



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

Chloe Eudaly, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: February 28, 2017
To: Interested Person
From: Don Kienholz, Land Use Services
503-823-7771/Don.Kienholz@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on March 21, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-107276 IM, in your letter. It also is helpful to address your letter to me, Don Kienholz. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-107276 IM

Applicant: Chandler Wilson
Multnomah University
8435 NE Glisan St
Portland OR 97220

Phil Grillo
Davis Wright Tremaine Llp
1300 SW 5th Ave Suite 2400
Portland OR 97201

Site Address: 714 NE 87TH AVE

Legal Description: TL 9400 0.23 ACRES, SECTION 33 1N 2E; TL 8800 0.94 ACRES, SECTION 33 1N 2E; TL 8900 0.45 ACRES, SECTION 33 1N 2E; TL 9500 0.39 ACRES, SECTION 33 1N 2E; TL 9000 0.95 ACRES, SECTION 33 1N 2E; TL 9100 0.28 ACRES, SECTION 33 1N 2E

Tax Account No.: R942330260, R942330270, R942330440, R942330760, R942332260, R942333530, R942330760, R942330760

State ID No.: 1N2E33BD 09400, 1N2E33BD 08800, 1N2E33BD 08900, 1N2E33BD 09500, 1N2E33BD 09000, 1N2E33BD 09100, 1N2E33BD 09500, 1N2E33BD 09500

Quarter Section: 2939

Neighborhood: Montavilla, contact Nick Mira at nick@propelstudio.com
Business District: Eighty-Second Ave of Roses Business Association, contact Nancy Chapin at nchapin@tsgpdx.com
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Zoning: IRd – Institutional Residential with a design ('d') overlay zone.

Case Type: IM – Impact Mitigation Plan

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

Proposal:

The applicant, Multnomah University, operates under an existing Impact Mitigation Plan, approved in November, 2000. Since that time, the University has developed college facilities and student housing as allowed under the approved IMP.

The University seeks to amend the campus Impact Mitigation Plan boundary by removing two apartment complexes spanning six tax lots off of NE 87th Avenue. After removal of the tax lots from the Impact Mitigation boundary, they can be used and developed with buildings and uses unassociated with Multnomah University, but subject to the development standards and use limitations of the Institutional Residential zone.

Relevant Approval Criteria:

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

33.848.050 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).
- 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.
- 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.
- 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.
- 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.

- 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.
- H. City-designated significant resources such as views, landmarks, or habitat areas are protected or enhanced.
- 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.
- 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.
- K. All relevant declarations of Covenants, Conditions and Restrictions and any other relevant legal instruments will be submitted in advance of any development.
- 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.
- M. The impact mitigation plan adequately addresses potential nuisance-related impacts, such as litter, noise, shading, glare and traffic.
- 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.
- 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.

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. This application was submitted on January 18, 2017 and determined to be complete on February 21, 2017.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to

the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

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 extended at the request of the applicant.

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.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

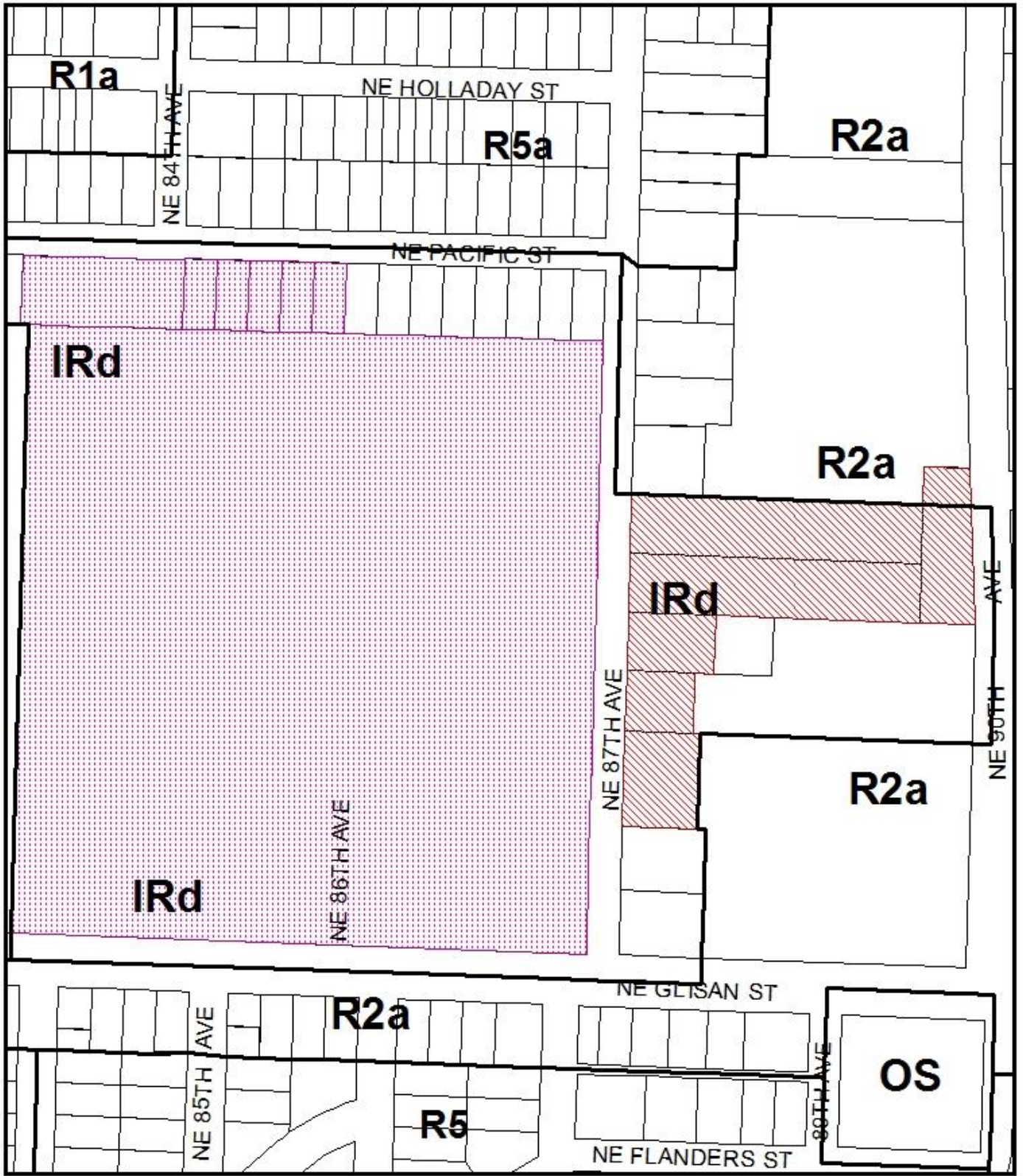
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

