |
| Soccer Game (High) | 0.16 - 1.49 | 0.19 - 0.88 | 0.08 - 0.50 |

The applicant also intends to provide a sound system for the athletic field. Because the current IMP includes a condition (Q) that neither lighting nor sound systems for the athletic fields are allowed, an amendment to the IMP has been requested. The applicant states an intention to work with the Concordia Neighborhood Association to develop a Good Neighbor Agreement addressing operational issues for the field, including lighting, event frequency, etc.

In summary, the applicant has requested the following reviews:

- A Type II Design Review for the athletic field structures, pedestrian amenities, and parking lots to the south and east of the field;
- A Type II Impact Mitigation Plan Compliance Review for the athletic field and parking;
- A Type II Impact Mitigation Plan Amendment to allow field lighting and a sound system for the athletic field;
- A Modification through Design Review to reduce the amount of interior parking lot landscaping from 7,875 to 4,858 square feet;
- A Modification through Design Review to increase the maximum height of five field lighting poles from 75 to 80 feet tall; and
- A Modification through Design Review to increase the maximum light spillover onto adjacent properties from 0.5 to a maximum of 1.61 foot candles of light (see table above).

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- The Community Design Guidelines;
- 33.825.040.A-B, Modifications That Will Better Meet Design Review Requirements;
- Approval language and conditions of the updated Concordia Impact Mitigation Plan Case
 File # LU 02-106366 IM;
- **33.848.050**, Impact Mitigation Plan Approval Criteria; and
- **33.848.070**, Impact Mitigation Plan Requirements.

ANALYSIS

Site and Vicinity: Concordia University is a small university in the middle of an attractive neighborhood of well-maintained single-dwelling residences. A Master Plan was approved for the University in 1991 that established campus boundaries which generally extend from NE Dekum Street south to NE Holman Street, and from NE 27th Avenue to NE 29th Avenue. The master plan boundary also included properties along the west side of NE 27th Avenue between NE Liberty and Holman Streets, the St. Michael's Lutheran Church and parking area on the east side of NE 29th Avenue, and the area between NE 29th and 30th Avenues, extending from NE Portland Boulevard south to NE Holman Street. The updated Impact Mitigation Plan approved in 2002 included an amendment to this boundary, adding the area west of NE 27th Avenue to the alley, north of NE Liberty Street. Not all of the property within the campus boundary is owned by the University.

Nearby nonresidential uses include St. Michael's Lutheran Church and Faubion School; both are located northeast of the campus. Several blocks farther north of the Campus is NE

Lombard/Portland Highway, a major arterial that separates residential areas from industrial developments to the north. A small neighborhood food store is located on NE 30th Avenue and Ainsworth Street.

The academic core of the campus generally occupies the southern portion of the main block bounded by NE Holman Street, NE 27th Avenue, NE 29th Avenue (vacated right-of-way), and NE Liberty Street. This core includes Luther Hall, Hagen Center, Centennial Hall, and two parking areas. Sports fields and the Right Field House are located just north of the core buildings, with the Fine Arts and Physical Education buildings located just to the west, along NE 27th Avenue. Modular classrooms are located just north of the sports fields, on the north side of NE Liberty Street. Several smaller buildings, including the Mary Neils bookstore, the Music, Art and Drama House, and the CU Net House, are located along NE 29th Avenue. The residential core of the campus generally occupies the southeastern quadrant, near the intersection of NE 30th Avenue and NE Holman Street. The newest residential buildings in this area were constructed in 1998, following approval of the 1997 Concordia University Impact Mitigation Plan. St. Michael's Lutheran Church is located at the southeast corner of NE 29th Avenue and NE Dekum Street, within the IMP boundary. Faubion School is located east of the church, outside of the IMP boundary.

The architecture on the campus is eclectic, with the primary campus core buildings constructed in reddish brick, and featuring a simple, rectilinear, utilitarian design, without significant trim, cornices, or other architectural ornamentation. The Fine Arts and Gymnasium buildings are created from tilt-up concrete or aggregate panels, and are currently the largest buildings on campus. Dormitory buildings at the southeast section of campus are generally traditional in appearance with gabled roofs, horizontal siding, and brick details. A new Library was approved in 2006, but has not yet been constructed, and is constructed in a simple, contemporary architectural style, with red-colored brick, aluminum panelized wall systems, silver-colored metal roofing, and large glass windows and projecting steel glass canopies. The brick color palette and architectural design of the approved library is similar to materials proposed for the new athletic field structures. In general, however, there is no unifying architectural theme on the campus, although the use of a reddish brick is the most common campus building material.

The two blocks proposed for the athletic field building are developed with a series of detached single-family houses, as a single-story commercial building at the corner of NE 27th and Dekum. A collection of single-story accessory institutional buildings are located on the north side of NE Liberty Street, directly across from the current athletic field (and future library site). The adjacent blocks to the north and west of the future field are developed exclusively with single-family homes.

Zoning: Proposals within the campus boundary have a mix of zoning designations. Most of the property owned by the University is currently zoned IRdh (Institutional Residential base zone with the "d" or Design and "h" or Aircraft Landing overlay zones). Property surrounding the campus on all sides is generally R5ah (Single-Dwelling Residential 5,000 base zone with the "a" or Alternative Design Density and "h" or Aircraft Landing overlay zones). Many properties zoned R5ah immediately adjacent to the existing campus core also include a Comprehensive Plan Map designation of IRd, as indicated by parentheses on the zoning map. The IR Comprehensive Plan Map designation allows an institution the opportunity to pursue a change in zoning for land they either own or control through a Type II Zoning Map Amendment. A change in zoning to the IRdh designation must be completed before properties currently zoned R5ah can be used for University functions or uses. Finally, two properties located on NE Dekum Street at NE 27th Avenue are zoned CN2h (Neighborhood Commercial 2 base zone with the "h" or Aircraft Landing overlay zone).

The *Institutional Residential* (IR) base zone is intended to foster the growth of major institutions providing educational or medical services and employment to Portland residents. The IR zone is intended to streamline the review process for the growth and expansion of such institutions, while also acknowledging potential impacts to the smaller-scale residential neighborhoods within

which they are located. At this site, Concordia University is operating under an amended Impact Mitigation Plan (case file #LU 02-106366 IM).

The Single-Dwelling Residential 5,000 (R5) base zone is intended to preserve land for housing, and to provide housing opportunities for individual households. The zone allows for some non-household living uses, but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.

The *Neighborhood Commercial 2* (CN2) base zone is intended for small commercial sites and areas in or near less dense residential neighborhoods. The zone encourages the provision of small scale retail and service uses for nearby residential areas.

The *Design overlay zone* ("d") promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The "d" overlay zone is applied automatically in conjunction with the IR base zone. In the most recent update to the Concordia University Impact Mitigation Plan, design-related issues were addressed by requiring most projects within 50 feet of the campus perimeter to either meet the Community Design Standards or be approved through a Type II design review.

The Alternative Design Density overlay zone ("a") is intended to focus development on vacant sites, preserve existing housing, and encourage infill development which is compatible with and supportive of the positive qualities of residential neighborhoods. The concept of this zone is to allow increased density for development that meets additional design compatibility requirements. The "a" overlay does not impact institutional uses or the current project.

The Aircraft Landing overlay zone ("h") provides safer operating conditions for aircraft in the vicinity of Portland International Airport (PDX) by limiting the height of structures and vegetation. The height limit imposed on structures and vegetation at this site is 180'-0" above the base point of the runways at PDX (18'-4" above sea level or asl), or 198'-4" asl. Given the downward site slope from NE Holman south to NE Dekum Street, and with the elevation of NE Liberty Street at approximately 112'-0" asl, a structure at the highest point of NE Liberty Street could be approximately 86'-0" tall. The applicant is in the process of seeking approval from the Port of Portland and Federal Aviation Administration for the light poles associated with the athletic field (for which height modifications are requested during this review). A letter of approval from the Federal Aviation Administration will be required to be submitted before the building permit for the field project can be approved.

Land Use History: City records indicate several prior land use reviews at the site. Generally, the status of conditions of approval from previous land use reviews is included in the description. Conditions of approval from previous land use reviews are carried forward, deleted, or superceded as noted below. (Note: in 1995 Concordia University was granted university status; prior to that, the institution was known as Concordia College):

- **4424R**: A 1964 Revocable Permit allowed continued use of the former commercial structure at the corner of NE 27th Avenue and NE Dekum Street as the College's maintenance facility.
- **CU 10-70**: A Conditional Use allowed construction of a new physical education building, along with a 41-space parking lot. The old gymnasium was converted to the Fine Arts Building.
- **VZ 6-71**: A variance allowed moving a second dwelling onto the lot just east of the maintenance building.
- **V 23-79**: Vacations of NE 29th Avenue and the alley between NE 29th and NE 30th Avenues, both between NE Holman Street and NE Portland Boulevard were approved. Conditions of approval required that pedestrian and bicycle use of the vacated NE 29th Avenue right-of-way be adequately accommodated, and that a parking plan be provided in order to reduce neighborhood traffic congestion.
- **CU 44-79**: A Conditional Use permit was approved to allow removal of two houses and construction of two dormitories with 42-50 beds along NE 30th Avenue, and to allow the legalization of College uses within six houses.

- **CU 92-79**: A Conditional Use allowed a 23,000 square-foot addition to Hagen Hall, to allow for library, kitchen/dining hall, and support services.
- **CU 94-87**: A Conditional Use allowed conversion of homes at 6305 and 6403 NE 29th Avenue for office use by College faculty.
- **CU 143-87**: A Conditional Use allowed a small storage addition to St. Michael's Church.
- **CU 49-89**: A Conditional Use allowed use of the house at 6321 NE 30th Avenue as an office.
- **LUR 91-00424 MS CU**: A 1991 approval of a Master Plan for the university. The Master Plan approval was superceded by a 1997 Impact Mitigation Plan approval (LUR 97-00468 IM ZC). Conditions of approval from this Master Plan were carried forward, deleted, or superceded by the 1997 Impact Mitigation Plan approval.
- **LUR 91-00425 CU**: A Conditional Use allowed a temporary portable classroom on the north side of NE Liberty Street between NE 27th and NE 29th Avenues.
- **LUR 97-00468 IM ZC**: A 1997 approval of an Impact Mitigation Plan, incorporating projects approved under the 1991 Master Plan and expanding a dormitory complex approved under the 1991 plan. Approval of a Zoning Map Amendment from R5h to IRdh for several properties owned by the University. Conditions of approval from the Master Plan were carried forward, deleted, or superceded by the updated 2002 Impact Mitigation Plan approval (LU 02-106366 IM).
- **LUR 97-00539 IM DZ**: Design Review approval for a dormitory project located at NE 30th Avenue and NE Holman Street, with a modification to increase the maximum building height from 30 feet to 40 feet.
- **LU 02-106366 IM**: Approval of an amended Impact Mitigation Plan to accommodate a maximum campus population of 1,690 students/faculty/staff through the year 2017, with conceptual approval of the development and projects identified by the University to support this growth as described in Exhibit A.3 and graphically depicted in Exhibits C.1 through C.5, subject to several conditions. Compliance with the current Impact Mitigation Plan and all pertinent conditions of approval will be discussed later in this report, under findings for the Impact Mitigation Plan Compliance Review. This approval, including the approved exhibits and all conditions of approval, continue to apply to the site.
- **LU 06-142498 DZ IM**: Approval of Impact Mitigation Plan Compliance Review and Design Review for the new Concordia University Library Building and Central Green, per the approved exhibits, and subject to conditions of approval regarding sidewalk and frontage dedications and improvements adjacent to the Library site.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **January 15, 2008**. The following Bureaus have responded:

The Bureau of Environmental Services (BES) has reviewed the proposal and provided a preliminary response, followed by a supplemental response to additional information provided by the applicant. Concordia is near several public sanitary-only and combined sewers. The combination sewer in NE Junior Street must retain a public sewer easement over it that is the same width as the current right-of-way. For all construction, grading and planting in the area of the easement, a formal encroachment agreement must be finalized between the University and the City/BES. Stormwater runoff generated from the proposed athletic field must meet the requirements of the City's Stormwater Management Manual (SMM) current at the time of building plan review. Building plans for the project must include detailed site utility plans which show existing and proposed sanitary connections, as well as all stormwater management plans and data documenting how all applicable SMM requirements have been satisfied. Solid waste and recycling areas have additional design requirements. Any public street improvements must include drainage requirements per the standards of the SMM and Sewer Design Manual. The BES has recommended a condition of approval that, at the time of building permit review, an agreement must be finalized between the applicant and BES for encroachment of the field and related facilities in an easement that will remain after the vacation of NE Junior Street between NE 27th and 29th Avenues. Exhibit E.1 contains staff contact information, as well as extensive additional specific technical and permitting requirements that must be addressed by the applicant during the building permit review process.

