Ted Wheeler, Mayor
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: August 29, 2019

To: Interested Person

From: Mark Moffett, City Planner
503-823-7806 / Mark.Moffett@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 mailed copy of this document is only a summary of the decision.
The reasons for the decision are included in the version located on the BDS website http://www.portlandonline.com/bds/index.cfm?c=46429. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 18-178272 CU AD

GENERAL INFORMATION

Applicant: Viktor Pavlov | Word Of Life Slavic Baptist Church
3505 NE Multnomah St | Portland, OR 97232

Consultant/Contact: Erik Matthews | EM Architecture LLC
1001 SE Sandy Blvd. | Portland, OR 97214

Contractor: Sergey Michalchuk, Complete Inc.
6642 NE Sumner St.
Portland, OR 97218

Architect: Joe Peragine
15938 Quarry Rd #B8 | Lake Oswego, OR 97035

Property Owner: Word Of Life Slavic Baptist Church
3505 NE Multnomah St | Portland, OR 97232-1912

Site Address: 3505 NE MULTNOMAH ST

Legal Description: BLOCK 34 LOT 1-3&20&21 TL 4300, LAURELHURST; BLOCK 34 LOT 20 TL 4400, LAURELHURST; BLOCK 35 LOT 12, LAURELHURST; BLOCK 35 LOT 13, LAURELHURST; BLOCK 35 LOT 14, LAURELHURST
Tax Account No.: R479106140, R479106360, R479106500, R479106510, R479106520
State ID No.: 1N1E36AB 04300, 1N1E36AB 04400, 1N1E36AB 13700, 1N1E36AB 13600, 1N1E36AB 13500
Quarter Section: 2934

Neighborhood: Laurelhurst, contact Peter Meijer at info@pmapdx.com
Business District: None
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Zoning: **R5** (Single-Dwelling Residential 5,000)**, Laurelhurst Plan District**

Case Type: **CU AD** (Conditional Use and Adjustment Reviews)
Procedure: **Type II**, an administrative decision with appeal to the Hearings Officer.

PROPOSAL: The applicant has been working on constructing an addition to the church building at 3505 NE Multnomah Street since 2013, and in January 2014 received land use approval for the project under case file LU 13-175713 CU AD. Permits were applied for as required in 2014, and since that time a number of discrepancies have been found between the approved permit drawings and the project actually under construction. Because religious institutions are a conditional use in the residential zones, and because the project does not conform to the project drawings approved under LU 13-175713 CU AD, the applicant must receive approval for the revised project through a land use review. Therefore, the applicant has requested the necessary Type II Conditional Use review to modify the building design.

The project remains a two-story addition on the south side of an existing church, but has expanded to include several other elements changed since 2013 and during construction on the site. No changes are proposed to the intensity or frequency of events at the site, to the hours of operation, or to parking or other transportation elements. The applicant is still subject to transportation-related and other conditions of approval from the prior land use review, which must be met.

The specific changes being proposed to the physical structures on the site include the following departures from the prior addition:

- *Grading and excavation along the east lot line.* Extensive excavations were made along the east lot line that is shared with residential neighbors, especially along the northern and central portions of the site. Tall retaining walls have been constructed to shore up two neighboring garages on abutting residential lots to the east, and the applicant seeks to retain these new excavated areas, partially for a new egress walkway for the lower level floor spaces. The current proposal is to maintain the excavated areas, providing grassy groundcover, trees, and a concrete walkway as proposed on the attached drawings;
- *Enclosing the single-story "porch" element* along the southwest edge of the addition facing NE Imperial Street;
- *New retaining wall along the east lot line* abutting the home at 3540 NE Wasco Street, with a new 6'-tall wood fence atop the retaining wall;
- *New octagonal elevator penthouse* atop the addition with stucco finish to match the main addition, penthouse approximately 15'-0" in height above the parapet;
- New screened rooftop mechanical units on the addition surrounding the new elevator penthouse;
- New 8'-0"-tall steel fence at the southern edge of the excavated area or courtyard;
- *New 6'-0"-tall wood fence screening atop the retaining walls* along the east lot line;
- *Stucco clarification*: prior drawings labeled exterior siding as "stucco", but applicant seeks clarification that stucco-like "synthetic stucco" or other plaster-like surfaces be approved as an alternative;
- An *electrical equipment service cabinet* has been added to the project abutting the east façade of the addition adjacent to NE Multnomah Street; and
- *Metal egress stairs* have been proposed along the north façade of the addition at the upper level off of NE Multnomah Street, as well as to the main church building from the upper level and descending down towards NE Wasco Street.

The applicant has included an Adjustment to waive the required 15'-0" deep landscaping to the L3 standard along the east lot line (33.110.245.C.1/Table 110-5). The site plans do show a row of shrubs and some trees along the southern and northern segments of the east lot line, and new groundcover and trees but no shrubs in the central sunken courtyard. Therefore, the applicant has requested an Adjustment to modify the landscaping along the east lot line as proposed.

The electrical cabinet projects 2'-10" out from the building wall of the addition, partially extending into the required 15'-0" building setback for institutional uses (33.110.245.C.1/Table 110-5). The outside face of the cabinet is located 12'-5" from the south property line. The new egress stairs behind the addition also project partly into the minimum 15'-0" building setback from the east lot line, with the lower east flight of these stairs located only 11'-0" from the east lot line. The replacement angled exit stairway on the main church building is located at various distances from the lot line, but comes as close as approximately 4'-6" away at the southern edge of the stairs.

Therefore, alongside the landscaping Adjustment, the applicant requires a setback reduction from 15'-0" to 12'-5" for the electrical cabinet, from 15'-0" to 11'-0" for the egress stairs on the addition, and from 15'-0" to as little as 4'-6" for the replacement egress stairs on the original church building.

NOTE: In response to staff and neighborhood concerns, the drawings and proposal were revised by the applicant since the original mailed notice. Although generally the same proposal overall, the following changes and clarifications have been made:

- The reconfigured 'porch' addition along NE Imperial Avenue was reduced from two stories to one story, with a slightly smaller footprint to stay out of the minimum setback;
- Architectural details of the cornice, window patterns and as-built details on the addition were updated to reflect the actual site conditions and proposal (brick patterning, window openings, etc.);
- A replacement steel exit stair east of the original church building is now proposed, in approximately the same location as a prior metal exit stairway which was removed;
- A new paved at-grade exit walkway east of the original church building was reduced in width from 10'-0" to 4'-0", and shrubs and trees were added along the northerly portion of the east lot line;
- Setback distances for features on the addition were clarified (equipment cabinet setback is 12'-5" versus 12'-0" from lot line, addition stair located at 11'-0" versus 13'-0" from lot line); and
- Bike parking changed locations, with bike parking now proposed abutting the original church building from both NE Wasco St. and NE Imperial Avenue.

In order to approve the modified project as proposed, the applicant has submitted this Type II Conditional Use and Adjustment Review.

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**, Conditional Use approval criteria for Institutional and Other Uses in Residential Zones;
- **33.805.040.A-F**, Adjustment Approval Criteria; and
- Because the criteria listed above include unacknowledged land use regulations, this proposal must comply with applicable **Statewide Planning Goals**. The Statewide Planning Goals may be viewed at http://www.oregon.gov/LCD/pages/goals.aspx#Statewide_Planning_Goals.

ANALYSIS

Site and Vicinity: The site includes the main church building on two abutting parcels which together comprise 25,820 square feet of land, as well as a surface parking lot across the street made up of three additional parcels which together total 22,750 square feet of land. When combined together, the parking lot and church parcels create a site with 48,570 square feet of land area, or slightly over one acre. The church and parking lot straddle NE Imperial Avenue one block south of NE Sandy Boulevard in the Laurelhurst neighborhood. The church building itself has frontage on NE Imperial Avenue to the west, NE Wasco Street to the north, and NE Multnomah Street to the south.

The church building itself is a grand structure originally built in 1926 as the Eighth Church of Christ, Scientist in a Byzantine style with architectural plans by Charles W. Ertz. The building's main entry includes a grand colonnade and semi-circular porch oriented towards those approaching from NE Sandy Boulevard, and which faces the intersection of NE Imperial Avenue at Wasco Street. The structure has hip and gable roof forms, all finished in red clay tile, rounded arched windows and other openings, decorative brick corbelling and lintels below windows, and a smooth stucco exterior finish. The southern portion of the main church site along NE Multnomah Street was typically the "back" side of the church with a single-story addition and covered arcade or porch element along the NE Imperial side just south of the main church building, as well as extensive landscaping to the south and east of the church structure, abutting the two adjacent homes. The parking lot on the west side of NE Imperial is separated from the public sidewalk by a 6'-0"-tall black chain link fence, as well as a narrow row of landscaping along portions of the street frontage not occupied by driveways.

