



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

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Portland, Oregon 97201
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www.portlandonline.com/bds

Date: April 26, 2011
To: Interested Person
From: Kathleen Stokes, Land Use Services
503-823-7843 / Kathleen.Stokes@portlandoregon.gov

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

The Bureau of Development Services has approved a proposal in your neighborhood. The 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 11-112458 CU

GENERAL INFORMATION

Applicant: Nancy Conover
6401 NE 10th Ave
Portland OR 97211

Hogen Bays, Zen Community Of Oregon
PO Box 368
Clatskanie, OR 97016

Site Address: 6401-6405 NE 10TH AVE

Legal Description: BLOCK 35 LOT 6 LOT 7 EXC W 3', WOODLAWN
Tax Account No.: R925804620
State ID No.: 1N1E14CA 08300
Quarter Section: 2431

Neighborhood: Woodlawn, contact Ayleen Crotty at 971-221-7228.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.
District Coalition: Northeast Coalition of Neighborhoods, contact Shoshana Cohen at 503-823-4575.

Zoning: R5h, R5,000, High Density Single-Dwelling Residential with an Aircraft Landing (height restriction) Overlay. Woodlawn Conservation District.

Case Type: Conditional Use
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal: The Zen Community of Oregon is proposing to locate at this site, continuing the property's historic use as a religious institution. No significant changes to the property are proposed, other than basic repair and maintenance, landscaping improvements to manage storm water, and replacement of adjacent street trees, as needed. No onsite automobile parking exists, but the applicants have indicated that they will add onsite bicycle parking and will encourage use of mass transit.

The regular attendance at the weekly Zen Community meetings ranges from about 15 to 45 attendees for some days and up to 20 to 60 people on other days. These meditation times are

scheduled on Tuesday, Thursday and Sunday evenings, from 7 to 10 pm, and on Tuesday mornings, from 6:30 to 7:30 am. Monthly workshops that average 40 to 100 people are held on Saturdays, from 8 am to 5 pm. A monthly Friday evening event, from 7 to 9 pm, is planned for the future and is expected to attract about the same number of people. One special event that occurs annually was held on a Saturday, from 8 am to 8 pm and attracted 150 attendees.

Relevant Approval Criteria:

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

ANALYSIS

Site and Vicinity: The applicant's site is a 9,773 square-foot parcel, that is located on the northwest corner of the intersection of NE Highland Street and NE 10th Avenue. The property is developed with a two-story church building that was constructed in the 1890s. (County records report that it was built in 1896, but the applicants and the City's historic records state that the site has been in use, continuously, as a community church since 1891). Originally known as the Woodlawn Methodist-Episcopalian Church, the building also served the Russian Orthodox community for a time and has an eastern cross, extant, at the top of the steeple. The last previous group to occupy the building was the Church of the Living God.

The building is located in the southeast corner of the property and is surrounded on the north and west by an open, undeveloped area. The first level of the church building consists of a day-light "basement," with a kitchen and community room. The second level contains an office and the sanctuary or main assembly area. The building is described in the City's Historic Resource Inventory as "rural gothic" and includes many period architectural details, such as a bell tower, with a pyramidal, bellcast roof and a round window with quatrefoil tracery. Several narrow, vertically-oriented, one-over-one double-hung windows have framing that includes the suggestion of a pointed arch over each window.

In the R5-zoned area around the site, development generally consists of single-dwelling residences. Between the south side of Rosa Parks Way and the north side of Holman Street, west of Durham Avenue, there are 66 residences that were constructed over a period of more than a hundred years, from 1888 through 2006. About 23 of the homes were constructed in 1950 or later, but the majority were built in the first three decades of the 1900s. The church appears to predate all but four of the residences in the immediate vicinity.

Zoning: The site is zoned R5, High Density Single-Dwelling Residential. This zone is intended to accommodate single-dwelling development, with an average of one unit per 5,000 square feet of site area. Institutional Uses are allowed, when approved as Conditional Uses. Institutional Uses are subject to special development standards, found in Section 33.110.245, which are intended to ensure that institutional development is compatible with residential development in the area and that negative impacts on the surrounding residential area are limited.