The *Development Review Division of Portland Transportation* (Transportation) has reviewed the proposal and provided a preliminary response, followed by a supplemental response to additional information provided by the applicant. Transportation has reviewed the proposal for potential impacts regarding the public right-of-way, traffic impacts, and conformance with adopted policies, street designations, relevant criteria in Titles 33 and 17, and for potential impacts upon transportation services. Specific comments have been provided in response to transportation-related conditions, criteria, and requirements related to the Impact Mitigation Plan Compliance and Amendment Reviews contained in this application. These specific comments are contained in this report under findings for conditions H, I, and K of the 2002 IMP, for 33.848.050.E-F, and for 33.848.070.G. In summary, Transportation has no objection to approval of the land use reviews in this application, subject to the following conditions:

- The applicant must execute a 6-foot wide pedestrian access easement, minimum 6-feet wide up to a maximum of 12-feet wide, on the north side of the vacated NE Liberty Street, prior to approval of any permits for the use of the vacated NE Liberty Street area. The easements must provide for a direct 6-foot clear unobstructed pedestrian through zone. NOTE: These easements are only required if the NE Liberty Street vacation is approved;
- If the NE Liberty Street vacation is not approved, the applicant will be required to construct street improvements along the NE Liberty Street frontage in order to receive building permit approval;
- The annual report for 2007-2008 identified in Condition I of Case File #LU 02-106366 IM must be satisfied prior to issuance of a building permit for the athletic field or no later than October 31, 2008, whichever is first. This condition requires an annual report of the effectiveness of the Transportation Demand Measures. NOTE: As a cleanup item, the reference to Condition F in the first line of Condition I should also be revised to refer to Condition H;
- Condition K of LU 02-106366 IM should include the following statement: "Special events at the athletic field are to be limited as follows: University-only events may not exceed 500 attendees per event. Non-university events may not exceed 250 attendees. Non-University events are limited to no more than 3 events per month from September through April and no more than 10 events per month from May through August. Approval for events that exceed the limitations noted must be approved through a Type II IMP Amendment Review.";
- The applicant is required to construct sidewalks along the NE 29th Avenue frontage of the athletic field. Prior to building permit approval, the applicant must provide a performance guarantee and contract to the satisfaction of the City Engineer.

Exhibit E.2 contains staff contact and additional information.

The Site Development Section of the Bureau of Development Services has reviewed the proposal and provided a preliminary response, followed by a supplemental response to additional information provided by the applicant. At the time of building permit review, the applicant must submit a geotechnical report, document compliance with Title 10 (erosion control) requirements, and receive approval for any necessary Oregon Department of Environmental Quality (e.g. 1200-C) permits for large-scale construction projects. Site Development has reviewed the supplemental information and preliminary stormwater report provided by the applicant. The conceptual design for stormwater treatment with the majority of overflow directed to on-site drywells and the remainder to the public storm sewer system is acceptable to Site Development, contingent upon approval by BES. Site Development has no object to the SIM form sizing used for the vegetated planters (provided that BES allows the proposed tree credits). The one existing drywell in NE Liberty Street only has an infiltration capacity of 1.2 cfs, or 583 gpm. It is likely that additional drywells (and UIC registration) will be required. A more complete stormwater report with sizing calculations will be required at the time of building permit review. The geotechnical engineer assumes infiltration rates will increase as depths increase into the gravels below.

The preliminary information provided substantiates that the stormwater service criterion can be met utilizing a combination of on-site infiltration of stormwater and discharge to the public storm sewer system. However, detailed plans and additional information will be required at the time of building permit review. Additional details for all existing and proposed easements will also be

required at the time of building permit review, including that within the vacated NE Liberty Street right-of-way. The existing sump at NE 27th and NE Liberty must remain public, and a public easement of that sump will be required. Exhibit E.3 contains staff contact and additional technical information.

The *Life Safety* (Building Code) Section of the Bureau of Development Services has provided preliminary comments that, based on the information provided, there appears to be no conflicts between this proposal and the applicable building codes. The comments may not identify all conflicts between the proposal and applicable building codes. A separate building permit or permits will be required for the project, and the proposal must be designed to meet all applicable building codes and ordinances. Exhibit E.4 contains staff contact and additional information.

The *Fire Bureau* has reviewed the proposal and responded with no concerns, but noting that the applicant is required to provide fire department access and water supply to the project. The proposal will be reviewed further during the building permit process, and fire-related requirements will be considered in greater detail at that time. Exhibit E.5 contains staff contact information.

The *Urban Forestry Division of Portland Parks and Recreation* has responded to the proposal with no concerns. Exhibit E.6 contains staff contact information.

The *Water Bureau* has reviewed the proposal and responded with no concerns. Exhibit E.7 contains staff contact information.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **January 15, 2008**. A total of four written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

The Concordia Neighborhood Association (CNA) has reviewed the proposal and provided comments regarding several aspects of the project. The CNA notes difficulties in responding to all potential issues due to lack of information, or because issues may change over time, and has requested that Concordia be directed to participate in a joint Good Neighbor Agreement (GNA) regarding field issues. Regarding the sound system, residents and neighbors feel that the decibel level and practice of the current system should be maintained, and that any replacement or visitor (guest) system should also not exceed current levels. The current practice of not doing play-by-play announcing should also be continued. The CNA supports the modification to reduce the interior parking lot landscaping with 'major stipulations' that stormwater be managed in bioswales, and that the landscaping treatments be deeper elsewhere, especially along the perimeter at NE 29th, NE 27th, and NE Dekum.

The CNA has not reached a conclusion regarding the light pole height increase, because they do not know what restrictions, if any, that the FCC will impose on the height of the light poles. There are outstanding questions regarding whether the taller poles, which are intended to prevent light spillover, will actually have the opposite effect. One of the major concerns has to do with traffic and parking, especially given the northward movement of the athletic field activity, and potentially greater attendance at future sporting events. Some examples of these concerns include allowing parking only on one side of NE 27th to expedite bus traffic, notification of neighbors of major athletic events which may impact access to their homes, and implementation of an aggressive program of alternative student transportation measures such as biking, walking, and use of public transportation. The CNA notes that they intend to form a Good Neighbor Agreement to work out the details regarding their concerns.

A letter submitted by a group of six property owners living near the site has identified six areas of concern. The first concern is that the west edge of the facility is too close to the sidewalk in NE 27th Avenue, and that there is an insufficient density of vegetation between the field and NE 27th Avenue. The second item is a request that Concordia install and maintain attractive trash containers along NE 27th Avenue, and to pick up litter in the neighborhood after games and events. Thirdly, concerns are raised regarding parking and traffic control issues, especially along

NE 27th, including concerns about passable two-way traffic on NE 27th Avenue given the bus route and on-street parking on both sides of the street. Specific concerns are also raised regarding the availability of on-street parking spaces for homeowners along NE 27th Avenue during field events.

The fourth item in the letter supports the request to increase the height of the field lighting poles, with the understanding that the taller poles result in less light spillover, and because of an understanding that Concordia will work with the CNA regarding the timing of games and events. The fifth item also notes support for the sound system, again noting Concordia's intent to work with the CNA regarding events and event scheduling. Finally, a sixth issue has been raised regarding neighborhood impacts associated with the removal of the existing homes on the two blocks under the proposed field (e.g. noise, traffic disruptions, temporary street closures or utility service interruptions, mud on streets and sidewalks).

Another letter from a property owner along NE Dekum Street has raised questions regarding parking impacts to NE Dekum associated with field events, as well as fencing materials and height along the north side of the field. A final letter focuses on potential traffic impacts to the neighborhood, especially at NE Dekum and NE 29th, including the safety of pedestrian crossings at that intersection. This letter also expresses concerns regarding the proposed fencing and landscaping treatment along NE Dekum Street, suggesting that the proposed planting plan is inappropriate given the residential character of the area.

STAFF NOTE: Transportation-related issues regarding the construction of the athletic field and parking lots in this application were originally considered in the 2002 IMP, but the specific field activity levels and transportation system impacts are again being considered in this decision. Transportation-related conditions of approval require Concordia to submit an annual report documenting the status of Transportation Demand Measures by October 31, 2008, limitations on the number and size of field events, and the construction of sidewalks along the NE 29th Avenue frontage of the athletic field. Parking demand is likely to be higher during individual field events, but the primary use of the parking lots is likely to be Concordia students themselves, reducing potential parking impacts to the neighborhood. Event planning and communication with the neighborhood regarding individual events will likely be considered as part of a Good Neighbor Agreement. Construction impacts from the demolitions of the houses on the field site must comply with the specific permit-related requirements for timing of construction activities.

ZONING CODE APPROVAL CRITERIA

DESIGN REVIEW

Chapter 33.825 Design Review

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: Per condition C of the updated Concordia IMP (LU 02-106366 IM), and because the athletic field and parking lots #4 & #5 occur within the 150-foot transition zone, these projects must either meet the objective Community Design Standards or be approved through a Type II Design Review. The applicant has elected to pursue the Design Review track versus meeting standards. Because of the site's location, the applicable design guidelines are the Community Design Guidelines.

Community Design Guidelines

The Community Design Guidelines consist of a set of guidelines for design and historic design cases in community planning areas outside of the Central City. These guidelines address the unique and special characteristics of the community plan area and the historic and conservation districts. The Community Design Guidelines focus on three general categories: **(P) Portland Personality,** which establishes Portland's urban design framework; **(E) Pedestrian Emphasis,** which states that Portland is a city for people as well as cars and other movement systems; and **(D) Project Design,** which assures that each development is sensitive to both Portland's urban design framework and the users of the city.

Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.

P1. Community Plan Area Character. Enhance the sense of place and identity of community plan areas by incorporating site and building design features that respond to the area's unique characteristics and neighborhood traditions;

Findings: Concordia University has been an institutional presence in this neighborhood since 1905, originally serving as an academy for pastors and school teachers of the Lutheran Church. Over the past century, Concordia has expanded northwards from the original campus core along NE Holman Street towards NE Liberty Street, west to NE 27th Avenue, and east to NE 30th Avenue. St. Michael's Lutheran Church is also within the boundaries of the IMP, directly east of the proposed athletic fields. There is considerable architectural diversity among existing campus structures, although many of the original campus buildings, the recently-approved new Library, and the St. Michael's Church are all clad in a brick exterior.

The proposed athletic field buildings carry forward this brick exterior material, with a functional, modern character to the individual structures. The use of brick evokes a sense of tradition and history while the functional structural forms are modern with clean lines, in keeping with the recently-approved library across NE Liberty Street to the south. *Therefore, this guideline is met.*

P3. Gateways. Develop or strengthen the transitional role of gateways identified in adopted community and neighborhood plans.

Findings: The site is not adjacent to the nearest neighborhood gateways of the adopted Concordia Neighborhood Plan, found along NE 33rd Avenue at both NE Ainsworth and Lombard Streets. Although the athletic field is not adjacent to the identified neighborhood gateways, it is adjacent to a secondary entry location identified on Figure 15 (Site Potentials) of the 2002 IMP. One of two secondary campus entry gateways is located at the corner of NE 29th Avenue and Dekum Street. However, most university students enter the campus at NE 27th Avenue and Dekum Street. Northeast 27th Avenue is classified as a transit street and is generally more heavily trafficked than NE 29th Avenue. In response to this hierarchy, a landscaped entry feature is provided at NE 27th Avenue and Dekum Street, as shown on the Planting Plan. Although not proposed with this application, a future monument sign may be proposed at the intersection of NE 27th Avenue and Dekum Street, to create a greater sense of campus entry from NE Dekum Street. The chamfered field fencing at this prominent corner and additional landscaping adjacent to the sidewalk serve as a strengthening point at this prominent intersection. Although technically this guideline does not apply, the intention of creating a distinct north campus entry is satisfied by the landscaping treatment at NE 27th & Dekum. Although this guideline does not apply, the intent of the guideline is met.

E1. The Pedestrian Network. Create an efficient, pleasant, and safe network of sidewalks and paths for pedestrians that link destination points and nearby residential areas while visually and physically buffering pedestrians from vehicle areas.

Findings: The proposed athletic fields fronts NE Liberty and Dekum Streets, and NE 27th and 29th Avenues. Clearly-defined, hard-surfaced pedestrian walkways are located on both sides of NE Liberty Street, as well as at the perimeter public sidewalks in NE 27th and 29th Avenues and NE Dekum Street. In addition, a secondary north-south walkway connects NE Liberty Street to NE Dekum, immediately adjacent to the field structures and west of parking lot #5. Three distinct pedestrian walkways also cross NE Liberty Street in alignment with NE 27th and 29th Avenues, as just west of the future library, in connection with the primary north-south walkways leading to the center of the campus to the south. All pedestrian walkways associated with the field development, except where directly crossing the path of vehicle travel in NE Liberty Street, are separated from vehicle areas by areas of landscaping.

The primary destination points associated with the athletic field project are the three entry plazas along the south edge of the field. Distinct paving materials of brick are used at the three athletic field entry plazas, helping to identify these areas distinctly from the scored concrete walkway system used elsewhere around the field. The southeast corner is designated as the soccer entry plaza, the southwest corner as the baseball entry plaza, and the third brick field entry is near the south center edge of the field. The proposed walkway system creates an efficient, safe, and pleasant network of pedestrian connections between the field and the primary campus area to the south, while also buffering pedestrians from the two new parking areas and adjacent public streets. The distinct brick paving treatment at the field entries helps orient activity on the campus side of the field, while also making a clear connection to the adjacent streets and neighborhood. Therefore, this guideline is met.

E2. Stopping Places. New large-scale projects should provide comfortable places along pedestrian circulation routes where people may stop, visit, meet, and rest.

Findings: The athletic field project includes several stopping places along the pedestrian network surrounding the field, including the three brick entry plazas at the south edge of the field. The southwest (baseball) and southeast (soccer) entry plazas provide places to rest and socialize outside the direct path of pedestrian travel, while also connecting the field entry points to the adjacent public sidewalks. The pedestrian walkways along the south side of NE Liberty Street also connect to the three pedestrian entry points to the new Library, providing pleasant viewing and resting places for students and passersby. At the north edge of the field, along NE Dekum Street, the retaining walls for the tiered landscape beds can also serve as resting places for pedestrian passersby. *Therefore, this quideline is met.*

E3. The Sidewalk Level of Buildings. Create a sense of enclosure and visual interest to buildings along sidewalks and pedestrian areas by incorporating small scale building design features, creating effective gathering places, and differentiating street level facades.