The surrounding area immediately to the west, south and east is exclusively residential in character, with detached single-family homes built largely during the streetcar era of the early twentieth century. Homes are generally 1.5 to 3-story structures, often with a detached garage in the rear corner of the property and on-site parking. Homes in the neighborhood are generally well-maintained and have attractive landscaping along the street frontage and in side yards. The main church building abuts two homes directly to the east, both of which have driveways and detached backyard garages on the lot line closest to the church.

Commercial services and multi-family developments are found nearby along NE Sandy Boulevard. The site is also located within a short walking distance of the Hollywood District, just a few blocks to the east.

The abutting rights-of-way are all improved with paved two-way roadways, on-street parking, curbed planting strips and public sidewalks, and some street trees. Street trees are not currently in place along the immediately-abutting sidewalks adjacent to the main church building. However, street trees are located along the church parking lot frontage on the west side of NE Imperial Avenue, as well as in front of most nearby homes.

The two-story construction project for the building addition is already in place, and construction-related fencing surrounds the work area. Groundcover and vegetation has been removed along most of the east lot line, with the exception of a row of shrubs at the top of an existing sloped area abutting the adjacent home at 3540 NE Wasco Street. Construction-related equipment and storage areas are also currently found on the surface parking lot for the church on the west side of NE Imperial Avenue.

Zoning: The single-dwelling Residential 5,000 (R5) base zone is intended to preserve land for housing, and to provide housing opportunities for individual households. The R5 and other single-dwelling zones are intended to preserve land for housing opportunities for individual households. Religious institutions are allowed in the R5 zone through a Conditional Use Review process, but the approval criteria seek to retain the overall residential image and character of the surrounding neighborhood. Development standards of the R5 zone implement various policy objectives, as included in the purpose statement for the standard in question.

The original 1926 church structure is also listed as a Rank II resource on the City of Portland Historic Resource Inventory (HRI). However, unlike historic resources in Historic or Conservation Districts, the only Zoning Code regulations specific to ranked properties listed on the HRI are related to demolition (33.445.520). There are no historic resource-related regulations or requirements for a property on the HRI undergoing additions or exterior alterations as opposed to a complete demolition of the entire structure.

Land Use History: City records indicate three prior land use reviews at the site:

- *CU 27-62*: Planning Commission approval from 1962 for the establishment of an accessory surface parking lot to serve the church on the west side of NE Imperial Avenue (Lot 14, Block 35, Laurelhurst);

- *CU 7-64*: Planning Commission approval to expand the accessory surface parking lot for the church onto two parcels adjacent to the previously-approved parking area (Lots 12 and 13, Block 35, Laurelhurst); and
- *LU 13-175713 CU AD*: Type III Hearings Officer conditional approval for a two-story addition to the existing church, based on six approved drawings (Exhibits C.1 through C.6), and with an Adjustment to waive interior parking lot landscaping for the surface parking lot subject to two exhibits (C.1 and C.9). Conditions of approval required three new trees between the south edge of the building and the sidewalk, a row of evergreen shrubs and two new trees along the east lot line, two stormwater planters in the parking lot, coordination with city staff to finalize Transportation Demand Management (TDM) issues, an updated "Trespass Enforcement Agreement" with the Portland Police, and a signed agreement between the applicant and the Laurelhurst Neighborhood Association. The full decision is included in this case file as Exhibit G.4. Specific status of the conditions of approval is as follows:
    A. *Met – required case identification note shown on permit drawings;*
    B. *Met – three medium or large trees required between addition and south property line, shown on plans with three large 'Tilia Americana' Linden trees;*
    C. *To be met – a row of evergreen shrubs is required along the entire east lot line – see findings and decision for discussion;*
    D. *Met – infiltration planters in the parking lot to be constructed as part of project, and as shown on issued permit drawings;*
    E. *Met – a Transportation Demand Management Plan was prepared and finalized (Exhibit A.6);*
    F. *Met – a Trespass Enforcement Agreement was executed with the Portland Police (Exhibit A.6);*
    G. *Met – the applicant met in good faith with and developed a Good Neighbor Agreement with the Laurelhurst Neighborhood Association (Exhibit A.6). The applicant does not have a copy signed by all parties in their records, but the condition does not require the signed document, nor does the condition enforce any provisions of the Good Neighbor Agreement, either signed or unsigned.*

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **November 21, 2018**. The following Bureaus have responded:

The *Bureau of Environmental Services* (BES) has reviewed the proposal and responded with detailed information and comments. A request was made by BES staff to submit a revised stormwater management report, documenting the slight increase in impervious surfaces associated with the modified proposal. Specifically, the "porch" area and some new paving near the northeast corner of the original building were not included in the stormwater report that was submitted and reviewed during the 2014 land use approval (LU 13-175713 CU AD). After review of revised site plans and an updated stormwater management report, BES has determined that both stormwater management and sanitary disposal issues have been adequately addressed. Therefore, BES supports approval of the request. Exhibit E.1 contains staff contact and additional information.

The *Development Review Section of Portland Transportation* (PBOT) has reviewed the proposal for transportation-related approval criteria and overall impacts on the public transportation system, and has no objections to the requested land use reviews. Detailed findings from PBOT staff are included in the conditional use section of this document. Exhibit E.2 contains staff contact and additional information.

The *Water Bureau* has reviewed the proposal and responded without concern or objection to the requested land use reviews (Exhibit E.3).

The *Fire Bureau* has reviewed the proposal and responded with standard comments clarifying that the Fire Code must be met, and that this analysis occurs during the building permit review. No specific objections or concerns were raised with regards to the requested

Conditional Use and Adjustment Reviews. Exhibit E.4 contains staff contact and additional information.

The *Site Development Section of the Bureau of Development Services* has reviewed the proposal and provided informational comments regarding the permit process, but no objections or concerns regarding the land use reviews. At the time of building permit review the applicant must submit a geotechnical report and/or memorandum to provide engineering recommendations for the foundation and earth retaining structures. It is understood that the proposed development is adjacent to the neighboring property and the previous site work has caused significant damage to the adjacent garage and driveway. The geotechnical engineer must carefully address concerns involving ground loss, slope instability, and structural damage. Excavation shoring and detailed construction sequence must be provided. Exhibit E.5 contains staff contact and additional information.

The *Life Safety Section of the Bureau of Development Services* (BDS Life Safety) has reviewed the proposal and offered comments. Originally, extensive concerns were raised about egress and building code issues related to the egress stairway from the original church building, which was removed during construction and had to be replaced. In December 2018, BDS Life Safety could not support approval of the proposal. After submittal of revised plans, and because the applicant obtained a building code appeal and modified the replacement metal egress stairway from the original church upstairs main assembly space to NE Wasco Street, BDS Life Safety now recommends approval of the request. Previously identified concerns in their original response have been changed from "issues to be addressed prior to land use approval" to "general life safety comments" in their response. Exhibit E.6 contains staff contact and additional information.

The *Urban Forestry Division of Portland Parks and Recreation* has reviewed the proposal, and responded without objections or concern. Street tree requirements were applied during the building permit review process, and will result in four new trees on NE Wasco St., six new trees on NE Imperial Ave., and two new trees on NE Multnomah Street. No objections or concerns are raised with regards to the land use review. Exhibit E.7 contains staff contact information.

The *Police Bureau* has reviewed the proposal and determined that public services for police protection are adequate to serve the proposed use (Exhibit E.8).

Neighborhood Review: A total of five written responses have been received from community members in response to the mailed notice of this proposal.

The Laurelhurst Neighborhood Association (LNA) has written a letter with clearly articulated positions on several aspects of the application (Exhibit F.1). The LNA has no objection to the grading and excavation along the east lot line, enclosing the former "porch" element along Imperial Ave., retaining walls along the east lot line, new perimeter fencing and screening, synthetic versus traditional stucco as a cladding, and the requested Adjustments. The LNA does object to the height of the rooftop penthouse, and asks that "it be lowered to the minimum required for the elevator". In addition, it asks that the rooftop screening be changed from metal louvers to stucco to match the rest of the building, that the screening be lowered to the minimum height necessary, and that the screening be painted light grey. The LNA asks that the exterior electrical cabinet be painted the same color as the building, and that it receive additional screening beyond the existing solid metal casing. In addition, the LNA asks that all new lighting be minimal and at path level, with the "minimum foot candles needed for safe egress", and that lights should be turned off at night and "shielded so that they not reflect on neighbors". The LNA states that the prior traffic study be modified, and that there is no evidence that the Transportation Demand Management measures required in the last review are being implemented.