This site also has an "h" or Aircraft Landing Overlay. The provisions of this overlay zone, that limit the height of structures within the aircraft landing approach patterns for the Portland International Airport, are not relevant to this proposal.

The site is located within the boundaries of the Woodlawn Conservation District. Conservation District designations are intended to preserve collections of individual resources that are of historical or cultural significance at the local or neighborhood level. If any development or modifications to existing development occur on the site, the development must meet the requirements of the Community Design Standards, or be approved through Historic Design Review.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **February 28, 2011**. The following Bureaus have responded with no issues or concerns. Agencies that provided

written comments are noted with exhibit numbers. The other agencies provided electronic responses of “no concerns”:

- Environmental Services noted that the applicants are proposing voluntary storm water management through landscaping improvements and advised that the group may be able to qualify for financial grants that are available to help with projects like this (Exhibit E-1).
- Transportation Engineering provided an analysis of potential impacts on the transportation system, which is contained in the findings for Criteria D. 1 and 2, below (Exhibit E-2).
- Water Bureau provided information on the existing water service for the site (Exhibit E-3).
- Fire Bureau
- Police Bureau stated that they are capable of serving the proposed use at this time (Exhibit E-4).
- Site Development Section of BDS
- Life Safety Plan Review Section of BDS.
- Parks-Forestry Division

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on February 28, 2011. One written responses was received from the Secretary of the Woodlawn Neighborhood Association, noting support of the proposed remodel and use of the property (Exhibit F-1).

ZONING CODE APPROVAL CRITERIA

33.815.105: Institutional And Other Uses In R Zones

33.815.040 Review Procedures The procedure for reviews of conditional uses depends on whether the applicant is proposing a new conditional use, changing to another type of conditional use, or modifying development at an existing conditional use. The review procedure may also depend upon the type of use that is being proposed. This proposal is for an addition to floor area that is greater than 1,500 square feet, but less than 10% of the overall floor area for the campus, and so requires approval through a Type II Conditional Use Review.

33.815.105 Approval Criteria for Non Household Living Uses in R Zones These approval criteria apply to most conditional uses in R zones. The approval criteria allow institutions and other non household living uses in a residential zone which maintain or do not significantly conflict with the appearance and function of residential areas. The approval criteria are:

- A. Proportion of Household Living uses.** The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the Household Living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the Household Living category and is specifically based on:
1. The number, size, and location of other uses not in the Household Living category in the residential area; and
 2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.

Findings: The residential area includes residentially-zoned properties within several blocks of the site, beginning at NE Rosa Parks Way, to the north, and extending to NE Ainsworth Street to the south, west to NE 7th Avenue and east to NE 13th Avenue. This area includes properties that are zoned for single-dwelling residential uses. The applicant reports that there are no other nonhousehold living uses in the area.

A church has reportedly existed on this site for 120 years. The Zen Community of Oregon proposes to continue this historic use of the property. There will be no change in the number, size or location of nonhousehold uses. The expected frequency of events and the numbers of attendants are very similar to the previous use of the site. The pastor of the most recent previous group to have a religious institution on the site provided information

indicating that the church was used at least three times per week for services, meetings, classes and discussions, with 40 to 60 people in attendance. The church also had a minimum of 12 events per year that had 150 people in attendance. The applicants reported that in 2010 their regular meeting attendance ranged from 20 to 60 people and they held monthly events that attracted from 40 to 100 participants. About once a year, the applicants' group also has a day long event that brings about 150 people. These numbers indicate that the activities that the applicant would have at this location are in keeping with the those that were reported for the previous use of the facility. Therefore, there is not expected to be any change in the proportion of uses that are not in the household living category in the residential area and there will be no significant increase in the intensity or the scale of the use. These criteria are met.

B. Physical compatibility.

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

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

2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, and landscaping; or
3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

Findings: The approval criteria require that either 2 or 3 must be met. The architecture of institutional uses is often substantially different from residential architecture, based on characteristics such as site size, building scale and style. The existing building is located closer to the street lot lines than would be allowed by the Code for new development. However, the structure represents a historic element of this neighborhood that predates most of the homes in the area. No changes are proposed to the building or the development on the site, aside from repair of the structure and the addition of bicycle parking and landscaping in the yard. The existing development complements the residential developments and contributes to the character of the adjacent community. Therefore, this criterion is met.