Findings: The athletic field complex includes three pedestrian entry plazas along the south edge of the field, including brick paving and landscaped areas separating the plazas from the adjacent vehicle areas. The perimeter of the field buildings and structures are treated with a brick masonry that alternates in soldier and running patterns for visual interest. Individual buildings are generally set back from the property lines, in conformance with the IR zone standards, and in order to provide a substantial landscaped buffer between the field and residential properties to the north and west. The individual bleacher structures and other field outbuildings are broken up into multiple individual structures to reduce the impact and scale of these structures to abutting streets, providing for visual connections into and out of the field area. Along NE Dekum Street, the retaining walls at the landscaped areas are provided with vertical reveals in alignment with the field fence posts above, reducing the scale of these walls and providing visual interest at sidewalk level. *Therefore, this guideline is met*.

E4. Corners that Build Active Intersections. Create intersections that are active, unified, and have a clear identity through careful scaling detail and location of buildings, outdoor areas, and entrances.

Findings: The baseball and soccer entry plazas at the south edge of the field are located at key intersections, and made visually distinct with a brick paving treatment. These primary corners connect to direct pedestrian connections south towards the main campus, as well as to the adjacent public sidewalks. The field entries are pulled back from the corner to provide a generous pedestrian gathering space. The masonry materials and architectural design of the field outbuildings and bleachers are integrated with the perimeter fencing materials, resulting in a unified and clear identity to the field as a whole. *Therefore, this quideline is met.*

E5. Light, Wind, and Rain. Enhance the comfort of pedestrians by locating and designing buildings and outdoor areas to control the adverse effects of sun, shadow, glare, reflection, wind, and rain.

Findings: The athletic field structures are contained behind perimeter fencing and landscaped areas, and are not intended to function as more typically urban buildings where awnings or arcades would be appropriate. The entire field complex, however, is surrounded by generous landscaped areas including perimeter street trees along NE 27th and NE 29th Avenues, and NE Dekum Street. Both sides of NE Liberty Street are also provided with landscaping and street trees to separate the parking and vehicle areas from adjacent pedestrian walkways. The density and variety of deciduous trees provided around the field will provide a measure of protection from the adverse effects of sun, wind, and rain. *Therefore, this quideline is met.*

- **D1. Outdoor Areas.** When sites are not fully built on, place buildings to create sizable, usable outdoor areas. Design these areas to be accessible, pleasant, and safe. Connect outdoor areas to the circulation system used by pedestrians;
- **D3.** Landscape Features. Enhance site and building design through appropriate placement, scale, and variety of landscape features.

Findings for D1 and D3: The athletic building and accessory structures (bleachers, press boxes, and ticket booths) are located along the perimeter of the athletic field in order to create a sizable, usable outdoor field area that meets NCAA dimensions for baseball and soccer events. A network of convenient, direct pedestrian walkways connects the field to the adjacent campus core to the south, as well as to the adjacent public streets.

The new athletic field includes a variety of landscape features to be located throughout the complex. Street trees along NE 27th, 29th and Dekum are a Little Leaf Linden species, and two different Ash species of tree are used along NE Liberty Street and at interior planting beds in parking lot #5. Red Maples are used at the landscaped border between the field and NE 27th Avenue, in combination with a dense row Strawberry Tree (arbutus) and Honeysuckle Vine screening against the fence. Three other tree species are used elsewhere throughout the site to act as accent plantings, including three Alaskan Cedars at the northwest corner 'gateway', and Western Hemlock and Southern Magnolia trees at parking area entry points and interior planting areas in NE Liberty Street.

The planting zones between the sidewalks and the roadway curb along NE $27^{\rm th}$, Dekum and $29^{\rm th}$ will be provided with lawn or sod to complement the street trees. All other interior and perimeter planting beds will be provided with a variety of permanent groundcover materials, including a selection of low-growing shrubs (inkberry, cotoneaster) and several ornamental grass species. Stormwater planting areas on the north side of NE Liberty Street, and

at the east edge of parking lot #5 will be planted with moisture-loving native species, including Oregon Iris, Compact Oregon Grape, and two rush and willow species.

Therefore, these guidelines are met.

D2. Main Entrances. Make the main entrances to houses and buildings prominent, interesting, pedestrian accessible, and transit-oriented.

Findings: The new athletic field complex has three primary entrance plazas. The west (baseball) entry plaza provides direct access to parking lot #4, the adjacent Tri-Met (bus #9) stop, public sidewalks in both NE Liberty and NE 27th Avenue, and pedestrian walkways connecting to the main campus to the south. The east (soccer) entry plaza connects directly to both new parking areas, with direct pedestrian connections to NE 29th, NE Dekum, and the campus core to the south. Both of the two primary corner entries are accentuated by substantial masonry entry gateways with arching metal structures and low flagpoles above. The central entry plaza provides direct access to parking lot #4 and a ramped walkway crossing NE Liberty Street, providing an accessible and convenient connection south to the main campus. *Therefore, this guideline is met.*

- **D4. Parking Areas and Garages.** Integrate parking in a manner that is attractive and complementary to the site and its surroundings. Locate parking in a manner that minimizes negative impacts on the community and its pedestrians. Design parking garage exteriors to visually respect and integrate with adjacent buildings and environment.
- **D5. Crime Prevention.** Use site design and building orientation to reduce the likelihood of crime through the design and placement of windows, entries, active ground level uses, and outdoor areas.

Findings for D4 & D5: The conceptual location of both proposed parking areas, including a minimum (175) number of parking spaces, was previously approved during the 2002 updated Concordia IMP. The location of these two parking areas to the south and east of the field was an effort to minimize the visual impacts of surface parking areas internally to the campus as much as possible, and away from the residential blocks to the north and west. Both proposed parking areas are provided with significant interior landscaping, including a variety of trees that break up the horizontal mass of the parking areas and provide shade. Both parking lots are surrounded on all sides with a network of pedestrian walkways connecting the parking to the field, adjacent streets, and the campus core to the south.

The field itself is designed as an open outdoor area which allows participants and spectators to be present in a safe environment. The entire field complex is surrounded by 6'-0" to 8'-0" high metal fencing which allows clear views through the fencing. The north and west sides of the field are separated from the adjacent sidewalks and streets by dense areas of planting, including tall screening shrubs directly against the field fence and lower plantings against the sidewalk, providing visual screening of the field at grade without creating hiding places. Entry into the field for spectators and users is limited to the three entry gates along the south edge, providing for easily controlled access and security monitoring.

Therefore, these guidelines are met.

D6. Architectural Integrity. Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

- **D7. Blending into the Neighborhood.** Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.
- **D8. Interest, Quality, and Composition.** All parts of a building should be interesting to view, of long lasting quality, and designed to form a cohesive composition.

Findings for D6, D7 & D8: All the proposed buildings are new structures. The new athletic field structures have been provided with a masonry exterior that harmonizes with existing campus buildings to the south, as well as with the St. Michael's Lutheran Church across NE 29th Avenue to the east. The modern, functional design of the field structures is consistent with the contemporary lines of the recently-approved library structure to the south. The reddish brick material color, coursing module and size, the clear glazing materials, and the aluminum-colored metal roofing for the field buildings also match exactly with exterior materials approved for the new library building. In addition, the pole lighting standards, concrete walkway scoring patterns, and street tree spacing patterns of the field are directly reflective of the approved design for the library and central green to the south.

The masonry materials, metal fencing, metal light standards, clear glazing and metal roofing systems, and brick and concrete surface treatments associated with the athletic field are all quality materials likely to stand the test of time. The various field outbuildings (bleachers, athletic building, ticket booths) and fencing materials use a common architectural language of vertical and horizontal elements that create a cohesive and legible identity for the field overall.

Therefore, these guidelines are met.

33.825.040 Modifications That Will Better Meet Design Review Requirements:

The review body may consider modification of site-related development standards, including the sign standards of Chapters 32.32 and 32.34 of the Sign Code, as part of the design review process. These modifications are done as part of design review and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the adjustment process. Modifications that are denied through design review may be requested as an adjustment through the adjustment process. The review body will approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. **Better meets design guidelines.** The resulting development will better meet the applicable design guidelines; and
- B. **Purpose of the standard.** On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.

Findings for D6, D7 & D8: The applicant has requested three separate Modifications through Design Review. These requests will be considered individually below, and are as follows:

- Reduce the amount of interior parking lot landscaping from 7,875 to 4,858 square feet;
- Increase the maximum height of five field lighting poles from 75 to 80 feet; and
- Increase the maximum light spillover onto adjacent properties from 0.5 to a range including a maximum of 1.61 foot candles of light.

INTERIOR PARKING LOT LANDSCAPING: The 2002 IMP identifies the minimum parking spaces required by the completion of each of four phases. Upon completion of phase I, 175 additional on-campus parking spaces are required. The 175 stalls in parking lots #4 and #5 are the only phase I parking spaces contemplated in the IMP. The proposed parking areas are placed approximately in the location as proposed in the 2002 IMP,

except that lot #5 was located to the north of the NE Liberty Street right-of-way. In order to meet NCAA field dimensions, and to include bleachers and other accessory structures, Concordia has requested the vacation of the NE Liberty right-of-way between NE 27th and NE 29th (being considered in the separate case LU 07-184841 IM ZC).

The purpose of the interior parking lot landscaping standard is as follows (33.266.130.A excerpt): "The setback and landscaping standards:

- *Improve and soften the appearance of parking areas;*
- Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;
- Direct traffic in parking areas;
- Shade and cool parking areas;
- Reduce the amount and rate of stormwater runoff from vehicle areas;
- Reduce pollution and temperature of stormwater runoff from vehicle areas; and
- Decrease airborne and waterborne pollution."

Parking lot #4 is designed to resemble a public streetscape, with interior landscaping only located as a buffer adjacent to the three pedestrian walkways crossing the parking area or driveways, and a linear planting of street trees on both sides of the parking area. Interior parking lot landscaping in lot #4 is also provided via narrow landscape strips on the north side of the parking area which also function as a stormwater management facility. In parking lot #5, a more typical arrangement of interior landscape beds projects into the parking area in ten different locations, as well as straddling the pedestrian crossing near the driveway onto NE Dekum Street. Landscaping between parking lot #5 and NE 29th Avenue includes a linear stormwater management facility, as well as more typical perimeter shrub screening.

The proposed parking lot layout allows for lot #5 to resemble more of a typical street versus a parking lot, encouraging through traffic by vehicles and pedestrians. Parking lot #4 appears more like a typical vehicle parking area, with areas of interior landscaping located throughout the lot. The proposed plantings within and at the edges of both parking lots effectively soften the appearance of the parking areas, and the most substantial areas of landscaping are placed at the perimeter, visually buffering the parking area from NE 29th Avenue, and with islands of landscaping at each of the three driveway entrances to adjacent streets. The 'street trees' along both sides of NE Liberty street and trees within the interior landscaped islands will provide a substantial measure of shading and cooling of the parking area during the warm season. The Bureau of Environmental Services has reviewed the proposed stormwater management facilities at both parking areas, including the adequacy of the landscaped stormwater planting, and has not objected to the requested modification. Finally, the landscaping within the parking areas allows for the required 175 parking stalls, while also integrating a more open street-like design along NE Liberty Street, and providing an effective landscape screen when viewed from the adjacent streets and residential area, consistent with Design Guideline D4 (Parking Areas and Garages).

Therefore, for the modification to reduce the required interior parking lot landscaping from 7,875 to 4,858 square feet, these criteria are met.

FIELD LIGHTING POLE HEIGHT: The athletic field includes nine field lighting posts. Five of the nine field lighting posts exceed the maximum 75'-0" height limit of the IR base zone. These light posts include two located along NE Liberty Street, two along NE 29th Avenue, and one along NE 27th Avenue, with each of these five poles being 80'-0" in height. The proposed heights of the field lighting posts result from an effort to reduce the amount of light trespass onto adjacent residential areas to the north and west. The applicant retained a lighting consultant to ensure as little light trespass as possible. The greater the height of the light post, the more directly the lighting may project down onto the field, reducing the light spill over into adjacent areas. The lower the light post, the more horizontal the lighting must be projected, creating a greater potential for light trespass. The original field lighting plans included two 90'-0" poles to reduce potential

light trespass. However, these poles were reduced to 80'-0" to better meet the height standard and reduce the scope of the height modification from 15'-0" to 5'-0". The lighting consultant found that reducing all the light poles to a height of 70'-0" would result in significant additional light trespass into the surrounding neighborhood.

The purpose for the height limit at institutional campuses in the IR zone is the 'maintain compatibility with and limit negative impacts on surrounding areas' (33.120.277.A). Each of the five individual light poles for which a modification to the height standard has been requested is approximately 1'-0" to 1'-6" in diameter, and provided with a matte paint finish to match the painted hood systems for the lights atop each pole. When viewed in context with the larger scale of the surrounding field structures, and given the lesser amount of light spillover into the surrounding area provided by the 5'-0" increase in height, this additional height is consistent with the intent of the height standard of the IR zone. Similarly, the reduction in the overall number of light poles provided for by the increase in height also allows the field lighting poles overall to better blend into the neighborhood (design guideline D7), and integrate architecturally with the uncluttered and functional appearance of the field design as a whole (D6).

Therefore, for the modification to increase the height of five field lighting poles from 75'-0" to 80'-0", these criteria are met.

LIGHT SPILLOVER: Nine field lighting posts are proposed at the perimeter of the athletic field, with heights ranging from 70'-0" to 80'-0" tall. The proposed field at Concordia University is somewhat more urban than the typical sports field in Portland, in that there is less of a physical distance between the edge of the field and surrounding streets and residential areas. Typically, athletic fields can be illuminated by six or fewer light poles, but after evaluation by a lighting consultant a total of nine fields have been proposed, in an effort to direct lighting downwards onto the fields as much as possible. Per Tim Butz of Musco Lighting, 'the pole heights and locations are related to safe playing fields. Baseball pole locations relate to modeling the ball (light all around the ball). The 'B' poles are used to back light the infield and to light the outfield. Center field is the furthest aiming point from any pole and therefore requires the highest pole. Lowering the height of the poles reduces aiming angles, producing more offsite spill light and offsite glare. By incorporating the field posts at the proposed heights, less lighting would potentially glare over into the adjacent residential and pedestrian areas to the north and west.'

