



CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

Hearings Office

1900 SW 4th Avenue, Room 3100

Portland, OR 97201

phone: (503) 823-7307 - fax: (503) 823-4347

web: www.portlandoregon.gov/auditor/hearings



DECISION OF THE HEARINGS OFFICER IN UNCONTESTED CASE

File No.: LU 14-139264 CU (HO 4140012)

Applicant: Rick Larson
Centennial School District
18135 SE Brooklyn Street
Portland, OR 97236

Owner: Paul J. Bieker
JPB LLC
PO Box 90610
Portland, OR 97290

Hearings Officer: Kenneth D. Helm

Bureau of Development Services (BDS) Staff Representative: Matt Wickstrom

Site Address: 2532 SE 162nd Avenue

Legal Description: TL 10600 0.65 ACRES, SECTION 07 1S 3E

Tax Account No.: R993070670

State ID No.: 1S3E07BB 10600

Quarter Section: 3347

Neighborhood: Centennial

District Neighborhood Coalition: East Portland Neighborhood Office

Zoning: Split zoned site: CG (General Commercial) on north half; R2a (Residential 2,000 with an Alternative Design Density Overlay Zone) on south half where Community Service use is proposed

Land Use Review: Type III, CU (Conditional Use Review)

Public Hearing: The hearing was opened at 9:00 a.m. on June 23, 2014, in the 3rd floor hearing room, 1900 SW 4th Avenue, Portland, Oregon, and was closed at 9:14 a.m. The record was closed at that time.

Testified at the Hearing:

Matt Wickstrom
Leslie Ann Hauer

Proposal: Centennial School District proposes to locate an “Educational Transition Facility” to operate in approximately 7,800 square feet of the existing building at this site. The use, referred to as the Centennial Transition Center (CTC), is an adult training program intended to serve 25 to 30 disabled persons, ages 18 to 21, with a staff of 6 to 9 who work with the students on and off site. The training involves life skills such as cooking meals, household chores, using the transit system, and applying for employment. No students are able to drive to the facility. In addition, the facility will include a “clothes closet” where students will be able to select new or gently used clothing to wear to school. The Clothes Closet is limited to students who have a permission slip from their Centennial School District school guidance counselor. CTC students will assist in this program by cleaning and preparing donated clothing for display. The Portland Zoning Code classifies the CTC use as a Community Service which requires approval through a Type III Conditional Use Review when proposed in a residential zone.

Relevant Approval Criteria:

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

- 33.815.105 Institutional and Other Uses in R Zones

Hearings Officer Decision: It is the decision of the Hearings Officer to adopt and incorporate into this decision the facts, findings, and conclusions of the Bureau of Development Services in their Staff Report and Recommendation to the Hearings Officer dated June 11, 2014, and to issue the following approval:

Approval of a Conditional Use Review to allow the Centennial Transition Center, a Community Service use, to locate in the 2-story office building located at 2532 SE 162nd Avenue subject to the following condition:

- A. As part of any required building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-139264 CU."



Kenneth D. Helm, Hearings Officer

July 9, 2014

Date

Application Determined Complete:	May 2, 2014
Report to Hearings Officer:	June 16, 2014
Decision Mailed:	July 10, 2014
Last Date to Appeal:	4:30 p.m., July 24, 2014
Effective Date (if no appeal):	July 25, 2014 Decision may be recorded on this date.

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

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

Appeal of the decision. ANY APPEAL OF THE HEARINGS OFFICER'S DECISION MUST BE FILED AT 1900 SW 4TH AVENUE, PORTLAND, OR 97201 (503-823-7526). Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 2:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 2:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th floor. **An appeal fee of \$5,000 will be charged (one-half of the application fee for this case, up to a maximum of \$5,000).** Information and assistance in filing an appeal can be obtained from the Bureau of Development Services at the Development Services Center.

Who can appeal: You may appeal the decision only if you wrote a letter which is received before the close of the record on hearing or if you testified at the hearing, or if you are the property owner or applicant. If you or anyone else appeals the decision of the Hearings Officer, only evidence previously presented to the Hearings Officer will be considered by the City Council.

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

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

Recording the final decision.