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

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

Findings: No significant adverse impacts related to noise, glare from lights, late-night operations, odors or litter are expected to result from this proposal, as the group will primarily use the site as a location for silent meditation and religious services, as well as study groups and community meetings. In the narrative provided for this review, it was stated that, generally, activities will not be able to be heard outside of the building. Events are not scheduled to last later than 10 pm, so there will not be any late night activities. The existing safety lighting will continue to be used, which will discourage criminal activity, without causing any excessive glare for neighbors. No odors will be generated and the group will maintain the property to prevent any problems from litter. No activities are planned that would create any impacts on the privacy of adjacent neighbors. Therefore, these criteria are met.

D. Public services.

1. The proposed use is in conformance with the street designations of the Transportation

Element of the Comprehensive Plan;

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

Findings: Portland Transportation/Development Review reviewed this proposal for its conformance with adopted policies, street designations, Title 33 Approval Criteria, Title 17, and for potential impacts upon transportation services. Transportation's analysis is contained below:

Street Classifications *The subject site has frontages along two streets, NE Highland and NE 10th Ave, which are classified as Local Service streets for all modes in the City's Transportation System Plan (TSP).*

The proposed (continuous) religious institution use is supportive of the street designations of these streets. The TSP states that, "Local Service streets provide local circulation for traffic, pedestrians and bicyclists". The proposed development on the site supports or enhances the above referenced street designations. The TSP also states that, "Local Service Traffic Streets are intended to distribute local traffic and provide access to local residences or commercial uses." The continued religious institution use of the site will not impact the distribution of local traffic throughout the area; patrons of the Zen Community of Oregon facility will utilize NE Highland, NE 10th Ave, as well as other surrounding local service streets to access the site.

Street capacity/level of service

A transportation impact study (TIS) was not prepared and submitted in conjunction with the proposed Conditional Use application. The Trip Generation Manual from the Institute of Transportation Engineers (ITE) does not have any comparable trip generation data for the proposed use, only for more traditional churches. Given the lack of regularly scheduled church-like services (masses), the primary generator of vehicular trips to/from a conventional church site, the proposed use does not qualify as the identified church land use category in the ITE. However, based on the information that has been supplied by the applicant describing the programming for Zen Community of Oregon, it is evident that the majority of the programs at this new site are predominantly class-like, meetings and workshops in nature. The weekly and regularly scheduled programs will be beyond the traditional morning and evening peak hour of travel, which are the timeframes wherein, transportation impacts associated with land use proposals are measured in relation to street capacity and intersection level of service.

The number of vehicles likely to access the proposed facility at any given time, and especially during the morning or afternoon peak hour times will be minimal. Accordingly, the resulting insignificant number of vehicle trips to the area will not impact the existing transportation system. The area's intersections are not expected to operate at a diminished capacity as a result of this proposal.

Access to arterials

The subject site is located in close proximity to NE Martin Luther King Jr Blvd to the west, and NE Dekum to the north, both arterial streets in the City's transportation system.

Connectivity

The subject site is located within a robust street grid pattern that meets City connectivity spacing requirements.

Transit availability

The site is currently indirectly served by Tri-Met bus lines #6 (Martin Luther King Jr Blvd) along NE Martin Luther King Jr Blvd, west of the site, #75 (Lombard/ Cesar E Chavez Blvd) along NE Dekum, north of the site, and #8 (Jackson Park/ NE 15th) along NE 15th Ave, east of the site.

On-street parking/ neighborhood impacts

PBOT staff had initial concerns with regard to the proposed use since there are no on-site parking opportunities and that all patrons to the Zen Community of Oregon will need to utilize nearby on-street parking spaces. PBOT directed the applicant to conduct a parking survey and collect data to determine the number of available on-street parking spaces and demonstrate that the demand in relation to existing and proposed uses, do not exceed the supply.