"The fixtures being used are Metal Hallide, 1500 watt and are typical of all sports venues, large and small. These particular fixtures are Musco Green, the industry leader in energy efficiency, spill light and glare control. The Green fixture is 40% more efficient that other lighting systems. This allows fewer lighting fixtures on each pole. The Green fixture has inserts in the reflector that redirect light and reduce offsite spill and glare. There is also an external visor which again redirects light to reduce unwanted offsite spill and glare. Therefore, the lighting proposed is the latest technology to minimize light outside of the field area."

At the present time Concordia is in the process of negotiating an updated neighborhood agreement with the Concordia Neighborhood Association. The updated agreement will address measures to mitigate any adverse affects from the new field lighting. Concordia proposes to mitigate the glare from the field lighting through approved frequency and scale agreements similar to the agreement between University of Portland and their neighbors.

The Zoning Code allows a maximum illumination on other properties of 0.5 foot candles of light (33.262.080). A lighting analysis was conducted by Musco Lighting to determine light spillage into the adjacent residential properties. The lighting analysis indicates lighting levels at adjacent properties for four different lighting scenarios per the following table (all measurements in foot candles):

| Baseball Practice (Low) | 0.12 - 1.35 | 0.32 - 1.13 | 0.09 - 0.48 |
|-------------------------|-------------|-------------|-------------|
| Baseball Game (High) | 0.20 - 1.61 | 0.42 - 1.47 | 0.11 - 0.71 |
| Soccer Practice (Low) | 0.09 - 1.19 | 0.11 - 0.71 | 0.06 - 0.37 |
| Soccer Game (High) | 0.16 - 1.49 | 0.19 - 0.88 | 0.08 - 0.50 |

As noted in the table above, the proposed lighting for the athletic field will, in some cases, exceed the allowed lighting levels on surrounding streets and properties. These potential impacts are most notable along the north (NE Dekum) and west (NE 27th) sides of the field, where single-family residences are located directly across the street. The south (NE Liberty) and east (NE 29th) boundaries fall within the campus, or between the campus and the adjacent (Concordia affiliated) church.

The applicant is in the process of negotiating with the Concordia Neighborhood Association to amend the existing neighborhood agreement to address field lighting. Items covered in the agreement may include specific times when the lights may be in use, the maximum number of lights to be on at one time, timers on the lights for automatic cutoff at specified times, and specified hours when game versus practice lights must be used. In order to ensure ongoing communication regarding field lighting between the neighborhood and Concordia, a condition of approval will require that Concordia enter into and maintain a Good Neighbor Agreement (GNA) with the Concordia Neighborhood Association, with specific provisions as necessary regarding field lighting levels, hours of operation, and frequency.

The purpose of the glare standard (33.262.010) can be summarized as the protection of residential uses from certain objectionable off-site impacts associated with nonresidential uses. The purpose of the regulation is also to provide adequate control measures for protection of the community from nuisances. Athletic field lighting for large educational institutions in Portland, such as Lewis and Clark College and the University of Portland, has only been approved with specific hour of operation limits for the lighting. Specifically, illuminated night-time events at athletic fields are required to end by 9:00pm on Sunday through Thursday, and 9:30pm on Friday and Saturday. Further, lighting is required to be reduced to a low or moderate level between 9:30 or 9:00pm, respectively, and 10:00pm, when all lighting must be extinguished. By carrying forward these standard field lighting time limits as a condition of approval, and with the previously noted condition requiring the establishment and maintenance of a GNA, the proposal is consistent with the purpose of the glare standard.

With a field lighting plan which has been specifically designed to minimize light spillover into the adjacent residential areas, and with the limiting conditions noted above, the resulting field lighting will better meet design guidelines related to neighborhood character and impacts (P1 & D7).

With the noted conditions, the requested modification to allow the field lighting to exceed the glare standard to a maximum of 1.61 foot candles, as noted in the table above, these criteria are met.

IMPACT MITIGATION PLAN - COMPLIANCE REVIEW.

33.848.090 Impact Mitigation Plan Implementation

After an impact mitigation plan has been approved, all development must comply with the plan's provisions and phased mitigation schedules as well as other applicable provisions of this code, unless exempted by the plan. Projects will be reviewed for compliance with the approved impact mitigation plan through a Type II procedure unless another process is identified in the IMP. The project will be approved when it is found that the impacts of the proposed development in combination with all existing development on the campus will not exceed the levels mitigated for in the current growth phase. Design review of the project may also be required. When required the design review procedure may occur concurrently with the Type II procedure unless another approval process is identified in the IMP.

Findings: Per condition C of the 2002 IMP (LU 02-106366 IM), the athletic field project and parking lots #4 and #5 require approval through a Type II Compliance Review. In addition, condition Q of the 2002 IMP did not allow either field lighting or sound systems. The language of the 2002 IMP approval, and all conditions, is included below, followed by findings addressing the current status and/or degree of conformance of the library project with the active IMP.

Approval of an amended Impact Mitigation Plan to accommodate the growth of Concordia University to a maximum campus population of 1,690 students/faculty/staff through the year 2017, with conceptual approval of the development and projects identified by the University to support this growth as described in Exhibit A.3 and graphically depicted in Exhibits C.1 through C.5, subject to the following conditions:

A. The University will submit 4 copies of the final IMP, incorporating this decision and revising drawings as necessary to reflect the decision and conditions below, no later than 6 months from the date of the final decision for this land use review.

Findings: The final IMP approval, including necessary exhibits and attachments, were incorporated into the staff decision document, as supplemented by the original application narratives and exhibits. Multiple copies of the decision are included in the City records for this case. *The intent of this condition has been satisfied by the completeness of the 2002 decision document, and is therefore met.*

- B. The following development projects are exempt from future IMP Compliance Review:
 - 1. The Campanile project listed in Phase 1.
 - 2. Changes in, or installation of, new mechanical or electrical equipment, including housings and screening for the equipment.
 - 3. Remodeling or modification of an existing building's interior.
 - 4. Exterior building modifications when the modification does not add floor area to the building. Design Review or consistency with the design standards will be required if any such modifications are located within the buffer or transition zones (50 feet from a public right-of-way or 150 feet from the campus perimeter).
 - 5. Fences, freestanding walls, retaining walls, and gates. Design Review or consistency with the design standards will be required if any such modifications are located within the buffer or transition zones.
 - 6. Awnings, signs or rooftop equipment.
 - 7. Changes to parking areas that do not result in a net increase or decrease in the number of parking spaces or an increase in paved surface. Design Review or consistency with the design standards will be required if any such parking lot is located within the buffer or transition zones.

Findings: This condition does not impact the current Compliance Review for the athletic field. The new parking lots #4 and #5 are being considered in this application. *Therefore, this condition is satisfied.*

- C. The following development projects may occur with a Type II Compliance Review only. Design Review is not necessary unless the development occurs within either the 50-foot buffer zone or the 150-foot transition zone.
 - 1. Phase I: Athletic fields and Parking lots #4 and #5.
 - 2. Phase II: Parking lots #1, #6, and #7.
 - 3. Phase III: Parking lot #2.
 - 4. Phase IV: 2 Classrooms on the west side of NE 29th Avenue and Parking lot #3.

Findings: This application satisfies the requirement for a Type II Compliance Review for the athletic fields and parking lots #4 and #5. Because portions of both the athletic field and parking areas occur in the 50-foot buffer and 150-foot transition zones, this application also includes a Design Review. *Therefore, this condition is satisfied.*

- D. The following development projects may occur with a Type II Design Review or compliance with the Community Design Standards (PCC 33.218.140, Standards for All Structures in the RH, RX, C and E zones) only:
 - 1. Phase I: Central Green and remodel Hagen Center.
 - 2. Phase II: Chapel addition and reconstruct courtyard between Luther Hall and Hagen Center.
 - 3. Phase III: PE addition.

Findings: None of the projects noted in this condition are proposed at this time. *Therefore, this condition does not apply.*

- E. The following development projects require a Type II Compliance Review and concurrent Type II Design Review, or compliance with the Community Design Standards Standards (PCC 33.218.140, Standards for All Structures in the RH, RX, C and E zones):
 - 1. Phase I: Library.
 - 2. Phase II: Performing Arts Center, Classroom replacing Centennial Hall, 3 student housing buildings at the corner of NE Portland Boulevard and NE 29th Avenue.
 - 3. Phase III: 32 married student townhomes.
 - 4. Phase IV: 3 student housing buildings at NE 27th Avenue and NE Liberty Street.

Findings: None of the projects noted in this condition are proposed at this time. *Therefore, this condition does not apply.*

- F. The following development projects are limited to a maximum height of 30 feet unless modified through a Type II Design Review. If a project exceeds the 30-foot limitation, the approval criteria for the Design Review will be the Community Design Guidelines.
 - 1. Phase III: 32 married student townhomes.
 - 2. Phase IV: 3 student housing buildings at NE 27th Avenue and NE Liberty Street.

Findings: None of the projects noted in this condition are proposed at this time. *Therefore, this condition does not apply.*

- G. New development other than that described in Condition E of this approval is limited to 50 feet in height if located within the 50-foot buffer zone. The Design Review process may allow an increase in the height limit for development occurring within the buffer zone. In general, this includes the following projects:
 - 1. Phase I: Library.
 - 2. Phase II: Performing Arts Center, Classroom replacing Centennial Hall, 3 student housing buildings at the corner of NE Portland Boulevard and NE 29th Avenue.
 - 3. Phase III: PE addition.
 - 4. Phase IV: 2 Classrooms on the west side of NE 29th Avenue near NE Portland Boulevard.

Findings: None of the projects noted in this condition are proposed at this time. *Therefore, this condition does not apply.*

H. The applicant will continue use of the traffic demand management alternatives approved in the 1991 Master Plan and 1997 Impact Mitigation Plan, including the appointment of a person to administer and coordinate alternative transit mode programs, the institution of a bus pass subsidy program, the establishment of a Transit Awareness program and an attempt to schedule classes so as to minimize peak hour use of parking facilities.

Findings: Concordia assigns responsibility for overall traffic management administration and coordination to specific individuals for ongoing review and implementation. Concordia monitors class enrollment and scheduling to minimize parking and traffic impact to the campus and surrounding community. On an ongoing basis, the University continues to encourage alternative transportation methods for faculty and staff. *This*

condition of approval will continue to apply, both to the athletic field and the Concordia Campus as a whole.

I. In addition to the traffic demand management alternatives required under Condition F, above, the applicant will continue to provide an annual report to the Office of Planning and Development Review (OPDR), the Office of Transportation, and the Concordia Neighborhood Association, monitoring the success of efforts to reduce parking demand by University students and staff. These efforts may include, but are not limited to, encouraging carpools, bicycle use, and bus use, and the programs identified in the traffic demand management alternatives in Condition F. The report will include recommendations for additional programs to reduce reliance on the automobile. The report will be provided to the OPDR, the Office of Transportation, and the Concordia Neighborhood Association by May 1st of each year and must include expected student enrollment and numbers of faculty and staff for the upcoming fall term. The report will be prepared by a qualified professional approved in advance by the Transportation Planning Section of the Office of Transportation. In the event that the report calls for further measures to reduce parking demand on neighborhood streets, or if the City concludes in its assessment of the annual report that such measures are called for, then the University will undertake such measures. It is the purpose of this condition to involve the University, the neighborhood association, the OPDR, and the Office of Transportation in decisions to reduce the parking problems which may arise.

Findings: This condition requires an annual Transportation Demand Management (TDM) report, which has not been submitted to Portland Transportation. Therefore, this condition has not been met. However, due to the likelihood that parking data is not available at this time of year, it is appropriate to collect this data in the fall. Therefore, Portland Transportation recommends that, prior to the issuance of a building permit for the athletic field or by October 31, 2008, whichever comes first, the University must submit an annual TDM report, as noted in this condition.

With a condition of approval requiring the submittal of the report prior to issuance of any permits for the field project or by October 31, 2008, whichever comes first, the intent of this condition can be met. In addition, this condition continues to apply.

J. Planning approval of building permits for elements of any phase of the IMP will not be given until all of the off-street parking required in the previous phase has been provided at the locations shown.

Findings: The athletic field occurs within phase I of the IMP. The only parking associated with phase I was parking lots #4 and #5, generally in the locations as originally shown (lot #4 has shifted slightly southwards to align with N. Liberty Street). No projects within phase II or later are proposed with this application. *This condition is not yet triggered, and continues to apply.*

K. Special events are limited in type, frequency and scale to those described in the IMP (page 13, Exhibit A.3, attached).

Findings: The athletic field has been designed to have the flexibility to facilitate special events as listed in Exhibit A.3 of the 2002 IMP. These events include various intercollegiate athletics, drama productions, graduation ceremonies in December and May, and the Lutheran Elementary School Tournament (LEST) in February, which hosts approximately 1,000 to 1,300 people. In addition to the athletic field events contemplated in the 2002 IMP, Concordia anticipates up to six potential field events per year, associated with (3) regional NAIA Baseball events in the spring, and (3) NAIA Post-Season Soccer Regionals in the Fall. The new baseball event is held only every other year, assuming Concordia qualifies, and happens after spring graduation with an average 250 attendees. The new soccer event averages 350 attendees, and is held only every other year, again assuming Concordia qualifies.