The LNA asks a series of questions at the end of their letter, and closes with a request for a new condition of approval that the Good Neighbor Agreement be renegotiated and updated. The series of questions posed are as follows:

1. Was a TDM (Traffic Demand Management) study done in 2017 per the schedule?
2. Is the WoLSBC still maintaining an issue management system and if so how many issues are entered, as well as their status.
3. What is the current number of parishioners in the Congregation?
4. What is the current schedule of services?
5. How many parking spaces are available in the church lot while construction equipment and materials are being stored/staged in it?
6. Can the WoLSBC please provide copies of all surveys, notices or other communications with/to parishioners that speak to TDM, parking in the neighborhood, or implementation of the steps recommended by their consultant – Lancaster Engineering.
7. Did they submit any annual reports about TDM performance to PBOT and if so can they provide copies?

A neighbor living across the street from the church has expressed concerns about the multi-year timeframe for the construction, suggesting it has gone on too long. Concerns were expressed about elements having been constructed that were not previously approved (e.g. elevator penthouse), that the revised roofline and additional rooftop mechanical units are clearly visible to neighbors, and that the mechanical units may create noise impacts. Suggestions are made that the modified roofline and new exterior mechanical units create an industrial atmosphere, "more fitting for Sandy Boulevard than a residential street in Laurelhurst" (Exhibit F.2).

The neighbor living directly east of the site along NE Multnomah wrote a letter with several concerns (Exhibit F.3). The letter suggests condition C from the prior land use review is not met, and that the proposal violates both the conditional use and adjustment approval criteria. The comments are organized into the following subtopics:

- Landscaping Adjustment. Concern is expressed about the prior condition (C) which required shrubs along the east lot line, as well as about tree species and size along the east lot line. Small or medium versus large trees are preferred by this neighbor along their abutting property line;
- Fencing and wall locations along their shared east lot line, including the area of proposed fencing and retaining walls along this shared lot line;
- Electrical cabinet setback adjustment is opposed based on visual impacts, and suggestions are made to move the cabinet elsewhere on the site, and to paint it to match the building;
- Rooftop mechanical units should be set back as much as possible, screened with a color treatment that matches the building, and include noise mitigation such as "sound covers, noise blankets or similar efforts";
- Reduce height of fencing installed adjacent to south edge of the interior sunken courtyard/excavated area (reduce to 8'-0" tall or less);
- Rooftop elevator penthouse is too large, doesn't need to be that large for the equipment itself, and results in a design which is incompatible with the surrounding homes. Concerns are expressed that the new rooftop features no longer meet the maximum 30'-0" height limit for the R5 zone, and that the structure is too large to qualify as an exempted tower or spire.

A fourth letter was submitted from the neighbors living directly east of the site along NE Wasco Street (Exhibit F.4). This letter encourages more accurate information about the landscaping treatment along their shared lot line, and requests additional plantings. Excavation along their shared lot line has had significant impacts to structures on their property, and the excavation has threatened the health and longevity of a dense row of 10'-0"-tall arbor vitae shrubs along this shared lot line. The letter correctly identifies a prior staff concern with the shrubs along the east lot line, imposing a recommended minimum width for the planting zone of 3'-0", and that modification of this requirement must happen through the Type III process. Finally, this letter closes with a recommendation to reduce the height of the fencing adjacent to the south edge of the interior sunken courtyard/excavated area, similar to the other abutting neighbor to the east in the preceding letter.

A fifth letter expresses concern about the institution and the relationship with the neighborhood in general (Exhibit F.5). Concerns are expressed about the missing shrubs in light of the earlier condition C, that enclosing the porch adds to an "overbuilt" appearance, that the penthouse should be removed, and that electrical and other work which was done beyond what was approved under the building permit "puts neighbors houses in risk".

Staff Note: Issues with regards to the appearance of the modified structure, including the fencing, rooftop penthouse and mechanical equipment will be discussed in the findings for the approval criteria. Transportation issues in neighbor letters have been shared with Portland Transportation (PBOT) for their consideration, and are addressed in the transportation-related findings. The applicant did submit copies of a Good Neighbor Agreement with the Laurelhurst Neighborhood Association, the Transportation Demand Management (TDM) Plan, as well as copies of the annual TDM reports submitted to the City of Portland each year from 2015 through 2018 and the updated Trespass Agreement with the Portland Police, as required by the 2014 conditions of approval in LU 13-175713 CU AD (Exhibit A.6). Because no change to the scope of activity at the site was proposed, staff did not request an updated count of parishioners or church activities and the applicant did not provide one; this application is limited to an evaluation of physical changes to the site since the last land use review.

Revised plans were submitted by the applicant, and several issues with the abutting neighbor along NE Multnomah Street were addressed by the applicant (Linden trees swapped out for Tupelo and Hornbeam species, fence moved away from driveway, etc.). This review was about physical changes to the site that occurred since the 2014 land use approval, and does not propose or consider changes to the church operations or intensity, and attendance is not limited to a specific number of parishioners: staff did not require the applicant to re-submit operational data about church services or attendees during this application. The site is zoned R5, but the height limit for institutional uses is 50'-0", not 30'-0", and both the structure itself and the rooftop penthouse are within this height limit, with no need for the use of tower/spire height limit exceptions. Finally, issues regarding landscaping, shrubs along the lot line, and compliance with the former condition of approval C will be considered in the findings below.

ZONING CODE APPROVAL CRITERIA

33.815.010 Purpose of Conditional Use Reviews
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 Approval Criteria for Institutional and Other Uses in Residential and Campus Institutional Zones
These approval criteria apply to all conditional uses in R and campus institutional zones except those specifically listed in sections below. The approval criteria allow institutions and other non-Household Living uses in a residential and campus institutional zones that maintain or do not significantly conflict with the appearance and function of residential or campus areas. Criteria A through E apply to institutions and other non-Household Living uses in residential zones. Criteria B through E apply to all other conditional uses in campus institutional zones. 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: With the exception of the strip of commercially-zoned property along NE Sandy Boulevard north of the site, the site is surrounded by single-family residential development in all directions for at least 600 feet from the site. The nearest non-residential uses under residential zoning are both further away: a large historic group home structure on the west side of NE 33rd Avenue just south of Sandy (1021 NE 33rd Ave.) and the former Bethlehem Lutheran Church at NE Cesar Chavez Jr. Boulevard at Senate Street (1244 NE Cesar Chavez Blvd.). Therefore, this is the only non-residential use in the "residential area" per this criterion, which is typically about 400 or more from the perimeter of the site, consistent with the notification boundaries for a Type III land use review (even though this application is a Type II, staff typically evaluates a 400- to 600-foot boundary for all conditional uses in R zones).

   These two criteria under 33.815.105.A.1-2 address the <u>use</u> of the property only, not the physical changes being proposed to the structures or grounds or landscape. There is no change to the proportion of non-residential uses in the area, as the church is already in place and no programmatic or activity changes are proposed which require review at this time. Even during the prior 2014 land use review, the project was intended to provide classroom and other accessory spaces for the existing church and parishioners and did not constitute an increase number of non-residential uses in the area (Exhibit G.4, p.9). Therefore, because there is not change to the number, size or location of non-residential uses in the area, and because the intensity and scale of the use is not changing, these criteria are met.

B. Physical compatibility.

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

   Findings: City-designated scenic resources are identified on the official zoning maps with a lower case "s." There are no City-designated scenic resources on the site or in the surrounding neighborhood. Therefore, this criterion is not applicable.

2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, tree preservation, and landscaping; or

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

   Findings: As with most churches, temples, synagogues and mosques, buildings that house Religious Institutions are inherently different in building scale and style from most single-dwelling residential development. This particular building was constructed in 1926 as the Eight Church of Christ, Scientist and was completed in a Byzantine architectural style, with an octagonal main building, clay tile roofs, arched window openings, decorative brickwork and smooth buff pink stucco siding (Exhibit G.7). The central mass of the main rooftop rises above all the nearby homes, and the large welcoming entry porch facing the corner of NE Wasco and Imperial itself stands taller than some of the nearby single-story bungalows. Based on the plans of the old building submitted for the application, the peak of the roof of the old main church building is approximately 50 feet above grade, which is significantly taller than the nearby homes (Exhibit C.6).

The current application is necessary to correct changes made to the project during construction which departed from the approved drawings in LU 13-175713 CU AD. As articulated in the proposal description at the beginning of this document, these changes include grading and excavation along the east lot line, new fencing and retaining walls, enclosing the "porch" element along NE Imperial at the entry to the new addition, a new rooftop elevator penthouse and mechanical equipment, an electrical equipment cabinet, synthetic vs. traditional stucco siding, and new/replacement metal egress stairs east of both the addition and original church building. In addition, bike parking and paved egress walkways are now proposed, and a detailed landscape plan was submitted.