Using standard traffic engineering practices for collecting such data, the applicant conducted the parking survey during typical times when on-street parking demand is at its peak, as well as during the times of some of Zen's regularly scheduled events. The data collected included during the weekdays as well as during the weekend. The surveyed area included a realistic parking/walking distance of no further than one full block away from the subject site (in all directions). Within the surveyed area, the applicant calculated/counted that there is an on-street parking supply of 45 spaces, which PBOT staff concurs. During the various times/days that the survey was conducted, the most number of vehicles utilizing the surveyed area's on-street parking supply was 16 (the fewest number of observed parked vehicles was 13). The data collected therefore indicates that there is not a high demand for on-street parking in the area, since even during the period when most vehicles were parked in the area, 65% of the on-street parking supply remained available. It should be noted that the applicant's survey revealed that the street frontage that was most frequently observed to have the least number of parked vehicles and the longest unobstructed curb length to accommodate parked vehicles, was along the site's frontages.

Since the Zen Community of Oregon is currently operating at a different location (in south-east Portland), the applicant easily conducted a participant survey to determine the existing travel mode split. Said survey revealed that approximately 60% travel by car, and the remaining 40% of patrons arrive by mass transit, bicycling or walking. The applicant expects a similar mode split by patrons at the new location.

Realistically, given the programming information provided and the parking survey conducted, when the proposed Zen Community of Oregon is conducting its regularly scheduled weekly event which attracts the highest average attendance, there will be a sufficient number of on-street parking opportunities along the area's streets and within a limited distance away from the subject site, considering the current (and expected travel mode split).

The applicant has identified one event that is scheduled for once a year that has attracted a significantly greater number of attendees than is typically expected during the regularly scheduled programs. This event was a full day (12 hours) event, but did not attract all of the attendees at one time or even throughout most of the event. Attendees will need to park beyond the surveyed area for this once/year event, which includes similar residential development as included in the surveyed area. Though on-street parking demand will be greater during this one event as compared with regularly scheduled programs, this impact is not considered to be a long term, normal significant impact to the neighborhood.

Access restrictions

PBOT has no access restriction concerns related to the proposed project. The site does not have any existing access points, and the applicant is not proposing any new access points onto the site.

Impact on pedestrian, bicycle, and transit circulation

The site's frontage is improved to City standards. There will be no impact on pedestrian circulation in relation to the proposed religious institution. There is no reason to believe that the continued use of the site as a religious institution will have impacts to either bicycle or transit circulation.

Safety for all modes

No significant negative safety impacts are expected with this proposal on any mode of the transportation system.

Adequate Transportation Demand Management (TDM) strategies

The applicant has included several measures to mitigate for impacts in relation to the proposed (continued) use. Though PBOT has not identified any transportation-related impacts, which is typically why a Traffic Demand Management Plan (TDMP) is proposed, PBOT staff suggests that the applicant implement a TDMP to ensure that the proposed new Zen Community of Oregon facility does not result in significant impacts to the area's transportation system, on-street parking or surrounding neighborhood.

The applicant should provide the following TDM measures in relation to the proposed project:

- Promote alternative means of travel to Zen's patrons.
- Encourage ridesharing/carpooling to those Zen patrons that must drive to the site.
- Provide mass transit information/promotional materials to Zen patrons.
- Provide contact information to area neighbors, and the area's neighborhood association to facilitate communication between Zen and the community.
- Offer to attend regularly scheduled neighborhood association meetings to discuss Zen's operations and any concerns/issues experienced by residents throughout the area.
- Communicate the scheduling of special events to residents in the immediate area and with the area's neighborhood association.
- Look for on-site parking opportunities on nearby commercial lots and obtain parking agreements with said neighboring commercial lots.
- A formal copy of the applicant's TDM Plan shall be signed, dated and provided to BDS staff to be retained in the project file. Said document shall be submitted within 30 days of approval from the City for this proposed land use request.

In summary, and as evaluated above, transportation system is capable of supporting the proposed use in addition to the existing uses in the area.

CONCLUSION: As discussed above, in the analysis by PBOT, these criteria can be met with a condition that requires submittal of a Transportation Demand Management Plan containing the previously identified measures, to BDS staff, within 30 days of the City's approval of this Conditional Use request.

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

Findings: The City's other service agencies evaluated this proposal and found that public services are adequate to serve the proposed use. Therefore, this criterion is met.