Finally, the applicant has indicated an unspecified amount of Little League and/or Youth Soccer events for the field, stating that although the field is intended primarily for University-related activities, that 'monitored and scheduled' community and athletic events are also proposed. The applicant states that 'the occurrence and frequency of community programs will be based on the interest expressed by community organizations. As such, detailed information cannot be provided at this time. The University will work closely with the Athletic Field Complex Committee to address issues of non-University users, including scheduling."

Based on this information, and without additional details regarding the magnitude, timing, and frequency of potential non-University uses of the field, Portland Transportation recommends that 'special events at the athletic field are limited to University-only events with no more than 500 attendees per event. Non-university events may not exceed 250 attendees. Non-University events are limited to no more than 3 events per month from September through April and no more than 10 events per month from May through August'. Prior to Concordia conducting athletic field events with more than 500 attendees, or non-University events at the field, additional transportation- and parking-related information should be provided through a Type II Impact Mitigation Plan Amendment to revisit this condition.

With a condition of approval modifying this condition of the 2002 IMP as noted above, the new athletic field project can remain consistent with the special event type, frequency, and scale as originally approved via this condition.

L. If during any phase campus population (students/faculty/staff) exceeds the levels approved through this IMP, a Type II Amendment review and new parking and traffic analysis are required.

Findings: The 2002 IMP approval provided for a maximum campus population of 1,690 students/faculty/staff through the year 2017. Concordia monitors campus population continually and will seek the necessary IMP approvals in the future if this population limit is considered too low. Concordia has not requested any amendment to the approved campus population levels at this time. *This condition continues to apply.*

M. When submitting a street vacation request for NE Junior Street, the University will also submit a Type II Compliance review application demonstrating compliance with the Superblock regulations found in PCC 33.293. Approval of the Compliance review must be received prior to City Council action on the street vacation request.

Findings: A separate application has been submitted for the vacations of both NE Junior and Liberty Streets, via case file # LU 07-184841 IM ZC. This separate review must be completed and approved prior to any construction for the field or parking lots, as substantial portions of these projects occur in what is presently a public right-of-way. This condition is being pursued through a separate application, and continues to apply.

N. Parking lot #1 on the west side of 27^{th} Avenue will not be developed incrementally, but instead will only be developed for parking when the entire block is in University ownership and can be developed as a single parking lot. In addition, the unpaved alley between 26^{th} , 27^{th} , Holman and Highland will not be improved until all abutting property owners agree hereto. Finally, any parking on the west side of 27^{th} will be set back at least 50 feet from the Holman Street right-of-way.

Findings: The development of parking lot #1, which is part of the approved phase 2 of the IMP, is not proposed at this time. *This condition is not yet triggered, and continues to apply.*

O. Parking lots #1, #3, and #6 will be set back a minimum of 10 feet from abutting residential property (west side of lots #1 and #3, east side of lot #6). The setback will be landscaped to the "high screen" standard described in PCC 33.266.130.H.3.d, with a further requirement that the

6-foot high shrub screen be provided on the side of the wall facing the adjacent residential properties (not on the parking lot or University side of the masonry wall).

Findings: The development of these parking lots, which are included in phases #2 and #4, are not proposed at this time. *This condition is not yet triggered, and continues to apply.*

P. A landscape buffer will be provided along the west edge of the new athletic fields (NE 27th Avenue frontage). The entire landscape buffer is required as long as any property on the west side of NE 27th Avenue, facing the athletic fields, remains in non-University ownership. The landscape buffer will be a minimum of ten feet wide and will comply with the L2 landscaping standard described in PCC 33.248.020.B.

Findings: The applicant has provided a ten foot wide landscaped area between the new athletic field and NE 27th Avenue, to be planted with landscaping that meets the L2 landscape standard (3'-0" tall shrubs, trees, groundcover). Specifically, the landscaped area on the west side of the field includes densely-planted strawberry tree (arbutus unedo) shrubs interspersed with climbing trumpet honeysuckle directly adjacent to the entire west exterior field wall. The foreground of the landscaped area includes a continuous row of armstrong maple trees, and varied groundcover plantings of ornamental grasses and inkberry. *This condition is satisfied*.

Q. Lighting of the athletic fields is not allowed. Sound systems (public address, etc.) are also not allowed.

Findings: This application includes amendments to Concordia's 2002 IMP to allow both lighting of the field and a sound system, as discussed later in this report. *This condition is proposed to be modified.*

- R. Upgrade to campus-wide nonconforming development will occur as follows:
 - 1. Phase I: with completion of the new athletic fields, the campus-wide pedestrian system will comply with the standards found in PCC 33.120.255.
 - 2. Phase II: Concurrent with construction of Parking Lot #7, perimeter and interior landscaping for parking along the west side of NE 29^{th} Avenue, south of Parking Lot #7 to NE Holman Street, will be upgraded as necessary to comply with May 2002 code requirements.
 - 3. Phase III: Construction of Parking Lot #2 will include upgrading any existing area of that parking lot as necessary to comply with the landscaping standards in effect in May 2002.
 - 4. Phase IV: Concurrent with construction of the two classrooms located on the west side of NE 29th Avenue, the existing parking on the west side of NE 29th Avenue, between Parking Lot #7 and NE Portland Boulevard, will be upgraded as necessary to comply with the landscaping standards in effect in May 2002.
 - 5. The building permit application submittal for the final project of Phase IV will include a full site plan demonstrating that all nonconforming development has been made conforming during the life of the IMP.

Findings: Prior to completion of the athletic field project, the campus-wide pedestrian system must be found to comply with the pedestrian standards for multi-dwelling zones. These standards require a 5'-0" wide hard-surfaced network of pedestrian walkways, material or physical separation of the system when near vehicle areas, night-time lighting, and direct connections from each building to the closest street. The applicant has submitted a circulation plan, identifying most of the on-site walkways. However, not all on-site walkways have been indicated, night-time lighting is not shown on the plan, and it is unclear if several of the buildings (e.g. Hagen Center, Centennial Hall, etc.) meet the direct connection standard. The applicant will be required to submit a plan showing conformance with pedestrian standards prior to receiving permit approval of the athletic

fields. The remaining items (#2 - #5) of this condition are not yet triggered. *This condition continues to apply.*

33.848.050 Impact Mitigation Plan Approval Criteria

The approval criteria listed in this Section will be used to review impact mitigation plans. These criteria correspond to the regulations governing the content of the Impact Mitigation Plan. The approval criteria are:

A. The mission statement and impact mitigation plan contain the components required by the Institutional Residential Zone (33.848.070).

Findings: No changes are proposed to the mission statement as approved for Concordia in 2002 as part of this application. The IMP also contains the components required by Section 33.848.070, as more fully discussed later in this report. *This criterion is met.*

B. Mitigation.

- 1. Each planned phase of development includes mitigation activities that offset impacts of that phase of development, except as provided in Paragraph B.2, below;
- 2. Impacts that cannot be mitigated may be allowed if the public benefits of the proposed institutional campus boundary, mission statement, and impact mitigation plan outweigh the impacts.

Findings: The 2002 IMP includes mitigation activities for each phase of campus development over the course of the IMP. Generally, visual impacts of buildings are addressed through requirements for design review, specific landscaping and setback standards are applied in other situations, and conditions of approval require various other upgrades to campus development over the life of the IMP.

For the athletic field project, mitigation activities include installing a landscaped buffer along the west edge of the field, between the field structures and the sidewalk in NE 27th Avenue. In addition, prior to construction of the athletic fields, the applicant must document that the entire campus conforms to requirements for an on-site pedestrian walkway system. Although the campus may conform with the pedestrian standards (33.120.255), additional information will be required prior to issuance of permits for the athletic field project, to document conformance with these standards. If the requirements for direct connections from each building to the street, walkway size and material, and night-time lighting standards are not met throughout campus, the applicant will have to upgrade these elements before completing the athletic field project.

The original IMP included a condition of approval that lighting of the athletic fields was not allowed, to avoid potential glare impacts. A sound system was also not allowed, in order to avoid excessive noise impacts. With this application, the applicant has proposed the use of both lighting and a sound system for the athletic field, requiring an amendment to condition Q of the 2002 IMP.

The applicant is in the process of negotiating an updated Good Neighbor Agreement (GNA) with the Concordia Neighborhood Association, including measures to mitigate any adverse impacts from the new field lighting and sound system. Concordia proposes to mitigate the glare from the field lighting and noise from the sound system 'through approved frequency and scale requirements similar to the approved neighborhood agreement between the University of Portland and the surrounding Merlo Field.' The potential areas of agreement in the GNA will include the time when the lights may be in use, the maximum number of lights to be on at one time, timers on the lights for automatic cut off at specified times, and specified hours when game versus practice lighting levels must be used. Since this effort provides the most appropriate, effective, and ongoing opportunity for ongoing dialogue between the neighborhood and Concordia once the athletic field is in operation, a condition of approval will require that the

applicant enter into and maintain a GNA addressing potential issues regarding the field lighting and sound system.

Nine field lighting posts are proposed within the athletic field project area. Concordia has retained a lighting consultant to evaluate potential neighborhood impacts with regards to glare. Generally, six lighting poles are required to light an athletic field. However, lighting the athletic field with a typical 6-pole design would create significant light trespass onto adjacent properties. To mitigate for these potential impacts, 3 additional poles have been added. As discussed earlier in this report with regards to the modification to the glare standard, a greater number of taller light poles than would usually be installed at a field of this size allows for light to be directed directly downward onto the field as much as possible. In order to limit evening lighting impacts to the neighborhood, a condition of approval will require illuminated night-time events at the athletic fields to end by 9:00pm on Sunday through Thursday, and 9:30pm on Friday and Saturday. Further, lighting is required to be reduced to a low or moderate level between 9:00 or 9:30pm, respectively, and 10:00pm, when all field lighting must be extinguished. With this condition of approval and that requiring the GNA, the impacts of lighting the athletic field can be offset.

Noise levels are generally regulated by Title 18, Noise Control, which contains City of Portland standards for noise emissions from all properties. Noise standards are based on zoning. The zoning of the property 'creating the noise' and the zoning of the property 'where the noise is heard' are considered under the City Code. In this case, both the Concordia site and the adjacent properties are residentially zoned. Therefore, the maximum allowed sound level, per Title 18, is 55dba during the hours of 7:00am to 10:00pm, and 50dba at all other times, measured at the receiving site's property line. Concordia has stated the intent to obey these noise level limitations, and notes that additional noise level mitigation requirements may be proposed or implemented, dependent upon final negotiations with the Concordia Neighborhood Association. Concordia has agreed to comply with the City's noise regulations. Concordia has also specifically agreed to have an acoustical engineer's analysis if, once the field is in operation, noise becomes an issue.

Concordia, irrespective of any approval granted by this application, will be required to conform with Title 18 requirements. Specifically, Concordia has stated an intent to comply with the day-time maximum noise level of 55dba, and evening events past 10:00pm are not proposed. These noise standards will remain in place, unless a variance from the Title 18 requirements is approved by the Noise Control Officer (per PCC 18.14.20). The current application does not include a request for a variance from Title 18 requirements.

Because Concordia has agreed to work closely with the neighborhood to address noise-related concerns, comply with City noise standards, and conduct an acoustical engineer's analysis of field-related noise if noise becomes an issue, potential impacts associated with the use of a sound system can be addressed. In order to memorialize and capture this agreement, a condition of approval will require that Concordia conduct an acoustical engineer's analysis of athletic field events if lead to noise-related issues with the neighborhood. This condition will also require that all noise-generating activity at the field comply with (Title 18) noise standards, unless a variance from noise standards is granted by the Noise Control Officer.

Issues with regards to transportation impacts are discussed below under findings for 33.848.050.E & F, as well as 33.848.070.G.

With conditions of approval regarding evening end times for illuminated field event, completing a GNA with the neighborhood association to consider lighting and noise issues, and memorializing Concordia's intention to meet noise standards and conduct an acoustical analysis if noise later becomes an issue, this criterion is met.

C. The proposed uses and possible future uses will be able to comply with all applicable requirements of Title 33 and Title 32, Signs and Related Regulations, except where adjustments are being approved as part of the impact mitigation plan.

Findings: The athletic field and parking lots #4 and #5 will be able to comply with all applicable requirements of Titles 33 and 32, except as modified in this application with regards to the lighting level (33.262.080) and lighting pole height (33.120.277, Table 120-3, 33.120.215.B) standards. Therefore, this criterion is met.

D. The proposed institutional zone boundary, mission statement, and impact mitigation plan have been evaluated against the purpose of the IR Zone and on balance have been found to be supportive of the zone's characteristics as stated in Subsection 33.120.030.F.

Findings: No changes are proposed to Concordia's institutional zone boundary or mission statement with this application. The purpose of the IR zone is to provide for the establishment and growth of large institutional campuses and higher-density residential development, but not to such an extent as to sacrifice the overall residential neighborhood image and character. The proposed athletic field was previously contemplated in the 2002 Concordia IMP. The addition of field lighting and a sound system for the field, with conditions of approval as noted above under 33.848.050.B, can be sufficiently limited such that, on balance, these changes are supportive of the IR zone's characteristics and purpose. *Therefore, this criterion is met.*

- **E.** The proposal and impact mitigation plan are supportive of the Transportation Element of the Comprehensive Plan.
- **F.** The transportation system is capable of safely supporting the development proposed in addition to the existing uses in the area, or will be made capable by the time the development is completed.

Findings for 33.848.050.E-F: The amendment to allow for field lighting and a sound system for the proposed athletic field do not have any transportation impacts. However, the use of lighting at the athletic fields will allow events to occur at peak traffic times. Therefore, it will be important to manage large events so start times do not occur during peak traffic hours. Portland Transportation has no objection to the proposed lighting and sound system with the recommendation that events larger than 500 attendees, if approved in the future, not be scheduled to start between 5:00 and 6:00.