The site includes the church property and the surface parking lot to the west across NE Imperial Avenue, and has not changed. The overall scale and style of the building addition has not significantly changed from the 2014 approval under LU 13-175713 CU AD, with the exception of the reconfigured and now enclosed "porch" along NE Imperial Avenue, the new rooftop penthouse and equipment, and the enclosed electrical equipment cabinet placed against the east façade of the addition, facing the neighbors to the east along NE Multnomah Street. These issues will be discussed independently below with italicized headers at the beginning of each section.

Enclosed and Enlarged "Porch"
Neighbors have expressed support in general for the enclosed "porch" element, which was modified during the course of this review to become slightly smaller in footprint, so as to stay fully out of the required 15'-0" minimum street setback for institutional uses in the R5 zone. The new enclosed porch is still somewhat larger in footprint than the original porch which was previously to be retained in the 2014 design, although this original porch was damaged during demolition work and is no longer fully intact. One neighbor expressed concern for the use of the enclosed porch and suggested it might increase the intensity of the use overall, but the space has been designed as an enclosed entry hallway whose dimensions are likely to limit the use of the space to the intended purpose of entry and exit.

The design of the "porch" itself and addition overall was modified to reflect the actual as-built conditions, and changes were made to keep the "porch" held back from the main church, to keep it a single-story in size like the original open porch, and the modify the parapet design to better integrate with the architecture of the larger addition. Staff finds that the revised "porch" design will be compatible with the area, and that architectural features including the matching arched windows, decorative brick parapet, and stucco siding help mitigate for the additional enclosed building area and scale.

Rooftop penthouse and mechanical equipment/screening
Several neighbors have objected to the height and scale of the new octagonal rooftop penthouse, as well as the new rooftop mechanical units and their screening. The octagonal design of the elevator over-run is generally supported by the neighbors, but they would rather it be lowered somewhat to the minimum necessary for the elevator equipment. Other concerns have been raised about the louvered metal screening proposed for the equipment itself, suggesting it should be changed to stucco.

The peak of the new roof atop the octagonal elevator penthouse is 14'-8" above the parapet height of the addition as proposed and previously approved. The mechanical enclosures and equipment being enclosed rise approximately 3'-6" above the parapet of the addition. While these features are prominent visually when viewed on the proposed elevations (especially the penthouse), when viewed from the pedestrian perspective on the adjacent sidewalks in NE Multnomah Street and Imperial Avenue the viewer only sees the very top few feet of the penthouse walls

and visible portions of the clay tile roof. This reduced visibility for the new rooftop elements is a result of the overall building wall and parapet height, and the surrounding grades which are generally level along NE Multnomah but then travel downhill along Imperial Avenue towards NE Wasco Street. Whereas the grade level of the sidewalk immediately adjacent to the addition at the corner of NE Multnomah Street at Imperial Avenue is approximately 178'-0" above sea level, the grade level at the sidewalk on the corner of NE Wasco Street is approximately 160'-0" above sea level, for a grade change of 18'-0".

The mechanical equipment louvers and penthouse walls will both be painted the same buff pink color to match the existing main church (and addition) building walls, and the clay tile octagonal roof design integrates well with the octagonal roof design of the 91-year old church building nearby. Given the ventilation needs of mechanical equipment, louver screening is necessary as opposed to a solid wall of stucco or other material as suggested by one of the neighbors; in order to keep the screening as low and tight around the equipment as possible the screening must also allow air flow. The rooftop penthouse is set approximately in the center of the roof of the addition, and although it will be prominently visible to the house immediately to the east of the addition itself, this feature is well-integrated with the overall design of the project and mitigates for its size by the features discussed above.

Synthetic versus traditional stucco
The use of synthetic versus traditional stucco in the design does not have a major impact on the appearance of the structure, which will still have a smooth plaster-like finish on the exterior of the building, compatible with the original structure. No neighbors have objected to the use of synthetic stucco.

Grading, excavation and retaining walls
The grading and excavation that occurred along the east property lines following the 2014 land use approval and permit issuance is the single most impactful change to the appearance and function of the site. Although original grades were retained along most of the southern half of the main church building site immediately adjacent to the addition and along the sidewalks, there is a deep drop-off and sunken courtyard area in the central portion of the site, and this excavation continues heading north towards NE Wasco Street. The depth and profile of these excavations, and the related retaining walls necessary to shore up the detached garages and driveways on the adjacent residential properties, is shown on Exhibits C.5 (north elevation only) and C.7 through C.9.

While these changes to the site grades are unfortunate, and would likely not have been approved if requested in advance of the work, there is a public interest in wrapping up the construction work that has been done on the site over the last several years without significant additional delays or changes. The retaining walls are tallest and most imposing in the very center of the site, and not directly visible from NE Multnomah Street, and only partly visible from NE Wasco Street. The location of the two adjacent detached garages on the adjacent residential lots also provides some natural screening for the sunken courtyard area, and new trees and landscaping will provide some natural buffering and visual relief over time. Filling in the area with new soil would be difficult and expensive, and the area of the site in question is apparent primarily from within the site (in the sunken courtyard itself, looking down on it from the fence extending east from the addition at the top of the tallest wall, and in the narrow area of visibility created between the sunken courtyard and NE Wasco Street). The sunken area and majority of the retaining walls have been in place on the site already for years, and because the retaining walls are necessary to stabilize and support the garages and driveways on the lots to the east, the proposed grading, excavation and retaining walls should be approved.

New fencing
New fencing is proposed along the easterly lot line, and internally to the site at the top of the drop-off next to the new addition and sunken courtyard. The proposal is to reduce the height of the tubular steel safety fencing next to the addition and above the sunken courtyard to 8'-0" tall as shown on the plans, and this segment of fence does allow views and air to pass through the fence. Performing a critical safety function above the drop-off to the sunken courtyard, while reducing the height to more residential scale, this segment of fencing is compatible with the surrounding residential development and reducing the as-built height will eliminate the excessive height of this fence as originally constructed.

New fencing is also proposed along the east lot line, in most locations atop a concrete retaining wall of varying height. This new fencing is wooden and 6'-0" tall, with an appearance typically found in residential areas and on surrounding properties. The wooden fencing is solid wood along the southern portion of the site heading towards NE Multnomah, and modified with a semi-open lattice top element on the northern portion of the site heading towards NE Wasco Street. Fencing heights stagger with the grade change, and will provide adequate ground-level screening and buffering to the abutting residential properties, in keeping with fence designs found elsewhere in the neighborhood.

Electrical equipment cabinet
The electrical equipment service cabinet was installed directly adjacent to the east wall of the addition abutting a new walkway, but this cabinet was not shown on the earlier land use review approval from 2014. The cabinet itself is approximately 7'-6" tall, 9'-0" wide, and projects out from the face of the building just under 3'-0". An Adjustment to the setback for this structure is necessary and is considered later in this decision. This utilitarian element is located on a side façade with the narrowest portion facing the street, and was installed per specifications from the utility company regarding access and placement. Given the limited height and scale of the structure, and because its appearance is mitigated somewhat by a location on the interior or "back" side of the project, it is compatible with the surrounding residential area in placement and scale. In order to mitigate for the potential difference in appearance versus the building, and because the plans do not indicate a finish treatment of paint for the structure, a condition of approval will require that the electrical cabinet be painted to match the adjacent wall color.

New and replacement metal egress stairways
The prior land use review approval did not show upper-floor egress stairs for the addition on the plans, but a second exit was required by the Building Code and so the applicant added a stairway during construction. The new emergency egress stairway for the addition is tucked into the innermost portion of the site, mostly placed out of view from the street by the walls of the addition itself, although a portion of the stairs is visible from the street. An Adjustment for the lower flight of these stairs is necessary and is considered later in this decision. These stairs are a utilitarian element, uncovered, and do not create a significant visual impact beyond that of the building mass itself. As proposed, the stairs are compatible with the remainder of the project and the surrounding residential area given their modest scale and visibility and placement on the site.

The replacement egress stairs from the main church building are necessary because the original fire exit stairway was removed by the applicant out of concern for safety (old, rusting metal stairway from the 1920's, old anchor bolts, etc.). The replacement egress stairs are the minimum size necessary to meet building code egress requirements, are uncovered, and generally stay as close to the original church building as possible. Their appearance is in keeping with the church building overall, and their limited use and bulk are in keeping with the overall character and appearance of the site and surrounding residential neighborhood.

Bike parking
Two areas of paving for 6 new bike racks are proposed at the site. These include three spaces at the northeast corner of the site near the building entrance at that location along NE Wasco Street, as well as three spaces along NE Imperial Avenue. This straightforward modification to the site plan provides bike parking as required by code, and will not have dramatic visual or character impacts on the site appearance overall.