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

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

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

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

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

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

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

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 and Original LUR Application
- B. Zoning Map
- C. Plans and Drawings
 - 1. Site Plan
 - 2. Elevation Drawing
- D. Notification information
 - 1. Request for response
 - 2. Posting letter sent to applicant
 - 3. Notice to be posted
 - 4. Applicant's statement certifying posting
 - 5. Mailing list
 - 6. Mailed notice
- E. Agency Responses
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of Bureau of Development Services
 - 6. Bureau of Parks, Forestry Division
- F. Letters: None
- G. Not used
- H. Received in the Hearings Office
 - 1. Hearing Notice - Wickstrom, Matt
 - 2. Staff Report - Wickstrom, Matt (**attached**)
 - 3. PowerPoint Presentation - Wickstrom, Matt
 - 4. Record Closing Information - Hearings Office



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
 Paul L. Scarlett, Director
 Phone: (503) 823-7300
 Fax: (503) 823-5630
 TTY: (503) 823-6868
 www.portlandoregon.gov/bds

STAFF REPORT AND RECOMMENDATION TO THE HEARINGS OFFICER

CASE FILE: LU 14-139264 CU
 PC # 14-111587
REVIEW BY: Hearings Officer
WHEN: Monday, June 23, 2014 at 9:00 AM
WHERE: 1900 SW Fourth Ave., Suite 3000
 Portland, OR 97201

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

BUREAU OF DEVELOPMENT SERVICES STAFF: MATT WICKSTROM / MATT.WICKSTROM@PORTLANDOREGON.GOV

GENERAL INFORMATION

Applicant: Rick Larson
 Centennial School District
 18135 SE Brooklyn Street
 Portland, OR 97236

Owner: Paul J Bieker
 JPB LLC
 PO Box 90610
 Portland, OR 97290

Site Address: 2532 SE 162nd Avenue

Legal Description: TL 10600 0.65 ACRES, SECTION 07 1S 3E
Tax Account No.: R993070670
State ID No.: 1S3E07BB 10600
Quarter Section: 3347

Neighborhood: Centennial, contact Tom Lewis at 503-347-5715
District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

Zoning: Split zoned site: CG (General Commercial) on north half; R2a (Residential 2,000 with an Alternative Design Density Overlay Zone) on south half where Community Service use is proposed

Case Type: CU (Conditional Use Review)
Procedure: Type III, with a public hearing before the Hearings Officer. The decision of the review body can be appealed to City Council.

JUN 16 2014
 HEARINGS OFFICE

Proposal: Centennial School District proposes to locate an "Educational Transition Facility" to operate in approximately 7,800 square feet of the existing building at this site. The use, referred to as the Centennial Transition Center (CTC), is an adult training program intended to serve 25 to 30 disabled persons, ages 18 to 21, with a staff of 6 to 9 who work with the students on and off site. The training involves life skills such as cooking meals, household chores, using the transit system, and applying for employment. No students are able to drive to the facility. In addition, the facility will include a "clothes closet" where students will be able to select new or gently used clothing to wear to school. The Clothes Closet is limited to students who have a permission slip from their Centennial School District school guidance counselor. CTC students will assist in this program by cleaning and preparing donated clothing for display. The Portland Zoning Code classifies the CTC use as a Community Service which requires approval through a Type III Conditional Use Review when proposed in a residential zone.

Relevant Approval Criteria:

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- 33.815.105 Institutional and Other Uses in R Zones

ANALYSIS

Site and Vicinity: The site is approximately 56,000 square feet in area. It is composed of two tax lots with two different zoning designations. The north tax lot is zoned CG (General Commercial). It is developed with a single-story commercial building facing SE 162nd Avenue and another commercial/industrial service building located along the west property line. There are approximately 25 parking spaces located between the two buildings. The south tax lot is zoned R2a (Residential 2,000 with an Alternative Design Density Overlay Zone). This tax lot is developed with a two-story office building and a two-story four-plex. The CTC is proposed to occupy the office building which is 7,800 square feet of floor area on two floors. Four parking spaces are located in front of the building, four more are located along the south side of the building and about 10 parking spaces are located between the office building and SE 162nd Avenue. All parking spaces are screened and landscaping provides buffering from the adjacent street.

The surrounding vicinity is developed with a mix of different uses. To the north are several auto-oriented commercial businesses that front on SE Division Street. A large apartment complex is located to the west of the site across 162nd Avenue. Single-dwelling houses are located to the south and east of the site. Landscaping and the two-story four-plex provide buffering between the office and commercial uses on the site and the residential development to the east and south.

Zoning: The portion of the site where the CTC is proposed is zoned R2a (Residential 2,000 with an Alternative Design Density Overlay Zone). The R2 zone allows multi-dwelling residential development up to a maximum density of one unit per 2,000 square feet of site area, and requires a minimum density of one unit per 2,500 square feet of site area. Community Service uses are Conditional Uses in the R2 zone. The "a" overlay is intended to allow increased density that meets design compatibility requirements. It focuses development on vacant sites, preserves existing housing stock, and encourages new development that is compatible with the surrounding residential neighborhood.