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

Findings: This site is within the boundaries of the Albina Community Plan and the Woodlawn Neighborhood Plan. According to the history of the Woodlawn Neighborhood, contained in the area plan, this district was developing rapidly in the late 1800s. Woodlawn was absorbed by the City Of Albina in 1887, and Albina was, in turn, annexed

into the City of Portland in 1891, the same year that the church was constructed. Although none of the policies or objectives of these plans are directly related to this use, continuing the historic use at this site, preserving the historic structure and improving the appearance of the building and grounds is consistent with the focus of the adopted plans, to improve and strengthen the neighborhood environment and identity. Therefore, this criterion 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.

CONCLUSIONS

All of the relevant approval criteria for the requested Conditional Use Review can be met. There will be no change in the proportion of nonhousehold living uses in the residential area and the intensity of the use is not expected to vary significantly from the historic use of the property. No changes to the historic structure and the property are proposed, beyond upkeep and improvements and the addition of landscaping. No impacts are expected to occur on the livability of the residential area. With the requirement for the implementation of Transportation Demand Management practices, no additional burden is expected to be placed on the transportation system or other public services. The proposed use of the site is generally consistent with and supportive of the adopted area plans. The Conditional Use can be approved to allow the Zen Community of Oregon to locate on this site, with the condition requiring that the TDM plan be implemented and a copy of the plan be submitted within 30 days of this approval.

ADMINISTRATIVE DECISION

Approval of a Conditional Use Review to establish The Zen Community of Oregon as a religious institution at this location, in general compliance with the approved site plan, Exhibit C-1, signed and dated April 22, 2011, subject to the following condition:

- A The applicant shall create and implement a Transportation Demand Management (TDM) Plan. A signed/dated copy of the plan must be submitted to BDS staff, within 30 days of the City's approval of this Conditional Use Review. The TDM Plan must include provisions to address the following elements:
- Promote alternative means of travel to the Zen Community of Oregon's members.
 - Encourage ridesharing/carpooling to those members that must drive to the site.
 - Provide mass transit information/promotional materials to members.
 - Provide contact information to area neighbors, and the area's neighborhood association to facilitate communication between Zen and the community.
 - Offer to attend regularly scheduled neighborhood association meetings to discuss the Zen Community's operations and any concerns/issues experienced by residents throughout the area (at least twice each year).
 - Communicate the scheduling of special events to residents in the immediate area and with the area's neighborhood association.
 - Look for on-site parking opportunities on nearby commercial lots and obtain parking agreements with said neighboring commercial lots, if possible.

Staff Planner: Kathleen Stokes

Decision rendered by:  **on April 22, 2011**

By authority of the Director of the Bureau of Development Services

Decision mailed: April 26, 2011

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 February 11, 2011, and was determined to be complete on February 24, 2011.

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 February 11, 2011.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended, as stated with Exhibits A-3 and A-4. Unless further extended by the applicant, **the 120 days will expire on: July 28, 2011.**

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

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

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

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

Appealing this decision. This decision may be appealed to the Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on May 10, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

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

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 **May 11, 2011 – (the 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.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