New "egress path" to Wasco Street
A new 4'-0"-wide pedestrian "egress path" walkway is shown from the original church building heading north to NE Wasco Street, connecting an existing bank of windows and a small man door on the basement level to the street. Based on discussions with the Life Safety Plan Reviewer for this case, who reviewed egress and appeal issues associated with the metal replacement stairway from the main level of the church above, this new path from the basement level is not the legal egress. The legal point of egress on this side of the building is located at the prominent corner entry doors and existing pathway directly to the north. Paving a new at-grade walkway from the basement level as shown, in addition to the code-required egress doors already on the building just to the north, is not necessary. Further, this is an area of required landscaping along the east lot line that is subject to an Adjustment, as less than the required 15'-0" depth is proposed as a result of the new paved "egress path" shown in the area.

During the last land use review, no landscape plan was submitted. Prior to the current construction project in 2014, there was extensive mature landscaping along the entire east lot line, including well-maintained large shrubs, trees, and groundcover plantings. Generally this consisted of a dense shrubbery screen along the east lot line, foundation plantings around the church building, an area of azaleas and shrubs between the area for the new addition and NE Imperial Avenue, and well-tended grass and grass-only planting strips. This prior condition of the landscaping at the site can be seen in a series color photographs included in this case file as Exhibit G.8. The applicant has also clarified that the existing mature row of arbor vitae shrubs in this area between the original church building and the abutting neighbor to the east was damaged by the excavation and grading that has already occurred, and must be removed and replaced.

The proposed egress pathway from the basement level to NE Wasco Street is not necessary, and impacts an area that was previously landscaped, which the code requires to be landscaped, and which was dramatically impacted with excavation and site work that was not approved during the last land use review. This area of the site should serve as a green buffer and edge to the adjacent homes to the greatest extent possible, in keeping with historic patterns on the site and these approval criteria. Therefore, a condition of approval will require that the egress pathway and new paving shown from the basement level of the church building to NE Wasco Street, as well as the paved areas heading south to the gated sunken courtyard area, not be allowed and be replaced with grass or groundcovers, shrubs, or trees. The only exception is that a narrow paved landing area no wider than 4' is allowed immediately adjacent to the window/door openings on the basement level, provided the paving is directly abutting the building and directly under the replacement metal egress stairs above. This area where paving is not allowed is shown on Exhibit C.13. With this condition of approval, the reconfigured emergency egress from the main church building can meet Building Code, and the area impacted by vegetation removal and grading can be landscaped once again, ensuring compatibility with the surrounding residential neighborhood and mitigation of construction impacts so near to an abutting home.

Landscaping
The applicant modified the landscape plans during this review to add a row of shrubs and trees along most of the northern portion of the east property line, in an area where a 10'-0"-wide walkway was shown originally. Three large trees along the southern portion of the east property line were changed to four small trees, and the fencing and retaining wall were moved in from the east property line by approximately 1'-6", per an agreement with the adjacent residential neighbor. Trees and shrubs are also proposed along the NE Multnomah and Imperial property lines, abutting the sidewalk where a dense shrub bed was previously located but removed. In the sunken courtyard, three medium cypress trees will be planted in grass, which over time will rise above the retaining walls and provide some visual screening for the adjacent homes.

Condition of approval C from LU 13-175713 CU AD required a row of shrubs "along the eastern property line", as well as two new medium or large trees to be planted "between the addition and the east property line". As proposed, a continuous row of shrubs is planted along the southernmost portion of the east lot line, but not in the sunken courtyard area, below the garages of the abutting homes at the base of the retaining wall, or for approximately 36 lineal feet of the shared property line with the house at 3540 NE Wasco Street. Four medium trees are proposed between the addition and the property line to the east.

As noted in findings for the replacement metal stairway earlier in this report, an area of paving for an "egress path" east of the original church building is not necessary, and impacts an area of required landscaping. A condition of approval will require removal of the proposed new "egress path" paving and widen the area of landscaping along the lot line abutting the home at 3540 NE Wasco Street, in keeping with the prior site appearance and condition. This paving also would have precluded putting shrubs in the same area.

In order to ensure that condition of approval C from the prior land use review is met, a new condition of approval will be imposed requiring a continuous row of evergreen shrubs along the east lot line. These are already generally in place along the majority of the easterly lot line condition shown on the proposed landscape plan, but are not in place in the sunken courtyard, or for approximately 36 lineal feet of the shared property line with the house at 3540 NE Wasco Street. In order to clarify the minimum requirements, an enlarged section of the landscape plan will be included with staff annotations in the decision (Exhibit C.13), with notes showing that a single line is required and that the shrubs need only make one complete north-south row in the sunken courtyard space (disconnected row OK as long as there is continuous north-south coverage). Providing the row of shrubs as required by the prior decision will improve the appearance from the street, soften the border with adjacent homes over time, and mitigate for the deep excavation and visual impact of the large retaining walls created as a result.

Based on the above considerations, and with the conditions of approval as noted, the proposal will be compatible with the adjacent residential developments, and mitigation is provided with landscaping, screening, and other design features as noted above. 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

Findings:
<u>Late-night operations and noise</u>
No changes are proposed to the use or its operations, and no new late-night operations are included in this application.

Lights, Odor, and Litter
No odor or litter impacts are associated with the proposed addition, or with church activities in general. Lighting associated with the project has been clarified, and includes discrete downlights on the exterior walls that are shielded and designed to direct light downwards only (Exhibit C.12), and the lights are placed approximately 7'-0" above the pedestrian level on the east façade, as well as one near the entry to the addition off of NE Imperial Avenue. This lighting is the minimum necessary to ensure pedestrian safety while exiting and entering the building, and will not have significant adverse impacts on the livability of nearby residential zoned lands.

This criterion is met.

2. Privacy and safety issues.

Findings: A signed Trespass Agreement with the Portland Police was completed since the last land use review (Flag Record #16-422, effective 3/7/16), and was submitted as part of this application (Exhibit A.6). Landscape screening along the east lot line does help provide some privacy for the abutting neighbor, but this criterion does not protect privacy, and the limited occupancy of the classrooms and spaces in the church addition are not likely to create significant privacy impacts for the neighbor. This criterion is met.

D. Public services.

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

2. Transportation system:

   a. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;

   b. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements;

   c. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed;

Findings: The Portland Bureau of Transportation (PBOT) submitted the following response (Exhibit E.2):

"There are no proposed changes to the street designations. No additional activities are proposed. The changes under review are physical changes to the site improvements and structures."

"There are no additional activities proposed beyond those previously approved in the 2013 conditional use review. The requirement for a transportation demand management plan (TDM) will continue to remain in effect. The church is required to annually survey their membership and report the transportation mode splits by identifying how each member arrives at the site. They work with the TDM experts in PBOT's Active Transportation section. Goals are set for each year in reducing single-occupant-vehicles (SIV) coming to the site. The church is in compliance with reporting and meeting their trip reduction goals for the past five years. If in future reporting years the goals are not reached, the church will have to work with PBOT Active Transportation staff to modify the elements of the TDM plan to reach compliance with annual goals."

"The applicant is proposing to enclose a porch/lobby and add a staff break room. These two small additions (approx. 800 square feet ft total) will be serving the existing congregation and church employees. The minor additions will not generate any additional vehicle trips. Because there will be no additional demand on transportation facilities, PBOT finds the transportation system is capable of supporting the proposed use in addition to existing uses in the area."

"No mitigation measures are warranted."

"No additional improvements are needed."

"No objection to approval."

Based on the findings from PBOT directly above, these criteria are 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 Water Bureau has determined that public services for water supply are adequate (Exhibit E.3). The Fire Bureau has determined that public services for fire protection are adequate (Exhibit E.4). Proposed sanitary waste and stormwater disposal systems are acceptable to the Bureau of Environmental Services (Exhibit E.1). The Police Bureau has determined that they are capable of serving the proposed use (Exhibit E.8).

   Based on the responses from the relevant City service bureaus, 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: There are no adopted area plans for the Laurelhurst neighborhood that have been adopted by the City Council as part of the Comprehensive Plan. As noted in the findings for the prior land use review, there is a Hollywood Sandy Area Plan along parcels directly abutting Sandy Boulevard, but the site is not located within the "study area" identified in this plan. Therefore, this criterion is not applicable.

Oregon Statewide Planning Goals

<u>Goal 1: Citizen Involvement</u>
Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six

components specified in the goal. It also requires local governments to have a Committee for Citizen Involvement (CCI) to monitor and encourage public participation in planning.