The proposed athletic field is consistent with the previously approved 2002 IMP. The activity level for the athletic fields is consistent with the previous event summary with the exception of post-season tournaments for baseball and soccer events, both of which occur only every other year, and assuming Concordia qualifies. A typical ratio for attendees to parked vehicles is 3:1. Based on this ratio, the parking supply within reasonable proximity of the athletic field is expected to accommodate events with up to approximately 500 attendees. Without more information about actual parking demand for events, a condition is recommended to limit the number of event attendees to 500.

The application also indicated the potential for community athletic programs such as little league and youth soccer programs. Table 1 in the Special Events Management Plan (SEMP) describes the anticipated event summary for the athletic field. Portland Transportation recommends a condition that allows for University events, as well as non-University events, at the athletic field. Limitations are required for attendance and frequency of events in order to manage the impacts. At this time, the University does not have information about the specific impacts that certain events might generate. The limitations identified in the proposed condition modifying condition K of the 2002 IMP, discussed earlier in this report, will allow for a fair amount of flexibility for the university. If additional events or larger events are desired, then changes to these limitations should

be required through a Type II IMP Amendment Review. The University should make efforts to track the events, their attendance, and parking demand associated with the events. The ongoing collection of this data would provide valuable information for evaluating impacts of larger or more frequent events. With condition K of the 2002 IMP amended to limit field event attendee levels and non-University event frequency, Portland Transportation finds that the transportation system is capable of supporting the proposed athletic field.

With conditions limiting the event attendee levels and non-University events, Portland Transportation finds the transportation system is capable of supporting the proposed athletic field. *Therefore, with the noted conditions, these criteria are met.*

G. Public services for water supply, police, fire, sanitary waste disposal and storm water disposal are capable of serving the proposed development, or will be made capable by the time the development is completed.

Findings: The above service agencies have received notice of the proposal and have responded to the request. There are existing public services that will support the proposed athletic field project. Stormwater management will be more completely and fully addressed during the building permit process. After review of supplemental stormwater information, the Bureau of Environmental Services (BES) has no objections to approval of the proposed athletic field, but does recommend one condition of approval. Specifically, BES requests a condition that, at the time of building permit review, an agreement must be finalized between the applicant and BES for encroachment of the field and related facilities in the easement that will remain after the vacation of NE Junior Street between NE 27th and 29th Avenues. With the noted condition as recommended by BES, this criterion can be met.

H. City-designated significant resources such as views, landmarks, or habitat areas are protected or enhanced.

Findings: City-designated views are depicted on the zone map by an 's' overlay; landmarks are depicted by a dot; habitat areas are protected by Environmethal overlay zones. There are no such designated significant resources present within the campus boundary. *Therefore, this criterion does not apply.*

I. The appearance, location, and amount of commercial, non-institutional office, industrial service, and manufacturing and production will not, by itself or in combination with other uses, decrease the desirability of adjacent residential areas for the retention of existing housing or development of new housing.

Findings: The Concordia IMP does not include any non-institutional office, industrial, or manufacturing uses on the campus. The only potential commercial use within the campus boundary consists of the campus bookstore, which is intended to serve primarily the students and faculty of the institution and as such is an accessory use. A dining hall is located in the Hagen Center and is an accessory use to the college campus. Similarly, the athletic field includes a concession stand located within the confines of the field facility, and will operate only in conjunction with specific field events, serving participants and spectators. All these accessory uses are located centrally to the campus and away from the adjacent residential uses along the west, east, and south boundaries of the campus. The combination of these uses and their location within the campus boundaries will have no discernable impacts on the abutting neighborhood or residential properties. *Therefore, this criterion is met.*

J. The impact mitigation plan includes design, landscape, and multi-modal transportation plans which limits conflicts between the institutional campus and residential, commercial, and industrial uses located within the same neighborhood or neighborhoods as the campus.

Findings: The 2002 Concordia IMP typically requires compliance with objective design standards or a discretionary design review for projects located within the 150-foot transition zone at the campus perimeter. Specific landscape conditions have been required for various projects in the 2002 IMP as well, including a requirement for the 10-foot deep landscaped buffer between the west face of the athletic field and NE 27th Avenue, as proposed in this application. The ongoing requirements in the 2002 IMP require implementation of Transportation Demand Management measures addressing transit, bicycle, and pedestrian modes of travel. *Therefore, this criterion is met.*

K. All relevant declarations of Covenants, Conditions and Restrictions and any other relevant legal instruments will be submitted in advance of any development.

Findings: The applicant states that any relevant legal instruments will be submitted in advance of any development, but notes that none are anticipated. *This criterion is met.*

L. Campus institutional, commercial, office, industrial service, and industrial development will, with mitigation, not have significant adverse impacts on the livability of nearby residential and business areas.

Findings: The Concordia IMP does not proposed or anticipate any commercial, office, industrial service or industrial development except for those normally associated with a college use as accessory and support functions. The anticipated incremental growth in student enrollment and future campus institutional development projects within the campus boundaries will not have a significant impact on the surrounding area. The impacts to the transportation system associated with the new athletic field are mitigated by the existing Transportation Demand Management Plan, as well as by the conditions presently recommended by Portland Transportation. Ongoing requirements for design standards or design review, as well as landscaping, help ensure a smooth and attractive transition from the campus to the surrounding neighborhood. The high material quality of structures associated with the field, and substantial landscaping on the west, north and east edges of the new field and parking areas prevent significant significant adverse impacts on the livability of the adjacent neighborhood. *Therefore, this criterion is met*.

M. The impact mitigation plan adequately addresses potential nuisance-related impacts, such as litter, noise, shading, glare and traffic.

Findings: The 2002 IMP includes adequate measures and conditions addressing mitigation for potential traffic impacts. Portland Transportation has also recommended specific conditions of approval related to the development of the athletic field. The campus grounds are generally well-maintained and patrolled for litter. Concordia has agreed to negotiate and enter into a good neighbor agreement (GNA) with the Concordia Neighborhood Association regarding ongoing activities at the field, including post-event litter clean-up.

This application does include an amendment to allow a sound system and night-time lighting for the athletic field, as originally prevented via condition Q of the 2002 IMP. Issues associated with addressing impacts associated with lighting and noise at the field have been addressed earlier in this report, under findings for the modifications through design review, as well as for criterion 33.848.050.B. These findings are incorporated herein by reference. In summary, with conditions of approval requiring Concordia to complete a GNA with the neighborhood association, imposing an evening cut-off time for field events, limiting the number of attendees for special events, and ensuring conformance with (and potential future reconsideration of) City noise standards, the current request can adequately address potential nuisance-related impacts regarding glare and noise. Consistent with the applicant's stated intentions to address the issues in this criterion, the GNA should also address traffic, noise, and litter impacts associated

with field events. Therefore, with conditions of approval requiring a GNA and coordination with the neighborhood on these issues, this criterion is met.

N. The proposal is consistent with the policies and objectives of any plans applicable to the campus's location which have been adopted by the City Council as part of the Portland's Comprehensive Plan.

Findings: The campus is located within the boundaries of both the Albina Community Plan and the Concordia Neighborhood Plan. The 2002 Concordia IMP, which included the athletic field project, was found to be consistent with these two plans. The addition of lighting and a sound system, with the proposed conditions of approval regarding their operation, does not alter the consistency of Concordia's field project with these adopted plans. *Therefore, this criterion is met.*

- **O.** The Portland Design Commission has reviewed and approved design guidelines or standards that will ensure:
 - 1. An environment will be created which is attractive, safe, and pleasant for pedestrians; and
 - 2. The edges of the campus will provide smooth and attractive transitions between the institutional campus and adjacent residential and business areas.

Findings: The Portland Design Commission reviewed and approved design guidelines and standards for Concordia in both 1997 and 2002. Most major new projects, and virtually all projects within the perimeter of the campus, must either meet the Community Design Standards or receive approval through design review. The athletic field has been evaluated during the design review process, as discussed earlier in this report. *Therefore, this criterion is met.*

33.848.070 Impact Mitigation Plan Requirements

The applicant must submit an impact mitigation plan which includes all the components listed in this Section. The review body may modify the proposal. While it is important to include adequate detail in the plan, the intent of this Chapter and the IR zone is to allow development of a document that guides the nature and timing of mitigation activity rather than one that specifies the nature, size, and location of all future development projects.

- **A. Mission statement and uses.** An impact mitigation plan must include a mission statement. The mission statement is intended to identify the scope of services and defines the range of uses and activities that the institution sees as ultimately occurring within the campus. The mission statement must include the following elements:
 - 1. A statement of the mission of the institution and the campus;
 - 2. A list of all the primary uses expected to occur on the campus with an explanation of the interrelationship between each and the institutional campus mission;
 - 3. A list of all accessory uses expected to occur on the campus with an explanation of the role each accessory activity plays in implementing the campus mission statement. Activities which provide goods or services to people or facilities that are not on the campus may not be listed as accessory activities;
 - 4. A list of temporary activities and events which are expected to occur on the campus in general and at major event entertainment facilities located on the campus;
 - 5. A list of other retail sales and service, office and industrial activities expected on the campus providing goods or services to people or facilities in the larger community, with a statement for each explaining the interrelationship between the activity and the campus mission statement; and
 - 6. The proposed locations for retail sales and service, office, industrial uses, and major event entertainment facilities must be identified.

Findings: The 2002 Concordia IMP includes a mission statement including all the above elements. No changes to the mission statement are proposed with this application. *Therefore, this requirement remains met.*

B. Institutional campus boundary. The Impact Mitigation Plan must delineate the ultimate area and boundaries of the institution's campus. The proposed boundary may include land that the institution does not presently control. However, sites must be controlled by the institution to be zoned IR.

Findings: The 2002 Concordia IMP includes a map delineating the ultimate area and boundaries of the campus. No changes to these boundaries are proposed with this application. *Therefore, this requirement remains met.*

- **C. Location sensitive uses.** The Impact Mitigation Plan must identify the location on the campus where location sensitive uses are to be placed. Location sensitive uses are:
 - 1. Retail Sales And Service and Office uses which are not listed as primary or accessory uses in the mission statement;
 - 2. Any use or activity which provides goods or services to establishments not on the campus;
 - 3. Major Event Entertainment facilities permitted on the campus as conditional uses; and
 - 4. Industrial Service and Manufacturing And Production uses permitted on the campus as conditional uses. _

Findings: The 2002 Concordia IMP does not list any retail or office uses which are not accessory to students, faculty and staff at the institution. The 2002 Concordia IMP does provide some services to the local community and neighborhoods. There are no existing or proposed Major Event Entertainment, Industrial Service, or Manufacturing and Production uses on the campus. *Therefore, this requirement remains met.*

D. Phasing of mitigation activities. Impact mitigation measures and expected demands for public services should be divided into phases of campus growth. Each phase of campus growth included in the impact mitigation plan must identify the specific mitigation activities which will be implemented in advance of the development activities included in that growth phase. A specific phase of campus growth may include several different development projects. Phases of growth may be described exclusively in terms of the mitigation measures to be implemented. Once the implementation measures for a phase of growth are in place any development project which is otherwise consistent with the campus mission statement and the impact mitigation plan may be undertaken when the project's expected impacts are at or below the levels mitigated for in the current phase of growth. Each phase of growth must identify mitigation measures to be taken to address the elements in Subsections E through I of this Section.

Findings: The 2002 Concordia IMP included a phased program or matrix of campus projects. The athletic field and parking lots #4 and #5 are contained within phase I of the IMP. No changes are proposed to the phasing of programs approved in the 2002 IMP. *Therefore, this requirement remains met.*

- **E. Waste disposal.** For each phase of campus development, the following service loading must be addressed:
 - 1. Effect on the City's sanitary sewer system;
 - 2. Capacity of the storm water disposal system that serves the campus;
 - 3. Disposal of hazardous solid waste, including preventing hazardous substances from entering the storm water disposal and sanitary sewer systems; and
 - 4. Preventing mud and other debris from campus construction sites from entering the storm water disposal system.
 - 5. Reducing solid waste produced on the campus through recycling;

Findings: There are adequate sanitary services available to the athletic field in adjacent public streets. The conceptual stormwater management plan for the athletic field has been identified as acceptable to the Bureau of Environmental Services (BES), although additional issues and specific methods will need to be further addressed during the building permit review process. The BES has recommended a condition of approval requiring that, during the building permit review process, an agreement must be finalized between the applicant and BES for encroachment of the field and related activities in the easement that will remain after the vacation of NE Junior Street between NE 27th and 29th Avenues. Erosion control during construction will comply with all associated regulations of the City. Concordia has an extensive solid waste recycling program functioning on campus. Therefore, with the noted condition and refinements to stormwater management that will apply during permitting, this requirement is met.

- **F. Water supply.** For each phase of campus development the following service loading must be addressed:
 - 1. Water needs of the campus; and
 - 2. Water conservation activities and measures.

Findings: The existing water service available to the campus is adequate to serve the athletic field project, and the Water Bureau has responded to the proposal with no objections. *This requirement is met.*

- **G. Transportation.** For each phase of campus development the following must be addressed in the multi-modal transportation plan.
 - 1. The location and amount of motor vehicle and bicycle parking;

Findings: The applicant has proposed the vehicle parking for Lot 4 and some of Lot 5 will be shifted south into the proposed NE Liberty Street vacated area. No apparent changes have been proposed for bicycle parking. The proposed vacation of NE Liberty Street will result in a loss of approximately 35 on-street parking spaces. In addition, the street widths of both NE 27th and 29th Avenues are only 28 feet wide. The change from residential homes with driveways to the athletic field complex will result in no opportunities for 'courtesy' queuing of two opposing vehicles on the athletic field side of the street. Due to the safety issues associated with this street condition, on-street parking will have to be removed on the athletic field side of both NE 27th and 29th Avenues. Although, all of this on-street parking is not included in the required parking count for the University, it is or has been located central to the campus where the primary use of this parking would have been University related. Off-street parking spaces become more critical with the loss of this parking. The parking for Lots 4 and 5 will provide adequate supply for the current enrollment, according to the required parking ratio in the IMP, as well as athletic events with up to approximately 500 attendees. Therefore, this requirement is met.