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

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

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

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

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

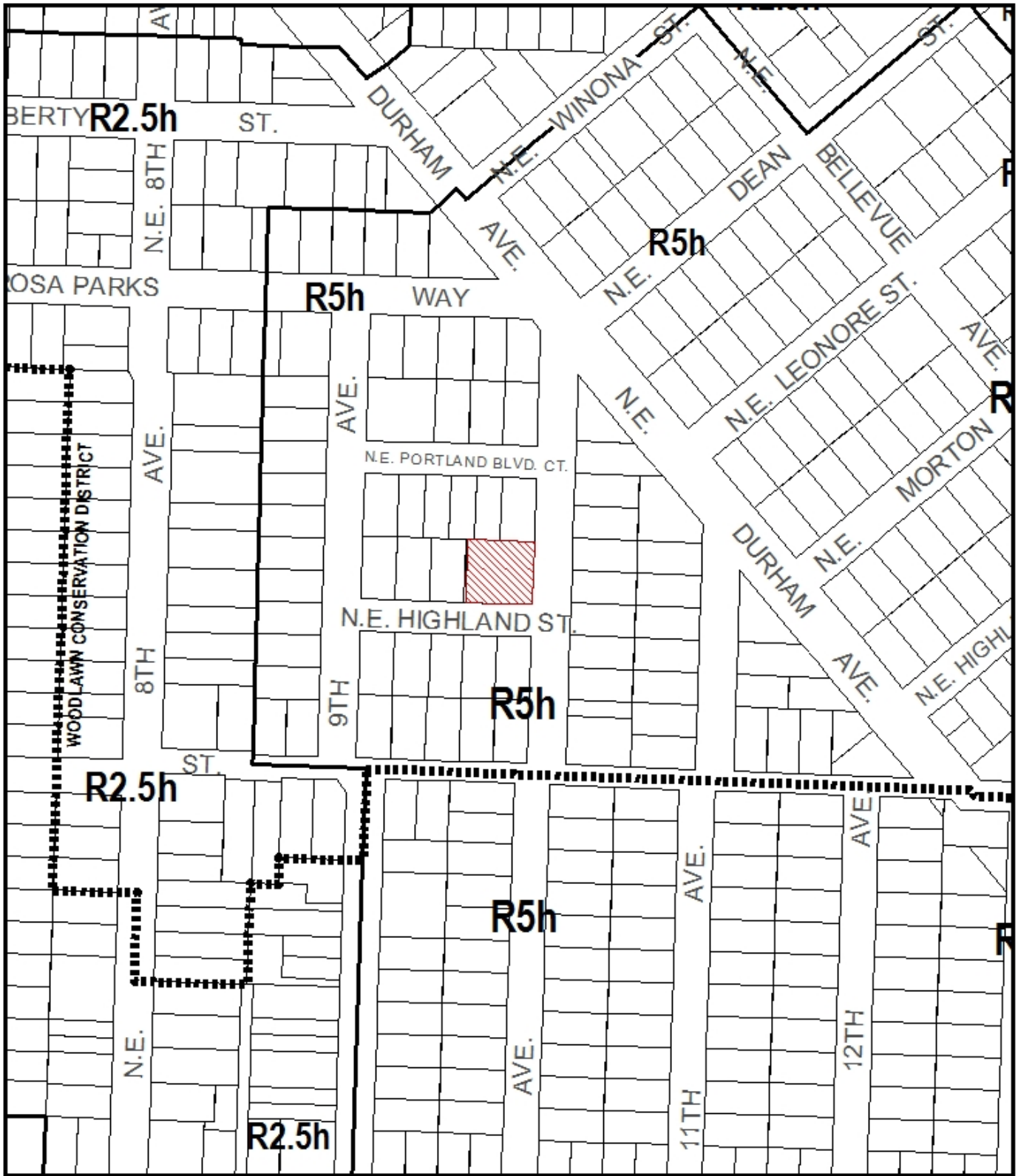
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Application, original narrative and plans
 - 2. Additional information, received February 24, 2011
 - 3. First request to extend 120 day deadline for final local decision
 - 4. Second request to extend 120 day deadline for final local decision
 - 5. Parking survey information, received April 11, 2011
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Floor Plans
 - 3. Elevation Drawings (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Police Bureau
 - 5. Summary of electronic responses from City agencies
- F. Correspondence:
 - 1. P. Anna Johnson, Secretary, Woodlawn Neighborhood Association
- G. Other:
 - 1. Historic Resource Inventory information on property