Findings: The City of Portland maintains an extensive citizen involvement program which complies with all relevant aspects of Goal 1, including specific requirements in Zoning Code Chapter 33.730 for public notice of land use review applications that seek public comment on proposals. There are opportunities for the public to testify at a local hearing on land use proposals for Type III land use review applications, and for Type II and Type IIx land use decisions if appealed. For this application, a written seeking comments on the proposal was mailed to property-owners and tenants within 150 feet of the site, and to recognized organizations in which the site is located and recognized organizations within 400 of the site. There is also an opportunity to appeal the administrative decision at a local hearing.

The public notice requirements for this application have been and will continue to be met, and nothing about this proposal affects the City's ongoing compliance with Goal 1. Therefore, the proposal is consistent with this goal.

Goal 2: Land Use Planning
Goal 2 outlines the basic procedures of Oregon's statewide planning program. It states that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Findings: Compliance with Goal 2 is achieved, in part, through the City's comprehensive planning process and land use regulations. For quasi-judicial proposals, Goal 2 requires that the decision be supported by an adequate factual base, which means it must be supported by substantial evidence in the record. As discussed earlier in the findings that respond to the relevant approval criteria contained in the Portland Zoning Code, the proposal complies with the applicable regulations, as supported by substantial evidence in the record. As a result, the proposal meets Goal 2.

Goal 3: Agricultural Lands
Goal 3 defines "agricultural lands," and requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

Goal 4: Forest Lands
This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

Findings for Goals 3 and 4: In 1991, as part of Ordinance No. 164517, the City of Portland took an exception to the agriculture and forestry goals in the manner authorized by state law and Goal 2. Since this review does not change any of the facts or analyses upon which the exception was based, the exception is still valid and Goal 3 and Goal 4 do not apply.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources
Goal 5 relates to the protection of natural and cultural resources. It establishes a process for inventorying the quality, quantity, and location of 12 categories of natural resources. Additionally, Goal 5 encourages but does not require local governments to maintain inventories of historic resources, open spaces, and scenic views and sites.

Findings: The City complies with Goal 5 by identifying and protecting natural, scenic, and historic resources in the City's Zoning Map and Zoning Code. Natural and scenic resources are identified by the Environmental Protection ("p"), Environmental Conservation ("c"), and Scenic ("s") overlay zones on the Zoning Map. The Zoning Code imposes special restrictions

on development activities within these overlay zones. Historic resources are identified on the Zoning Map either with landmark designations for individual sites or as Historic Districts or Conservation Districts. This site is not within any environmental or scenic overlay zones and is not part of any designated historic resource. Therefore, Goal 5 is not applicable.

Goal 6: Air, Water and Land Resources Quality
Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Findings: Compliance with Goal 6 is achieved through the implementation of development regulations such as the City's Stormwater Management Manual at the time of building permit review, and through the City's continued compliance with Oregon Department of Environmental Quality (DEQ) requirements for cities. The Bureau of Environmental Services reviewed the proposal for conformance with sanitary sewer and stormwater management requirements and expressed no objections to approval of the application, as mentioned earlier in this report. Staff finds the proposal is consistent with Goal 6.

Goal 7: Areas Subject to Natural Disasters and Hazards
Goal 7 requires that jurisdictions adopt development restrictions or safeguards to protect people and property from natural hazards. Under Goal 7, natural hazards include floods, landslides, earthquakes, tsunamis, coastal erosion, and wildfires. Goal 7 requires that local governments adopt inventories, policies, and implementing measures to reduce risks from natural hazards to people and property.

Findings: The City complies with Goal 7 by mapping natural hazard areas such as floodplains and potential landslide areas, which can be found in the City's MapWorks geographic information system. The City imposes additional requirements for development in those areas through a variety of regulations in the Zoning Code, such as through special plan districts or land division regulations. The subject site is not within any mapped floodplain or landslide hazard area, so Goal 7 does not apply.

Goal 8: Recreation Needs
Goal 8 calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expediting siting of destination resorts.

Findings: The City maintains compliance with Goal 8 through its comprehensive planning process, which includes long-range planning for parks and recreational facilities. Staff finds the current proposal will not affect existing or proposed parks or recreation facilities in any way that is not anticipated by the zoning for the site, or by the parks and recreation system development charges that are assessed at time of building permit. Furthermore, nothing about the proposal will undermine planning for future facilities. Therefore, the proposal is consistent with Goal 8.

Goal 9: Economy of the State
Goal 9 calls for diversification and improvement of the economy. Goal 9 requires communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

Findings: Land needs for a variety of industrial and commercial uses are identified in the adopted and acknowledged Economic Opportunity Analysis (EOA) (Ordinance 187831). The EOA analyzed adequate growth capacity for a diverse range of employment uses by distinguishing several geographies and conducting a buildable land inventory and capacity analysis in each. In response to the EOA, the City adopted policies and regulations to ensure an adequate supply of sites of suitable size, type, location and service levels in compliance with Goal 9. The City must consider the EOA and Buildable Lands Inventory when updating the City's Zoning Map and Zoning Code. Because this proposal does not

change the supply of industrial or commercial land in the City, the proposal is consistent with Goal 9.

Goal 10: Housing
Goal 10 requires local governments to plan for and accommodate needed housing types. The Goal also requires cities to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Findings: The City complies with Goal 10 through its adopted and acknowledged inventory of buildable residential land (Ordinance 187831), which demonstrates that the City has zoned and designated an adequate supply of housing. For needed housing, the Zoning Code includes clear and objective standards. Since this proposal is not related to housing and has been developed with a church for many years, and because there are more than adequate buildable residential lands inside the City of Portland without including this site, Goal 10 is not applicable.

Goal 11: Public Facilities and Services
Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

Findings: The City of Portland maintains an adopted and acknowledged public facilities plan to comply with Goal 11. See Citywide Systems Plan adopted by Ordinance 187831. The public facilities plan is implemented by the City's public services bureaus, and these bureaus review development applications for adequacy of public services. Where existing public services are not adequate for a proposed development, the applicant is required to extend public services at their own expense in a way that conforms to the public facilities plan. In this case, the City's public services bureaus found that existing public services are adequate to serve the proposal, as discussed earlier in this report.

Goal 12: Transportation
Goal 12 seeks to provide and encourage "safe, convenient and economic transportation system." Among other things, Goal 12 requires that transportation plans consider all modes of transportation and be based on inventory of transportation needs.

Findings: The City of Portland maintains a Transportation System Plan (TSP) to comply with Goal 12, adopted by Ordinances 187832, 188177 and 188957. The City's TSP aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." The extent to which a proposal affects the City's transportation system and the goals of the TSP is evaluated by the Portland Bureau of Transportation (PBOT). As discussed earlier in this report, PBOT evaluated this proposal and recommends approval without objection or conditions. Therefore, the proposal is consistent with Goal 12.

Goal 13: Energy
Goal 13 seeks to conserve energy and declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

Findings: With respect to energy use from transportation, as identified above in response to Goal 12, the City maintains a TSP that aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." This is intended to promote energy conservation related to transportation. Additionally, at the time of building permit review and inspection, the City will also implement energy efficiency requirements for the building itself, as required by the current building code. For these reasons, staff finds the proposal is consistent with Goal 13.

Goal 14: Urbanization
This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

Findings: In the Portland region, most of the functions required by Goal 14 are administered by the Metro regional government rather than by individual cities. The desired development pattern for the region is articulated in Metro's Regional 2040 Growth Concept, which emphasizes denser development in designated centers and corridors. The Regional 2040 Growth Concept is carried out by Metro's Urban Growth Management Functional Plan, and the City of Portland is required to conform its zoning regulations to this functional plan. This land use review proposal does not change the UGB surrounding the Portland region and does not affect the Portland Zoning Code's compliance with Metro's Urban Growth Management Functional Plan. Therefore, Goal 14 is not applicable.

Goal 15: Willamette Greenway
Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

Findings: The City of Portland complies with Goal 15 by applying Greenway overlay zones which impose special requirements on development activities near the Willamette River. The subject site for this review is not within a Greenway overlay zone near the Willamette River, so Goal 15 does not apply.

Goal 16: Estuarine Resources
This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."

Goal 17: Coastal Shorelands
This goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water-related" uses.

Goal 18: Beaches and Dunes
Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

Goal 19: Ocean Resources
Goal 19 aims "to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf." It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19's main requirements are for state agencies rather than cities and counties.

Findings: Since Portland is not within Oregon's coastal zone, Goals 16-19 do not apply.

33.805.010 Purpose of Adjustment Reviews
The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would

preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue providing certainty and rapid processing for land use applications.