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

Agency Review: A "Request for Response" was mailed **May 14, 2014**. The following Bureaus have responded:

The Bureau of Environmental Services responded with information on sanitary and stormwater services (Exhibit E-1).

The Portland Bureau of Transportation responded with information addressing the transportation-related approval criteria and an analysis of the Traffic Impact Analysis submitted by the applicant (Exhibit E-2).

The Water Bureau responded with information about water service (Exhibit E-3).

The Fire Bureau responded that the applicant shall meet all applicable Fire Code requirements (Exhibit E-4).

The Police Bureau responded that the Bureau is capable of serving the proposed change to use and added a request that on-site persons work with the East Precinct Commander on any public safety issues or concerns (Exhibit E-5).

The Life Safety Section of the Bureau of Development Services (BDS) responded with information on obtaining a building permit and building occupancy (Exhibit E-6).

The Parks Bureau and the Site Development Section of BDS responded with no concerns (Exhibit E-7).

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on June 3, 2014. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Conditional Uses

33.815.010 Purpose

Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. They are subject to the conditional use regulations because they may, but do not necessarily, have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use review provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose mitigation measures to address identified concerns, or to deny the use if the concerns cannot be resolved.

33.815.105 Institutional and Other Uses in R Zones

These approval criteria apply to all conditional uses in R zones except those specifically listed in sections below. The approval criteria allow institutions and other non-Household Living uses in a residential zone that maintain or do not significantly conflict with the appearance and function of residential areas. The approval criteria are:

A. Proportion of Household Living uses. The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the Household Living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the Household Living category and is specifically based on:

1. The number, size, and location of other uses not in the Household Living category in the residential area; and
2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.

Findings: The site is currently developed with a two-story office building most recently occupied by the offices of Archaeological Investigations Northwest. The building has approximately 7,800 square feet of floor area. The site is also developed with a four-plex as well as about 30 shared parking spaces. Because the site currently contains the two-story office building, the number, size and location of other uses not in the Household Living category in the residential area will not change. In addition, no exterior alterations to the building are proposed, therefore the scale of development at the site will not change.

The applicant provided two pieces of information to document a decreased intensity of use at the site, comparing the proposed Community Service use and the previous Office use. The first is a 2013-14 CTC calendar. It shows a total of 175 school days for students and 192 school days for teachers. This is less than that of an office use which would generally operate Monday through Friday all-year-long or the equivalent to 260 days per year. The applicant also provided a traffic analysis showing that the proposed Community Service use will generate considerably fewer vehicle trips than the previous Office use. The difference in the number of trips is even more stark when considering that the majority of attendees at the CTC are not expected to drive and will instead rely on transit or the CTC shuttle. Based on this information, this criterion is met.

B. Physical compatibility.

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

Findings: No City-designated scenic resources are present at 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

Findings: The existing office building was constructed in 1993. The building is two-stories in height which is comparable to the allowed height in the adjacent R7 zone as well as the two-story four-plex on the site. The office building is set back approximately 14 feet from the property line shared with the adjacent R7 zone. This setback contains mature trees and shrubs and provides adequate separation between the proposed Community Service use and the adjacent residential uses. No changes to the site size, building scale or style, setback or landscaping are proposed. The applicant points out that the office "building and its uses have successfully co-existed with the neighboring residences for 21 years and the proposed use is likely to be very low impact". Based on this information, this criterion is met.

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

Findings: The proposal is not to change the appearance of the existing office building. Instead, the proposal is to add a Community Service use within the building. The building setbacks, screening, landscaping and other design features will remain the same. These features are currently adequate and will continue to be adequate when the new Community Service use occupies the building. 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: The applicant provided the following statement concerning these approval criteria:

"No late night operations are proposed; no change to on-site lighting or litter collection is proposed. Any on-site meal preparation will be small scale, similar to single-family activity that should not generate unusual odors. Litter collection will be accomplished in the established garbage collection area. No outdoor activities are proposed.

The Centennial School District takes security of its personnel and students very seriously and will ensure that appropriate measures are taken to secure the building and for safe arrival and departure of students and staff".

In response to follow-up questions from the Bureau of Police, the applicant noted that the school will be secured at all times and any visitors will be greeted at the front door for access to the school. Based on this information, the proposal will not have any significant impacts on the livability of the surrounding residential zoned lands. This criterion is met.