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



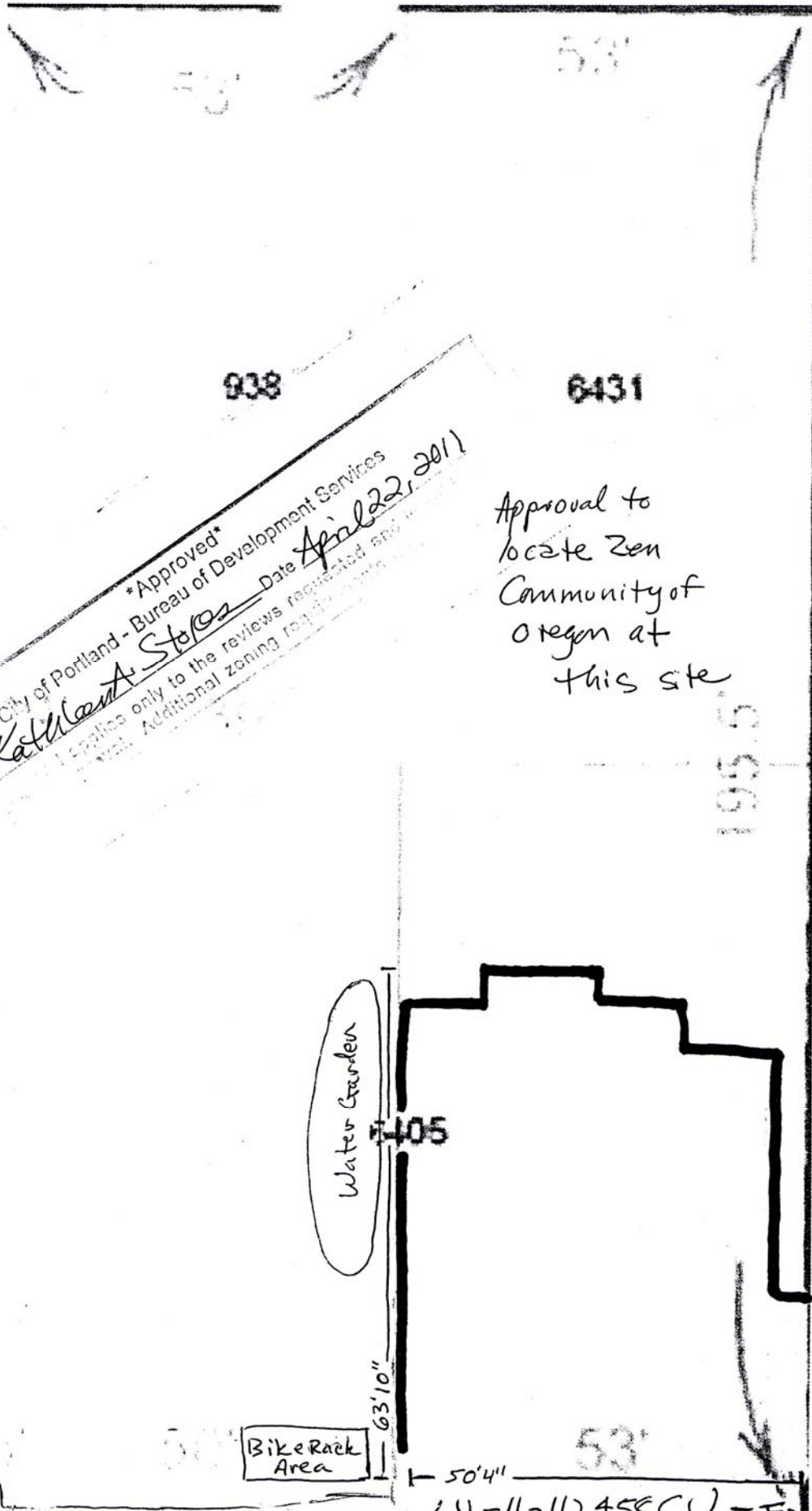
ZONING

 Site



This site lies within the:
WOODLAWN CONSERVATION DISTRICT

File No.	<u>LU 11-112458 CU</u>
1/4 Section	<u>2431</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1N1E14CA 8300</u>
Exhibit	<u>B</u> (Feb 16, 2011)



City of Portland - Bureau of Development Services
 Approved
 Kathleen A. Stokes Date April 22, 2011
 This approval applies only to the reviews requested and is not valid. Additional zoning requirements may apply.

Approval to locate Zen Community of Oregon at this site

NE 10th Av.