33.805.040 Adjustment Approval Criteria
Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. below have been met.

A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

Findings: The applicant has requested two Adjustments, both to the institutional development standards in the R5 zone. The first is for the minimum required 15'-0" of L3 landscaping along the east lot line abutting residentially-zoned lots, and the second is for the minimum 15'-0" building setback for institutional uses (both at 33.110.245.C.1/Table 110-5). The purpose statement for both standards is the same, and reads as follows:

"The general base zone development standards are designed for residential buildings. Different development standards are needed for institutional uses which may be allowed in single-dwelling zones. The intent is to maintain compatibility with and limit the negative impacts on surrounding residential areas." (33.110.245.A)

For the landscaping Adjustment, the standard requires a continuous row of evergreen shrubs that will reach 6'-0" in height within three years, and provide a solid visual screen. Groundcover plants are required, and trees must be provided. As proposed, there are continuous shrubs along the east lot line except in the sunken courtyard area, and for approximately 36 lineal feet abutting the southern portion of the lot line shared with 3540 NE Wasco Street. There are seven medium trees shown along the east lot line (hornbeam, tupelo, cypress) and four small trees (magnolia), which provide sufficient tree coverage for 214 lineal feet of lot line (medium tree = 22', small tree = 15'). The width of the landscape area varies from the full required depth of 15'-0" in the sunken courtyard, to a dimension of approximately 5'-0" elsewhere, which is the depth of the landscape beds between the new walkways and the abutting residential lots. The landscape strip narrows from 5'-0" to zero along the southern portion of the shared lot line with 3540 NE Wasco Street, and there is no landscaping in the narrow area immediately below the retaining wall between the garage at 3540 NE Wasco Street and the original church building.

The proposed landscaping and fencing will provide a visual screen at grade level for the two closest adjacent homes, with the exception of the area where no shrubs are proposed. Consistent with a prior condition of approval requiring evergreen shrubs along the east lot line, and in order to ensure the best shrub screening possible in an area where dramatic excavation on the site has taken place, conditions of approval will require removal of an unnecessary "egress path" and paved area between the original church building and the abutting neighbor to the east, as well as a row of evergreen shrubs along the entire east lot line.

With reconfigured and enlarged planting areas between the original church building and the abutting lot to the east, there will be continuous shrub screening and groundcover along the eastern lot line. Given the scale and height differences between the church buildings and abutting homes, however, vertical screening provided by trees will also be helpful. The specific size and trees along the east lot line on the southern half of the site were changed and negotiated specifically with the abutting property owner, who wanted somewhat smaller trees than originally proposed. Three large cypress trees are proposed in the sunken landscaped courtyard which will mostly fill the space over time and extend upwards above the retaining walls. However, as noted above, the landscaping along the east edge of the site does not have the

minimum number of trees required per code, with credit for only 214 of the 230 lineal feet of lot line shown on the landscape plan. A small tree provides credit for only 15 feet, so a medium or large tree would be required to satisfy the minimum requirement for trees along the east lot line. To remedy this deficiency in the number of trees, and to ensure as generous a landscaping treatment along the east lot line as possible to mitigate for the uncharacteristic site grading and retaining walls, a condition of approval will require one additional medium or large tree along the east lot line.

The requested setback reductions for the electrical equipment cabinet, the replacement egress stair for the main church building, and the new egress stair for the addition are modest encroachments into an existing setback, and are compatible with the existing development and surrounding residential area. There are no negative impacts associated with these setback reductions.

With the conditions of approval as noted, this criterion is met.

B. If in a residential, CI1, or IR zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, I, or CI2 zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

Findings: For the reasons discussed under findings for criterion A, above, and with the noted conditions of approval in those findings, the proposal will not significantly detract from the livability or appearance of the residential area. With conditions as noted, this criterion is met.

C. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

Findings: The overall purpose of the zone is to provide housing opportunities, and to allow institutional uses when the overall residential appearance and character of the larger surrounding residential area is maintained. With conditions of approval ensuring a landscaping buffer along the east lot line that meets the required standard for groundcover, shrubs and trees per code and the prior condition of approval, with Adjustments granted only to the building and landscape buffer setback distances, the requested Adjustments are consistent with this overall purpose. This criterion is met.

D. City-designated scenic resources and historic resources are preserved; and

Findings: City designated resources are shown on the zoning map by the 's' overlay; historic resources are designated by a large dot, and by historic and conservation districts. There are no such resources present on the site. Therefore, this criterion is not applicable.

E. Any impacts resulting from the adjustment are mitigated to the extent practical; and

Findings: With conditions of approval as noted under findings for Adjustment criterion A, above, there are no discernible impacts that would result from granting the requested adjustments. This criterion is met.

F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;

Findings: Environmental overlay zones are designated on the Official Zoning Maps with either a lowercase "p" (Environmental Protection overlay zone) or a "c" (Environmental Conservation overlay zone). As the site is not within an environmental zone, this criterion is not applicable.

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 requirements of Title 11 can be met, and 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 has been working on the same two-story construction project on a site in the Laurelhurst neighborhood for over three years now (permit was issued in February, 2016). During construction, architectural details were modified from the approved plans, and a significant excavation project along the easterly lot line was completed that endangered adjacent garages. Eventually, after stop-gap emergency work and shoring to prevent further immediate damage to two adjacent residential properties, and after several back-and-forth discussions with permit inspections staff on how to proceed, all work was stopped on the site from moving forward until the necessary land use application was filed.

The revised drawings submitted by the applicant reduce the scale of the building along NE Imperial from the original revision proposal, moving the "porch" footprint back and out of the setback. The parapet and decorative brick details were clarified and unified to reflect actual built conditions and integrate better with the original structure. Building Code egress issues associated with both the addition and an original fire escape on the main building which had to be replaced have been addressed. Issues with the adjacent neighbor along NE Multnomah Street led to a slight pull-back and modified landscape plan where the project abuts that neighbor.

Conditions of approval are necessary to remove unnecessary paving and proposed new egress walkway at grade level east of the main church building, to install additional landscaping, and to paint the electrical equipment cabinet to match the building. With these conditions of approval, mitigation is provided for the deep excavated areas and tall visible retaining walls that will remain on the site at the east edge of the site. Otherwise, granting approval based on the approved plans, with clarifications that no field changes are allowed, will allow the project to move forward in the coming months towards a final inspection, and end to the long-running construction project. For the reasons discussed in the findings, conditions of approval allow the request to meet the approval criteria, and therefore the request must be (conditionally) approved.

ADMINISTRATIVE DECISION

Approval of a **Conditional Use Review** for a new set of architectural, site and landscape plans for the church addition project previously approved under LU 13-175713 CU AD, including the two-story church addition and new penthouse, site work, landscaping, bike racks, exterior exit stairs, and other features as shown.

Approval of an **Adjustment** to reduce the minimum depth of the institutional 15'-0" buffer with L3 landscaping required along the east lot line (33.110.245.C.1/Table 110-5), reducing the depth from 15'-0" to 7'-0" on the southern portion of the site south of the sunken courtyard, and from 15'-0" ranging down to as little as 4'-6" when abutting the replacement metal stairway on the original church building (no Adjustment is necessary for the existing church building walls in the setback).

Approval of an **Adjustment** to reduce the minimum institutional building setback (33.120.245.C.1/Table 110-5) from 15'-0" to 11'-0" for the uncovered metal egress stairs for the

addition, from 15'-0" to as close as 4'-6" for the replacement metal stairway on the original church building, and from 15'-0" to 12'-5" for the electrical equipment cabinet.

This approval is granted based on the approved plans and drawings, Exhibits C.1 through C.13, all signed and dated August 26, 2019, and subject to the following conditions:

A. As part of the building permit application submittal, the following development-related conditions (B through E) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "REQUIRED ZONING COMPLIANCE PAGE - Case File LU 18-178272 CU AD. No field changes allowed."

B. The electrical service equipment cabinet on the east façade of the addition must be painted to match the adjacent wall color of the building.

C. The "egress path" and adjacent new paving shown on the site and landscape plans connecting the basement level of the church building to NE Wasco Street, as well as the paved areas heading south to the gated sunken courtyard area, are not allowed and must be replaced with landscaping. The only exception is that a narrow paved landing area no wider than 4' is allowed immediately adjacent to the window/door openings on the basement level, provided the paving is directly abutting the building and also directly under the replacement metal egress stairs above. No new paved connection to NE Wasco or the existing stair landing is allowed. This area where paving is not allowed is shown on Exhibit C.13.

D. Per condition C of LU 13-1757132 CU AD, as well as the criteria in this application, the applicant must install and maintain a row of evergreen shrubs along the east lot line. Shrubs must be added in the approximately 36 lineal feet of the shared north-south property line with the adjacent home at 3540 NE Wasco Street where no shrubs are shown on the landscape plan. A single north-south row of shrubs must also be planted in the gated sunken landscaped courtyard (disconnected row is permitted as long as there is continuous north-south coverage – the shrubs need not follow the property line exactly). The area where additional shrubs must be added is shown on Exhibit C.13.