D. Public services.

1. The proposal is supportive of the street designations of the Transportation Element of the Comprehensive Plan;

Findings: The Portland Bureau of Transportation submitted the following response:

At this location, SE 162nd Avenue is classified as a District Collector, Transit Access Street, City Bikeway, City Walkway, Truck Access, and a Major Emergency Response Street in the City's Transportation System Plan. The applicants submitted a Traffic Impact Analyses (TIA) prepared by Lancaster Engineering. PBOT staff has reviewed the TIA and concurs with the findings that transportation facilities are adequate to serve the proposal in addition to the existing uses in the area.

Based on this information, this criterion is met.

2. The transportation system is capable of supporting the proposal 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: The Portland Bureau of Transportation submitted the following response:

Street Capacity, Level-of-Service, and Other Performance Measures

On-site observations were made along roadways and at intersections in the vicinity of the project site during the evening peak hour on Thursday, March 25, 2014.

As described in the section on trip distribution, the intersection of SE 162nd Avenue at SE Division Street is expected to handle the bulk of site trips. While queues at this intersection were sometimes relatively long during the red phase, particularly those along Division Street, queues easily cleared during the green phase no cycle failures were observed for any movement. Based upon the observed cycle length and the approximate relative level of traffic volumes along each street, the average delay per vehicle is approximately 15 to 25 seconds and the intersection operates at LOS B/C.

Trip Generation

To estimate the trips generated by the planned Life Skills Center, trip rates from the manual *Trip Generation*¹ were used. While there are no land uses included *Trip Generation* that are precisely equivalent to the proposed Life Skills Center, the most similar land use to the proposed Life Skills Center is land use #536, *Private School (K-12)*. Though proposed land use will cater to disabled adults between 18 and 21 years as opposed to the younger student body that attends private primary and secondary schools, it is expected that travel patterns of the proposed land use will be similar to land use #536. Like a private school, the Life Skills Center will draw students from a wide area, and they will arrive in the morning and depart in the afternoon; trips to and from the site midday will therefore generally be minimal. None of the students attending the program are able to drive vehicles, so student arrivals and departures will primarily utilize transit. Thus, using land use #536 represents an upper-bound estimate for trip generation, as primary and secondary private school students are more likely to be dropped off or picked up than students attending the program provided at the Life Skills Center. Other site trips including employee trips, deliveries, etc., will be analogous to those occurring at a private school.

The Centennial Life Skills Center will serve up to 30 students at a time, so trip generation calculations are based upon this student count. Students of the center will arrive during the morning peak hour, and depart prior to the evening peak hour, at approximately 2:30 PM. Trip generation is therefore shown for the morning, afternoon, and evening peak hours.

The trip generation calculations show that the proposed use will generate 24 additional trips during the morning peak hour and 17 additional trips during the evening peak hour. The new use is projected to generate 74 additional trips in total each weekday. The trip generation estimates are summarized in Table 1, and detailed trip generation calculations are included in the appendix to this letter.

Table 1: Trip generation for the proposed Life Skills Center

Morning Peak Hour			Afternoon Peak Hour			Evening Peak Hour			Weekday
In	Out	Total	In	Out	Total	In	Out	Total	Total
15	9	24	7	10	17	2	3	5	74

It is noted that the trip generation calculations described above are upper-bound estimates provided to assess the worst-case impacts to the transportation system. No reductions are taken for transit use, however the site is located along a Frequent Service bus line and students will learn about the transit system as part of the planned curriculum. Even so, the trip generation for the proposed use represents a substantial reduction from the previous use of the site, which was as an office building with 50 employees. Based upon data from *Trip Generation* land use #710, *General Office Building*, the previous use generated approximately 166 daily trips. Detailed calculations of trip generation for the previous use are provided in the appendix of the TIA.

Trip Distribution

It is expected that a majority of site trips will arrive from and depart toward the north, utilizing the intersection of SE 162nd Avenue at SE Division Street, which provides direct access to destinations in Portland and downtown Gresham, as well as I-205 and other major routes throughout the area. The remaining site trips will arrive from and depart toward the south, in the direction of SE Powell Boulevard.

The small number of site trips added as a result of the proposed development will not significantly affect the performance of this or any other intersection. The City of Portland's operational standards require signalized intersections to operate at LOS D or better. The intersection of SE 162nd Avenue at SE Division Street is projected to easily meet this standard upon completion of the proposed Life Skills Center. The capacities of SE 162nd Avenue, SE

¹ Institute of Transportation Engineers (ITE), *Trip Generation Manual, 9th Edition, 2012.*

Division Street, and other area roads and intersections are ample to support the proposed land division as well as the existing uses in the site vicinity.