Site Plan
 6401 NE 10th
 Portland, OR 97211

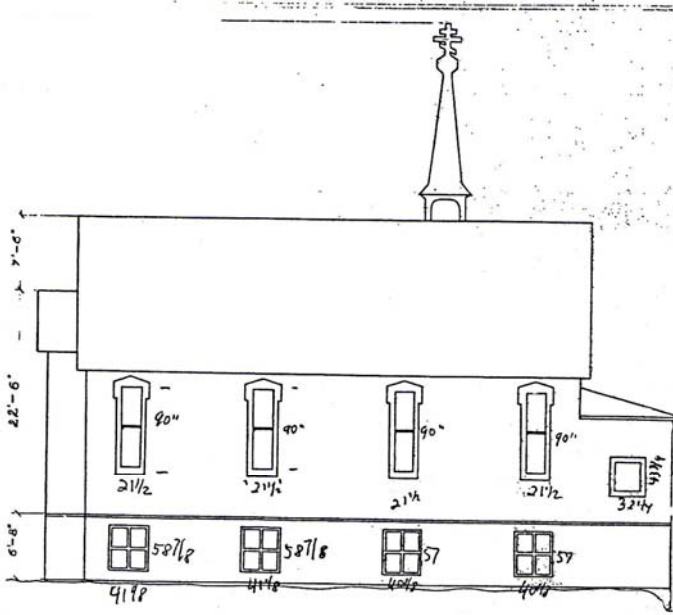
NE 10th

NE Highland

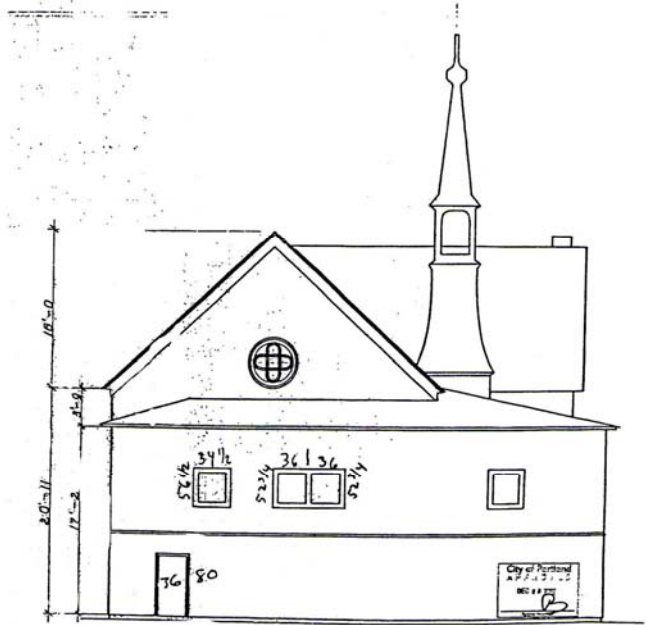
2U-11-112458CU - Exhibit C-1

PROJECT TITLE: CHURCH L
6401 NE. 10 TH. A

THE LIVING GOD / Zen Community of
PORTLAND OREGON Oregon



REAR ELEVATION
1/4" = 1'-0"



LEFT ELEVATION
1/4" = 1'-0"

Former-
PROJECT TITLE: CHURCH OF TH
6401 NE. 10 TH. AVE. PORTLAND ORI

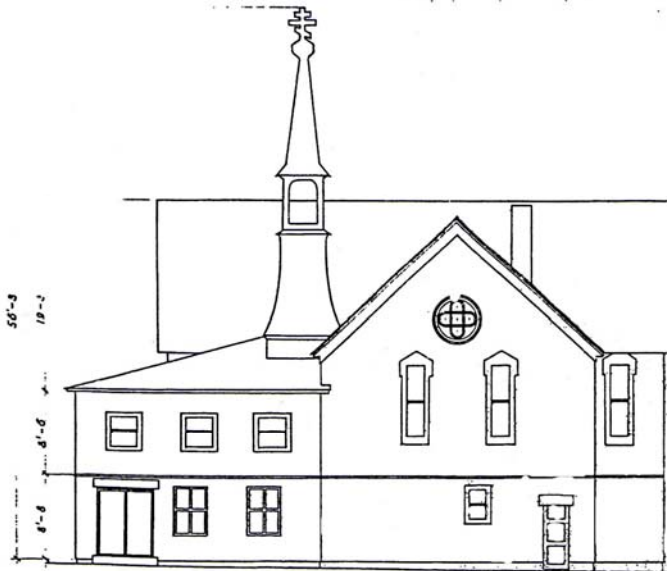
LIVING GOD

Proposed - Zen Community of Oregon

LV 11-112458 CU

Exhibit C-3

(attached for
reference only
- not part of
approval)



FRONT ELEVATION NE 80°
1/4" = 1'-0"



RIGHT ELEVATION
1/4" = 1'-0"