- 2. Strategies to reduce the number of motor vehicle miles traveled by those traveling to and from the campus, i.e. students, patients, faculty, staff, and visitors, including:
 - a. Measures to encourage those traveling to and from the campus to use alternatives to single-occupant auto trips (walking, bicycling, carpooling, and public transit);
 - b. The car or van pool programs;
 - c.Incentives to be offered to employees and, where applicable, students, and others to use public transit for travel to and from the campus;
 - d. Incentives to be offered to employees and, where applicable, students, and others to travel on foot or by bicycle to and from the campus. This may include incentives for employees to live within walking distance of the campus;

Findings: There are existing TDM strategies in the approved IMP, enforceable through IMP conditions of approval, that are sufficient to meet this requirement. *Therefore, this requirement is met.*

3. Planned improvements to the routes used by transit patrons between transit stops serving the campus and the campus's circulation system for pedestrians and transit facilities;

Findings: The amended IMP plan shows pedestrian walkways that directly link to sidewalks on public streets that will allow user's of transit to conveniently access the site from both NE Dekum and 27^{th} . Therefore, this requirement is met.

4. An on-site circulation system for all modes that meets the City's connectivity standards of no more than 530 feet apart for streets and no more than 330 feet apart for pedestrian/bicycle connections where streets are not feasible, and links to adjacent streets and walkways;

Findings: The campus' internal circulation system of local streets is consistent with the functions and features ascribed to those streets in the Comprehensive Plan Transportation Element. The connectivity policies have been addressed in the 2002 IMP for the proposed Junior Street vacation. *Therefore, this requirement is met.*

5. Traffic impacts on the streets in the vicinity of the campus and measures which will be taken to ensure that the surrounding streets will function consistent with the Transportation Element of the Comprehensive Plan;

Findings: The applicant prepared a 'Final Transportation Impact Analysis' and provided it with the 2002 IMP. It provided analysis of intersection operations under existing and future conditions, and proposes mitigation measures. The study demonstrated that streets and intersections in the surrounding area will function consistently with their designations in the Comprehensive Plan Transportation Element in the year 2017, following full implementation of the IMP. This amendment and compliance review does not change those conclusions. *Therefore, this requirement is met.*

6. Parking mitigation, including an analysis of projected peak parking demand for daily activities and events, and strategies to reduce the supply of parking without impacting nearby land uses; and

Findings: The provision of parking lots #4 and #5, as well as parking associated with a proposed student housing project (LU 08-120374) will provide adequate supply for the current enrollment, according to the required parking ratio in the IMP. In addition, athletic events with up to 500 attendees can adequately be accommodated. *Therefore, this requirement is met.*

7. To address adequacy of transportation services, a multi-modal impact study is required of the applicant by the Office of Transportation. In preparing such a study the applicant should follow the guidelines set forth in the "Transportation Impact Study Guidelines" document available from the Portland Office of Transportation.

Findings: The applicant prepared a 'Final Transportation Impact Analysis' in the 2002 IMP that analyzed intersection operations under existing and future conditions, and proposes mitigation measures. This study followed the guidelines of the Portland Office of Transportation. This amendment and compliance review does not affect the conclusions of that study. *Therefore, this requirement remains met.*

H. Environmental, historic, scenic and open space. For each phase of campus development the following must be addressed:

- 1. A strategy for the protection and enhancement of environmental, scenic and historic resources which have been inventoried by the City, determined to be significant and are located within the land occupied by the campus; and
- 2. A strategy for the enhancement of the campus's system of open spaces and their linkage to public right-of-ways.

Findings: The Concordia campus does not contain any inventoried environmental, scenic, or historic resources, which are indicated by specific designations (landmark dots) or overlay zones on the zoning maps. The proposed athletic field project was part of the strategy for enhancement of the campus's system of open spaces, in addition to the new central campus green and multiple project-specific landscaped courtyards. An existing condition of approval will require that the campus document conformance with the onsite pedestrian circulation standards prior to the completion of all phase 1 projects, of which the athletic fields are a part. *Therefore, this requirement is met.*

- **I. Neighborhood livability.** For each phase of campus development the following must be addressed:
 - 1. Steps that will be taken to mitigate adverse impacts on the livability of nearby residential neighborhoods and residential developments as well as non-institutionally owned properties within the institution campus boundary. Impacts include noise, odor, traffic, litter, parking, shading of adjacent areas, public safety, vibration and glare;
 - 2. How the institution's development will accommodate continued provision of public services including transportation, police, and fire protection to locations which are within the campus boundary but are not under the institution's control;
 - 3. A schedule for bringing the campus into compliance with all provisions of the zoning code which may be practicably met as well as any conditions attached to the establishment or expansion of the institutional campus or the approval of the campus impact mitigation plan;
 - 4. A plan showing how the campus will comply with the regulations for superblock if the campus is subject to the superblock regulations. If the institution's site includes more than 50,000 square feet of vacated rights-of-way the institutional campus must meet the development regulations for superblocks contained in Chapter 33.293; and
 - 5. Identification of distinct service or amenities the institution will provide for nearby residents.

Findings: The 2002 Concordia IMP addressed specific measures with regards to addressing neighborhood livability during four phases of campus growth. The athletic field project has been evaluated during a design review procedure, and the 2002 IMP condition requiring additional landscaping along the west edge of the field has been applied. The continued provision of police and fire protection services to the campus will be accommodated. Concordia will be required to demonstrate compliance with both the on-site pedestrian walkway and superblock standards prior to construction of the athletic field project, per existing conditions of approval. Services or amenities that Concordia will provide for nearby residents remains the same as originally contemplated in 2002.

With regards to the amendment to the 2002 IMP to allow field lighting and a sound system, conditions of approval regarding coordination with the neighborhood, cut-off times for evening events, and ongoing assurances that noise will comply with City noise standards can mitigate for potential adverse livability impacts to the neighborhood. *Therefore, this requirement is met.*

J. Neighborhood communication and coordination. The institutional campus must provide an ongoing process for communicating with neighbors. The process is to be implemented during all phases of growth provided for by the impact mitigation plan. This process must provide for the following:

- 1. The institution must host a meeting, at least annually, with representatives from recognized neighborhood and business associations within whose boundaries the institution is located. The purpose of the meeting is to discuss short term and long-range plans for campus building and development.
- 2. A process for meeting with representatives of recognized neighborhood and business associations within whose boundaries the institution is located, which provides for the following:
 - a. The periodic review of the institution's services and activities and potential external impacts;
 - b. An opportunity to review and comment upon the design of specific development proposals planned in the current or next growth phase; and
 - c. An opportunity to be informed of all land use reviews the institution is applying for at least 30 days before they apply to the City. The institution must provide information on the types of activities, proposed size, and proposed location along with any proposed mitigation plan measures.

Findings: Representatives of Concordia University meet regularly with the Concordia Neighborhood Association. Concordia is currently negotiating an updated good neighbor agreement (GNA) with the neighborhood association. The neighborhood is provided with opportunities to comment upon the design of specific development proposals prior to their submittal to the City. Dennis Stoecklin, the Chief Financial Officer of Concordia University, is a member of the Concordia Neighborhood Land Use Committee. Concordia University is also a member of the North-Northeast Business Association. In addition to the athletic field project, the issues of adding field lighting and a sound system have been discussed with the neighborhood prior to their formal application to the City. *Therefore, this requirement is met.*

- **K. Design compatibility.** The impact mitigation plan must include guidelines or standards that will guide the design review process on the campus. The guidelines or standards must include the following elements:
 - 1. A set of design review guidelines and procedural thresholds to mitigate the potential aesthetic impacts of large scale institutional development upon surrounding non-institutional development and public right-of-ways. For each specific development project located near the campus boundaries or abutting a right-of-way, the applicant must demonstrate compliance with these design guidelines prior to the granting of a building permit. This will be processed through a Type II or a Type I design review procedure at the completion of schematic design. A Type II procedure must be followed if the impact mitigation plan's design guidelines take the form of subjective or qualitative statements. The institution may choose a Type I procedure if the design guidelines are objective standards;
 - 2. Each building facade within 50 feet of a public right-of-way or pedestrian path or recreational trail (as shown in the Portland Comprehensive Plan Transportation Element) within or bordering the institutional campus must comply with design guidelines which address the following:
 - a. All developments must create an environment friendly to pedestrians through the:
 - (1) Orientation of main entrances to facilitate visibility and accessibility to pedestrians and transit patrons;
 - (2) Treatment of ground floor development;
 - (3) Provision of pedestrian amenities including seating, informational and directional signs and lighting; and
 - (4) Treatment of open spaces and other landscaped areas.
 - b. All development located, in all or part, within 150 feet of a campus boundary abutting a residential or commercial zone must also be designed to smooth the transition between more intense, larger-scale institutional development and nearby residential and commercial areas through the:
 - (1) Treatment of campus gateways including their location, design and landscaping;

- (2) Building design including proportions; building massing; type and color of exterior building materials; window treatment including number, size, location and degree of transparency; building setbacks and landscaping; and masking of roof-mounted mechanical equipment, loading docks and trash collection areas; and
- (3) Design, landscaping and location of surface and structured parking.
- 3. A listing of any specific building design characteristics for which a blanket adjustment to zoning regulations is requested for current and future building projects must be included in the institution's design guidelines.

Findings: The current application includes a design review for the athletic field, reviewed against the Community Design Guidelines. These guidelines consider all the elements identified above. No blanket adjustments to zoning regulations were included in the institution's design guidelines. *Therefore*, this requirement is 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.

Building Permit Issues: Specific issues to be addressed during the building permit process which are not included below as conditions of approval include, but are not limited to, the following:

- Submittal of a stormwater report, detailed site utility plan and other information documenting conformance with all applicable requirements of the City's Stormwater Management Manual;
- Information documenting all existing and proposed easements on the field site, especially related to sanitary and stormwater facilities, including the public sump at NE 27th and Liberty;
- Submittal of a geotechnical report; and
- Information documenting conformance with the base zone pedestrian standards for the campus circulation system (33.120.255), including specific walkway locations, dimensions, materials, lighting, and treatment when adjacent to or within vehicle areas, per condition R of the 2002 IMP.

CONCLUSIONS

The applicant has proposed the construction of an athletic field and two surface parking lots, generally as anticipated in the 2002 Impact Mitigation Plan (IMP). The applicant has also amendments to their 2002 IMP, to allow field lighting and a sound system for the field. Modifications through Design Review have been requested to reduce interior parking lot landscaping, to increase the height of five field lighting poles, and to allow greater light spillover onto adjacent properties. With conditions of approval requiring a Good Neighbor Agreement with the Concordia Neighborhood Association, limiting the hours and intensity of field lighting and field events in general, ensuring conformance with City Noise Standards, and addressing City agency requirements during construction, the request is able to meet the applicable guidelines and criteria and should be approved.

ADMINISTRATIVE DECISION

Approval of **Design Review** for the Concordia athletic field and parking lots #4 and #5, including the following specific elements:

 A combined artificial turf baseball and soccer field, two batting cages and bull pens, spectator seating/bleachers, an enclosed athletic building, two small ticket booths, and perimeter fencing and gates;

- Primary structures are clad in a red brick laid in a running bond with horizontal soldier courses on street-facing facades, and colored concrete masonry units (CMU) in some locations as the structures face inwards to the field;
- Ornamental wrought iron and masonry fencing surrounding the majority of the field, except along portions of the north section of the field, where black vinyl-coated chain link fencing is proposed;
- Silver colored metal roofing material for the athletic building, ticket booths, and press box;
- Freestanding scoreboards, oriented inwards to the athletic field, are located near the northeast corner of the field (soccer), as well as at the central west edge of the field (baseball);
- Backstop support posts and barrier netting, approximately 30'-0" in height, at the southwest corner of the field (baseball), as well as at the north edge of the soccer field;
- Brick and concrete pedestrian walkways, entry plazas, gates, and seating at the southwest and southeast corner field entry points; and
- Two parking areas for a total of 175 parking spaces, so the south and east of the field, with asphalt surfacing, interior and perimeter landscaping, and paved pedestrian walkways.

Approval of a **Modification through Design Review** to reduce the amount of interior parking lot landscaping from 7,875 to 4,858 square feet.

Approval of a **Modification through Design Review** to increase the maximum height of five field lighting poles from 75 to 80 feet tall.

Approval of a **Modification through Design Review** to increase the maximum light spillover onto adjacent properties from 0.5 to a maximum of 1.61 foot candles of light, with locations as identified by the applicant in Exhibit A.1.

Approval of a Type II **Impact Mitigation Plan Compliance Review** for the athletic field and parking lots #4 and #5.

Approval of a Type II **Impact Mitigation Plan Amendment** to allow field lighting and a sound system for the athletic field.