Access to Arterials and Connectivity

The site is located along SE 162nd Avenue, which is classified as a District Collector for automotive traffic. This provides north-south connectivity to SE Division Street, an east-west District Collector located just to the north of the site, and SE Powell Boulevard, a Major City Traffic Street located approximately a half-mile to the south of the site. SE 162nd Avenue, SE Division Street, and SE Powell Boulevard are all arterial routes that connect with other major routes throughout the region.

The subject site can be easily accessed by motor vehicles as well as other modes, and access to arterials is adequate to support the existing and proposed uses.

Transit Availability

Tri-Met Bus Line #4, *Division/Fessenden*, runs along SE Division Street and provides service at the subject site. This is a Frequent Service bus line with headways of 15 minutes or less during weekday periods and 15 to 20 minutes during nights and weekends. The bus line provides service between Gresham Central Transit Center and St. John's via Portland City Center, connecting with multiple MAX and bus lines over its span. The nearest stops are located along the eastern leg of the intersection of SE 162nd Avenue at SE Division Street, approximately 350 feet from the site.

Continuous sidewalks are available between the site and each of these bus stops. For people walking to and from the westbound bus stop, a marked and signalized crossing of SE Division Street is available at the intersection of SE 162nd Avenue at SE Division Street. People walking between the site and the eastbound bus stop do not need to cross any streets.

The subject property is adequately served by transit, and access to the nearest stops is comfortable and safe.

On-Street Parking Impacts

The site of the proposed Life Skills Center includes on-site parking in the form of a parking lot that is shared with several nearby buildings. The parking lot includes a total of 36 marked spaces, two of which are designated as ADA spaces.

Like *Trip Generation*, the manual *Parking Generation*² does not include data for the exact land use proposed, nor does it include reliable data for the most similar land use, *Private School (K-12)*. However, since the students who will be attending the Life Skills Center do not drive, a reasonable upper-bound estimate for the parking demand can be established based upon the number of employees. As six staff members are expected to be working at the site to support the program, the center would generate six parking spaces during the midday period if all staff members drove to work alone.

During a midday site visit, 17 of the 36 spaces were observed to be occupied, with the remaining 19 spaces free. It is noted that the other buildings fronting the parking lot shared with the subject site are residential. Since the peak parking demand period for residential uses occurs overnight, it is expected that there will be ample available parking during the midday period when the proposed Life Skills Center will generate parking demand.

The proposed project will therefore have little if any impact on the on-street parking availability on SE 162nd Avenue. The on-street parking in the neighborhood is adequate to serve both the existing and proposed uses.

² Institute of Transportation Engineers (ITE), *Parking Generation*, 4th Edition, 2010.

Access Restrictions

There are presently no access restrictions in the immediate vicinity of the site, nor are any new restrictions called for as part of the proposed Life Skills Center. This proposal will have no effect on access restrictions in the site vicinity.

Neighborhood Impacts

The impacts associated with the proposed Life Skills Center are expected to be minor, and primarily consist of the vehicular traffic associated with the program. As described previously, these trips will not have a significant effect on efficiency or safety of the nearby street system and the proposed use generates fewer trips than the previous use. Additionally, since the subject site was previously used as office space, and the design of the access, parking lot, and other amenities is clearly able to support non-residential uses. The development will therefore have minimal impacts felt by the neighborhood.

Impacts on Bicycle, Pedestrian, and Transit Circulation

The proposed Life Skills Center will add a small number of new trips to SE Division Street, a Major Transit Priority Street that is utilized by Tri Met Bus Line #4. There is ample capacity along this street to support these new trips without impacting the bus line.

The new land use is likely to add some new pedestrian and bicycle trips to the site vicinity. This will not adversely impact existing pedestrian and bicycle trips and may even serve to improve safety and circulation for the active modes in the area, as increased numbers of people walking and bicycling generally increases the awareness of other road users and encourages safe sharing of facilities.

The streets and intersections in the vicinity of the subject site can adequately serve the existing and proposed bicycle, pedestrian, and transit traffic, and the proposed new use will result in few if any impacts.

Safety for All Modes

Crash data was examined for the intersection of SE 162nd Avenue at SE Division Street for the most recent available five years (2008-2012). Detailed crash records are included in the appendix.

While the crash history at this intersection is extensive, with 39 reported crashes over the five-year analysis period, PBOT is well aware of safety issues at the intersection and is actively working to mitigate them. SE Division Street has been identified as a High Crash Corridor, and in February, 2013 a safety plan was introduced to mitigate some of the existing safety deficiencies through a combination of engineering improvements, enforcement actions, and education initiatives.

For bicycles, both SE 162nd Avenue and SE Division Street are City Bikeways that have a bicycle lane in each direction. These routes provide connectivity to the City's greater bikeway network, including a number of low-volume, low-speed residential roads that are ideal for comfortable cycling.