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).

Enclosures:

Zoning Map
Site Plan



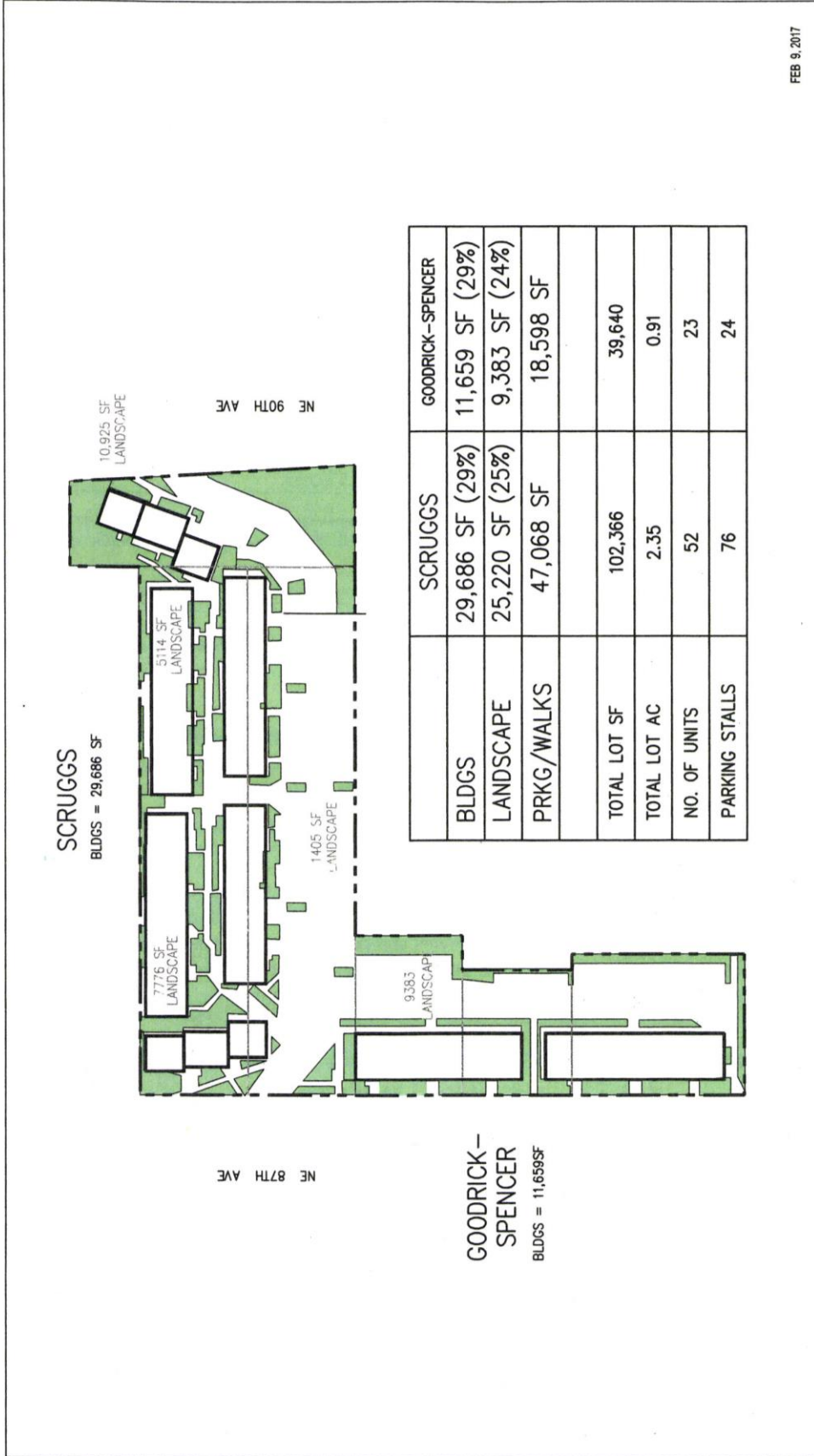
ZONING



- Site
- Also Owned Parcels

File No.	<u>LU 17-107276 IM</u>
1/4 Section	<u>2939</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N2E33BD 8800</u>
Exhibit	<u>B (Jan 25, 2017)</u>

Attachment 1



FEB 9, 2017

WHPacific
 1000 NE Oregon Street, Suite 300
 Portland, OR 97232
 503-255-0000 Fax 503-255-0175
 www.whpacific.com
 AREA CALC'D

East Campus
 Approximate Land Use Measurements

Multnomah University
 Portland, OR