The above approvals are granted based on the approved plans and details, Exhibits C.1 through C.23, each exhibit being signed and dated September 29, 2008, and subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through I) 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 07-184826 DZM IM ZC." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Concordia must enter into and maintain a Good Neighbor Agreement (GNA) with the Concordia Neighborhood Association, with specific provisions as necessary regarding field lighting levels, hours of operation, and frequency, and addressing similar factors regarding the use of a sound system. The GNA must also address traffic, noise, and litter impacts associated with field events.
- C. Illuminated night-time events at athletic fields are required to end by 9:00pm on Sunday through Thursday, and 9:30pm on Friday and Saturday. Further, lighting is required to be reduced to a low or moderate level between 9:30 or 9:00pm Sunday through Thursday, , and 10:00pm Friday and Saturday, when all lighting must be extinguished.
- D. The annual report for 2007-2008 identified in Condition I of Case File # LU 02-106366 IM must be satisfied prior to issuance of a building permit for the athletic field, or no later than October 31, 2008, whichever comes first. This condition requires an annual report of the

effectiveness of Transportation Demand Measures. NOTE: As a clean-up item, the reference to condition F in the first line of Condition I should also be revised to refer to Condition H.

- E. Condition K of LU 02-106266 IM should be amended as follows: "Special events at the athletic field are limited as follows: University-only events may not exceed 500 attendees per event. Non-University events may not exceed 250 attendees. Non-university events are limited to no more than 3 events per month from September through April and no more than 10 events per month from May through August. Approval for events that exceed the limitations noted must be approved through a Type II IMP Amendment Review."
- F. The applicant must execute a 6-foot wide pedestrian access easement, minimum 6-feet wide up to a maximum 12-feet wide, on the north side of the vacated NE Liberty Street, prior to approval of any permits for the use of the vacated NE Liberty Street area. The easement must provide for a direct 6-foot clear unobstructed pedestrian through zone. NOTE: These easements are only required if the NE Liberty Street vacation is approved. If the NE Liberty Street vacation is not approved, the applicant will be required to construct street improvements along the NE Liberty Street frontage. The applicant must provide a performance guarantee and contract to the satisfaction of the City Engineer, in order to receive building permit approval.
- G. The applicant must construct sidewalks along the NE 29th Avenue frontage of the athletic field. Prior to building permit approval, the applicant must provide a performance guarantee and contract to the satisfaction of the City Engineer.
- H. All noise-generating events at the athletic field must comply with Title 18 noise standards. In the event that noise becomes an issue with the neighborhood after construction of the field, Concordia will conduct an acoustical analysis of athletic field events to determine noise levels. Any noise in excess of the allowed standards must be approved through a variance to the Title 18 noise standards as granted by the Noise Control Officer.
- I. At the time of building permit review, an agreement must be finalized between the applicant and the Bureau of Environmental Services for encroachment of the field and related facilities in the easement that will remain after the vacation of NE Junior Street between NE 27th and 29th Avenues.

Decision rendered by:

on September 29, 2008.

uthority of the Director of the Bureau of Development Services

Decision mailed: October 7, 2008

Staff Planner: Mark Walhood

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 December 21, 2007, and was determined to be complete on January 8, 2008.

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 December 21, 2007.

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 waived the 120-day review period, as stated with Exhibit A.4. With the waiver, the 120-day review period will now expire January 7, 2009.

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 (Impact Mitigation Plan Compliance/Amendment) and/or the Design Commission (Design Review), which will hold a public hearing. Appeals must specify which criteria are at issue in the appeal, to determine the appropriate appeal body or bodies. Appeals must be filed by 4:30 PM on October 21, 2008 at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., 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. Recognized neighborhood associations are not subject to the appeal fee. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. 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 contact the receptionist at 503-823-7967 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.

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 October 22, 2008 (the next business day following the last day to appeal).
- 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; *OR*
- *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 Impact Mitigation Plan and any concurrent reviews other than a Zone Change or Comprehensive Plan Map Amendment remains in effect until:

- All phases of development included in the plan have been 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

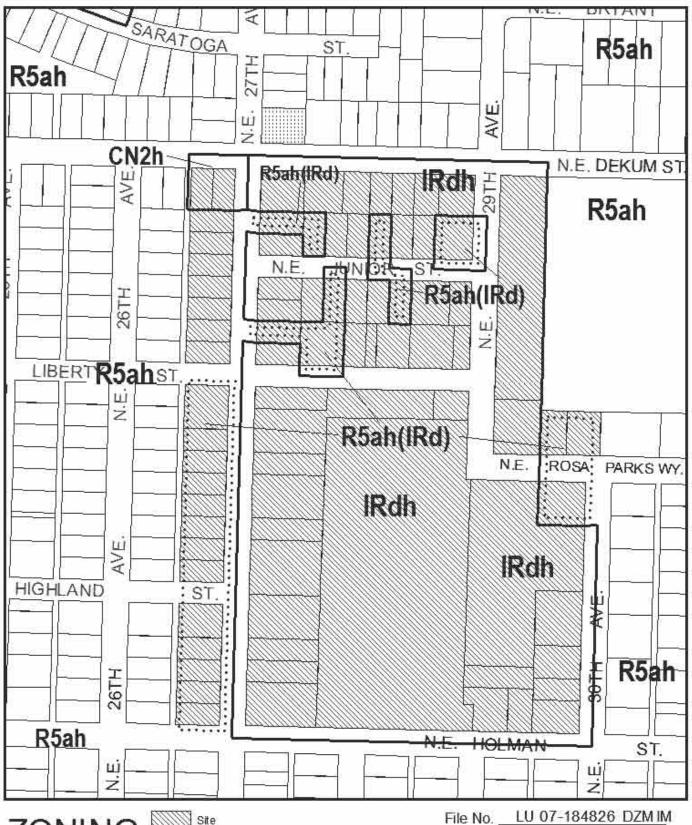
- A. Applicant's Statements
 - 1. Original application, including narratives, lighting data, and original plan set
 - 2. Supplemental application narrative, received 4/30/08
 - 3. Stormwater report, received 4/30/08
 - 4. 120-day Waiver, received 3/18/08
 - 5. Final Special Events Management Plan (SEMP), rec'd. 7/23/08
- B. Zoning Map (attached)
- C. Approved Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Utility Plan
 - 3. Grading Plan
 - 4. Lighting Plan
 - 5. Landscape Plan
 - 6. Liberty Street Plan Enlargement, Elevations and Sections (attached)
 - 7. Perimeter Elevations (attached)
 - 8. Planting Plan
 - 9. Planting Plan with Landscape Calculations (attached)
 - 10. Soccer Bleacher Details
 - 11. Baseball Bleacher Details
 - 12. Concessions/Team Building and Ticket Booth Details
 - 13. Wall Sections
 - 14. Wall Sections
 - 15. Wall Sections
 - 16. Wall Sections
 - 17. Wall Sections
 - 18. Dekum Retaining Wall Vertical Reveal Section Detail
 - 19. Field Netting Detail
 - 20. Scoreboard Details
 - 21. Field Lighting Details
 - 22. Ornamental Light Details
 - 23. Large/Scalable Plan Set
- D. Notification information:

- 1. Mailing list
- 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Development Review Division of Portland Transportation a. E-mail from Transportation allowing alternative language for Condition F
 - 3. Site Development Section of the Bureau of Development Services
 - 4. Life Safety (Building Code) Section of the Bureau of Development Services

 - 6. Urban Forestry Division of Portland Parks and Recreation7. Water Bureau
- F. Correspondence:
 - 1. Letter from George Bruender, Concordia Neighborhood Association, rec'd. 2/13/08
 - 2. E-mail from Corrinne Humphrey, rec'd. 1/31/08
 - 3. Letter from 'The Liberty North Six', rec'd. 2/13/08
 - 4. E-mail from Mark Atkinson, rec'd. 1/22/08
 - 5. E-mail from R.J. Gottfried, rec'd. 1/16/08
- G. Other:
 - 1. Original LU Application Form, Tax Account Information and Receipt

 - Site History Research
 Incomplete Letter, sent from staff to applicant 1/4/08
 - 4. E-mail correspondence between applicant and staff regarding 7/22/08 meeting
 - 5. E-mail correspondence between applicant and staff regarding proposed conditions,
 - 6. E-mail correspondence between applicant and staff regarding campus population, 6/26/08
 - 7. E-mail correspondence between applicant and staff regarding various issues, 2/22/08 through 3/10/08, including excerpts of SEMP's from Lewis & Clark College and University of Portland
 - 8. E-mail 'punch list' of case issues from staff to applicant, including notes from 5/15/08 meeting
 - 9. E-mail correspondence between applicant and staff regarding various issues, 1/31/08 through 2/7/08
 - 10. E-mail correspondence between applicant and staff regarding comment period extension and other issues, 1/22/08 through 2/7/08
 - 11. E-mail from applicant to staff extending public comment period, rec'd. 1/22/08
 - 12. Excerpt of Lewis & Clark Master Plan findings regarding lighting LU 02-156503
 - 13. Excerpt of University of Portland Master Plan findings regarding lighting LU 03-153861
 - 14. Historic Resource Inventory Sheets 2812 NE Junior St. & 2700-2710 NE Dekum

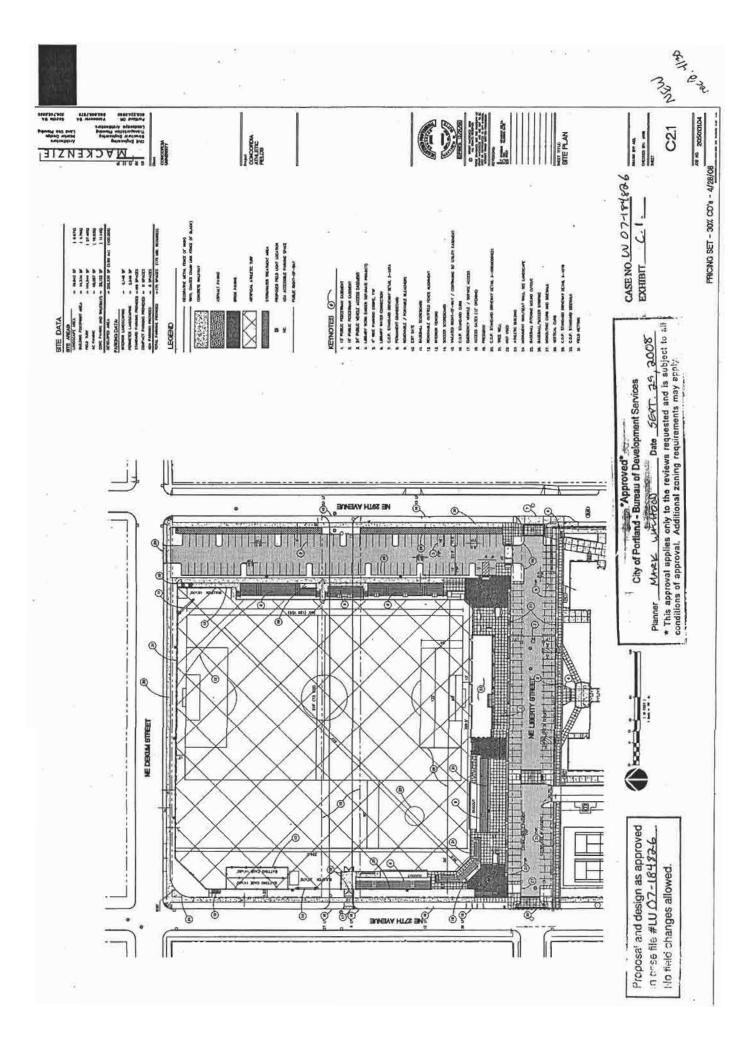
The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).

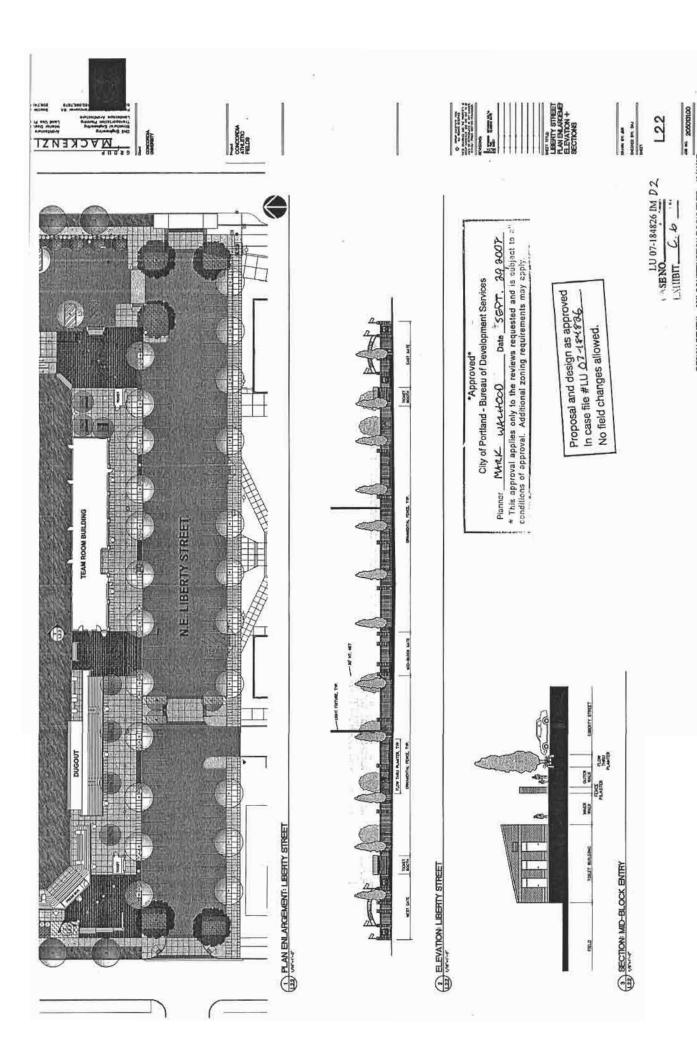


ZONING Site Also Owned

2333,2433 1/4 Section _ 1 inch = 200 feet Scale_ 1N1E13CB 100 State Id . (Jan 08,2008) Exhibit -







DESIGN REVIEW - 30% CONSTRUCTION DOCUMENTS - 12/21/07