Pedestrian travel is also safe and comfortable in the vicinity of the project site. As described previously, the neighborhood in the vicinity of the site has a continuous network of sidewalks. The intersection of SE 162nd Avenue at SE Division Street offers a nearby marked and signalized crossing of the two major streets in the vicinity, and provides access to many nearby pedestrian destinations along SE Division Street.

The transportation system in the vicinity of the proposed Life Skills Center is capable of safely supporting all modes, and no new safety concerns are introduced as a result of the proposal.

Transportation Demand Management Plan

The goal of a transportation demand management (TDM) plan is to reduce the number of single occupancy vehicle trips to a site in favor of modes less taxing to the system. A robust TDM plan includes strategies to maximize all available transportation options, including ridesharing, transit, and active modes like biking and walking. For best results, the TDM plans should be periodically reviewed and adjusted to emphasize the measures and modes that are yielding the best results, while less successful measures can be revised or replaced.

Because the people who will be attending the Life Skills Center do not drive vehicles, the TDM measures employed by the center can be relatively modest and aimed primarily at staff members. In fact, it is noted that the program itself includes training the students to successfully navigate the transit system, so the proposed land use effectively entails a built-in TDM measure. Several other strategies that could be employed by the Life Skills Center are listed below.

1. Engage the City of Portland's SmartTrips program.

SmartTrips is a service offered by the Portland Bureau of Transportation that encourages the use of alternative modes of transportation. The service's goal is to ensure that all transportation system users are aware of options that are available for getting around Portland, including commuting and trips to school. In conjunction with SmartTrips staff, the Life Skills Center can work with employees and staff members to ensure that people travelling to and from the site are aware of the available options.

2. Encourage Participation in Bike-to-Work and Walk-to-Work Events

A number of local and national events occur each year intended to encourage people to bike or walk to work. For example, *National Walk-to-Work Day* occurs on the first Friday each April, and *National Bike-to-Work Day* occurs each year on a different day in May as part of the League of American Bicyclists larger *National Bike Month* event. Locally, the Bicycle Transportation Alliance runs an annual *Bike Commute Challenge* each September, offering various prizes for participation and success. The Life Skills Center can encourage participation by ensuring that staff members are aware of these events, and offering incentives for participation.

3. Encourage Ridesharing

For some trips, scheduling or distance precludes transit or active modes from being viable travel options. In these cases, ridesharing (or carpooling) can be an effective way to reduce trips by matching students or staff with comparable travel schedules and needs. By sharing transportation responsibilities, employees and family members of program participants can also free up time in their schedules and reduce their gas expenditures. The Life Skills Center can work to strengthen and support ridesharing opportunities by actively matching students and staff with similar travel routes and schedules. This can be accomplished by communicating the benefits of ridesharing ways for staff and family students to identify and connect with potential ridesharing partners in their neighborhood.

PBOT notes no objections to the proposed Conditional Use Review subject to the applicant implementing the TDM plan submitted with their application. The applicant notes in the Transportation Impact Analysis that because students are provided training in the use of transit, one of the most effective TDM measures is already "built-in" to the program. In addition, students do not drive to the facility so the suggested TDM measures would only apply to the 6 program staff and 3 others who will have offices in the building. Because the TDM measures suggested by the applicant are relatively minor and due to the other circumstances described above, staff does not believe a condition of approval related to TDM is warranted. Based on the information above, this criterion is met.

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

Findings: The Bureau of Environmental Services responded with no objection to the Conditional Use proposal. The Water Bureau responded with no concerns with the requested Conditional Use Review. The Fire Bureau responded that the applicable Fire Code requirements would apply through the building permit process at the time of permit review. The Police Bureau responded that the Bureau is capable of serving the proposed use and recommended that on-site staff work with the East Precinct Commander on any public safety issues or concerns.

Based on this information, this criterion is met.

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

Findings: The site is located within the boundaries of the *Outer Southeast Community Plan* adopted in 1996. Staff reviewed the policies of the plan and found none relevant to the proposal; therefore, the proposal is consistent with the community plan.

Development Standards

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

CONCLUSIONS

The applicant proposes to add an Educational Transition Facility, the Centennial Transition Center, to operate in a portion of an existing office building. Based on the information provided, including that no new development is proposed, the proposed Community Service use meets the applicable approval criteria and should be approved.

TENTATIVE STAFF RECOMMENDATION

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

Approval of a Conditional Use Review to allow the Centennial Transition Center, a Community Service use, to locate in the 2-story office building located at 2532 SE 162nd Avenue subject to the following condition:

- A. As part of any required building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 14-139264 CU".

Procedural Information. The application for this land use review was submitted on April 11, 2014, and was determined to be complete on May 2, 2014.

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 April 11, 2014.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: August 30, 2014.**

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

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

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

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

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

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

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

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

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

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

Recording the final decision.

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

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

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

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

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

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

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

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

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

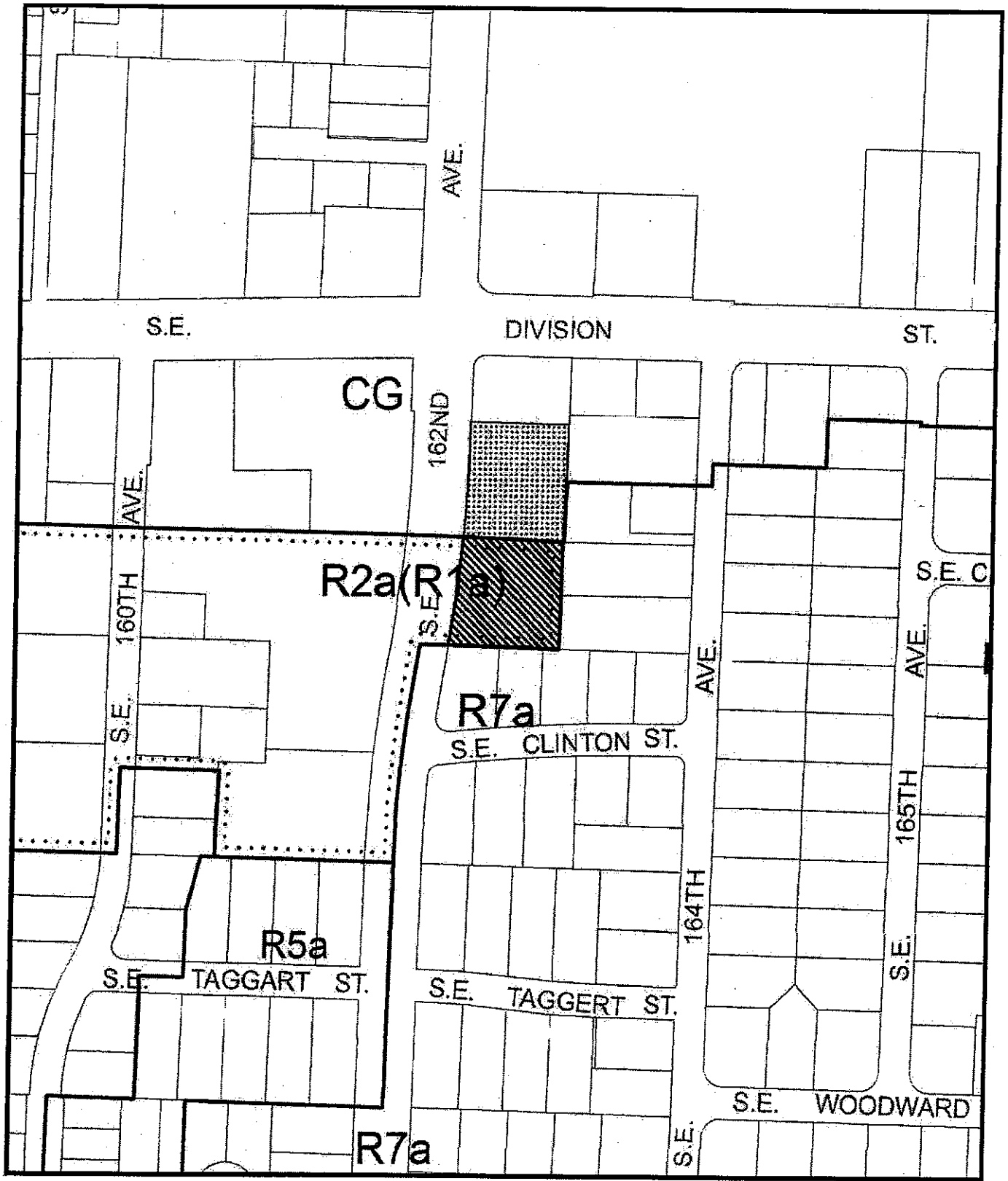
Planner's Name: Matt Wickstrom

Date: June 11, 2014

EXHIBITS
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement and Original LUR Application
- B. Zoning Map (attached)
- C. Plans & Drawings:
 - 1. Site Plan (attached)
 - 2. Elevation Drawing (attached)
- D. Notification information:
 - 1. Request for response
 - 2. Posting letter sent to applicant
 - 3. Notice to be posted
 - 4. Applicant's statement certifying posting
 - 5. Mailing list
 - 6. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of Bureau of Development Services
 - 6. Bureau of Parks, Forestry Division
- F. Letters: None

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
-  Also Owned



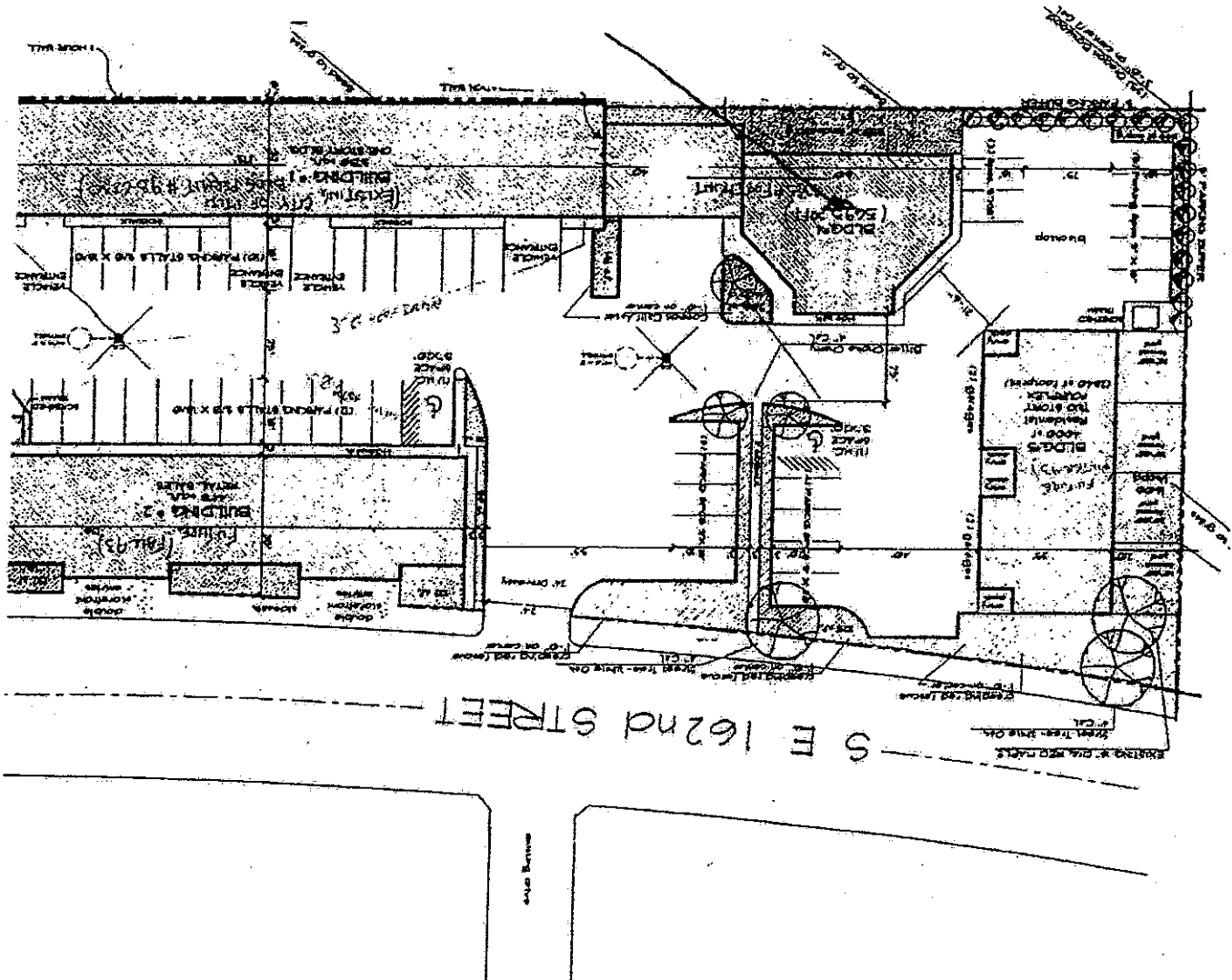
File No. LU 14-139264 CU
 1/4 Section 3347
 Scale 1 inch = 200 feet
 State Id 1S3E07BB 10600
 Exhibit B (Apr 15, 2014)

LEGAL DESCRIPTION
 MAP GRID-628e1
 BLOCK-3
 SECTION 07183 E
 TAX LOTS 55 (65AC)
 67 (65AC)
 MAP NO. 3347

Location of Proposed
 Community Service use



SITE PLAN
SCALE 1/8" = 1'-0"



L1114-139264cu
 Exh. C.1