E. One additional medium or large tree must be planted in the landscaped buffer along the easternmost 15'-0" of the site, in addition to the trees already shown on the landscape plan.

Staff Planner: Mark Moffett

Decision rendered by: M. Moffett **on August 26, 2019.**
By authority of the Director of the Bureau of Development Services

Decision mailed: August 29, 2019.

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 May 29, 2018, and was determined to be complete on November 8, 2018.

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 May 29, 2018.

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 on three different occasions, to provide additional time to address various issues and revise project drawings, as stated on Exhibits A.9, A.10 and A.11. The maximum 245-day extension has been requested (no additional extensions are possible), and **the 120 days will expire on November 7, 2019.**

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 September 12, 2019** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 will be recorded with the Multnomah County Recorder.

- *Unless appealed,* the final decision will be recorded on or after **September 13, 2019** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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 Statements
   1. Original narrative statement
   2. Copies of agreements with neighbors to the east (Halloran and Powers) as provided by the applicant in original submittal
   3. Outdated, original plan set (3 pages, replaced by 11/8/18 revised set)
   4. Color renderings of project, site photos, and historic building elevations as provided by applicant
   5. Revised project narrative, rec'd. 11/8/18
   6. Attachment "A" to revised project narrative, rec'd. 11/8/18
   7. Statewide Planning Goal narrative, rec'd. 11/8/18
   8. Updated Stormwater Management Report, ZTec Engineers, revised 7/5/19
   9. First 120-day timeline extension, rec'd. 12/20/18
   10. Second 120-day timeline extension, rec'd. 4/9/19
   11. Third 120-day timeline extension, rec'd. 6/28/19
   12. Survey and marker evidence provided by the applicant, rec'd. 12/27/18
   13. Photos showing evidence of trespass and drug use on 'porch' area of existing building, rec'd. 12/28/18
   14. E-mail statements in response to staff concerns regarding porch, lighting and site work issues, rec'd. 2/15/19
   15. Applicant e-mail and porch detail discussion with staff, 3/6/19 – 3/7/19
   16. Cover memo and written response provided with revised plan set, rec'd. 6/21/19
   17. Original plan set, not approved, for reference only
   18. Revised plan sheets not used for approved C exhibits (floor plans, sections, some details, etc.)
B. Zoning Map (attached)

C. Plans/Drawings (*please note – per BDS Management policy, both the large/scalable drawings and the 8.5" x 11" plans receive the same exhibit number, therefore there are 23 stamped and approved C exhibits in this file, two for each numbered exhibit from C.1 through C.11. Only one copy of the cut sheets is provided at C.12, and there is only one copy/size of C.13*):
   1. Site plan (attached)
   2. Grading plan
   3. Partial site/grading plan
   4. Roof plan
   5. Exterior elevations – addition (attached)
   6. Overall west elevation with original church
   7. Overall east elevation with original church
   8. East lot line – west elevation
   9. East lot line – east elevation (attached)
   10. Fencing and rooftop screen details
   11. Landscape plan
   12. Light fixture and clay roof tile manufacturer cut sheets and details
   13. Staff-modified enlargement of landscape plan, showing relevant paving removal & shrub condition geography (attached)

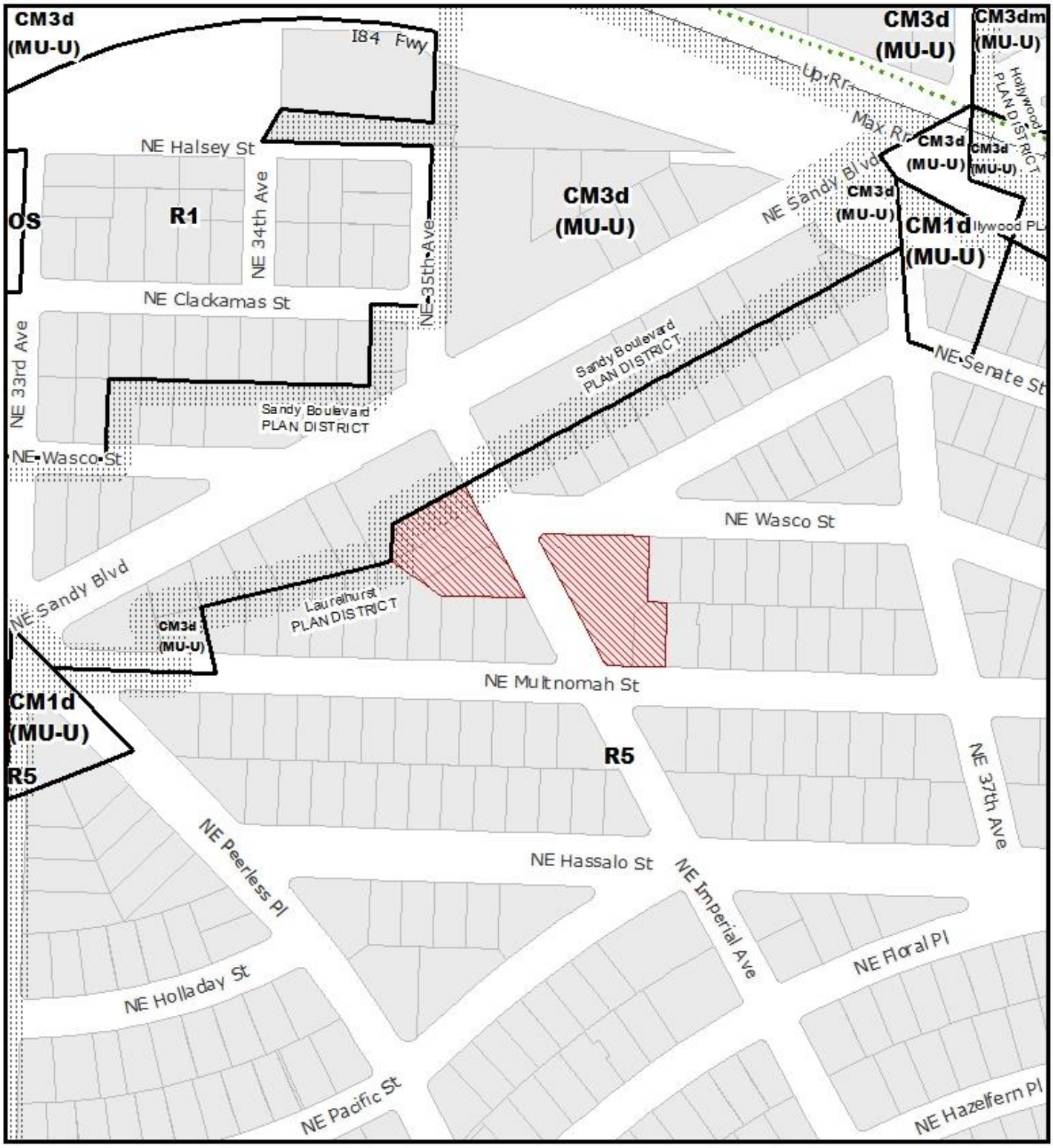
D. Notification information:
   1. Mailing list and in-house copy of mailed notice
   2. Postmarked copy of mailed notice

E. Agency Responses:
   1. Bureau of Environmental Services
   2. Development Review Section of Portland Transportation
   3. Water Bureau
   4. Fire Bureau
   5. Site Development Section of the Bureau of Development Services
   6. Life Safety Section of the Bureau of Development Services, including original memo and addendum via e-mail message dated 8/22/19
   7. Urban Forestry Division of Portland Parks and Recreation
   8. Police Bureau

F. Correspondence:
   1. Letter with concerns from Laurelhurst Neighborhood Association, rec'd. 12/13/18
   2. Letter with concerns from Frank and Shannon Cappuccio, rec'd. 12/13/18
   3. Letter with concerns from Scott Powers, rec'd. 12/13/18
   4. Letter with concerns from Timothy & Tabytha Halloran, rec'd. 12/13/18
   5. E-mail with concerns from Jake Boe, rec'd. 12/13/18

G. Other:
   1. Original LU application form and receipt
   2. Incomplete letter from staff to applicant, sent 6/14/18
   3. Internal staff routing slip, sent 11/20/18
   4. Hearings Officer Decision – LU 13-175713 CU AD
   5. Staff e-mail discussion thread with Scott Powers regarding various issues, 11/26/18 – 12/3/18
   6. Site view photos from before construction, showing original grades, etc.
   7. Historic Resources Inventory form for Eighth Church of Christ, Scientist
   8. Site photos of street-facing site appearance prior to recent construction project for the church addition, photos taken 2009 to 2016.

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

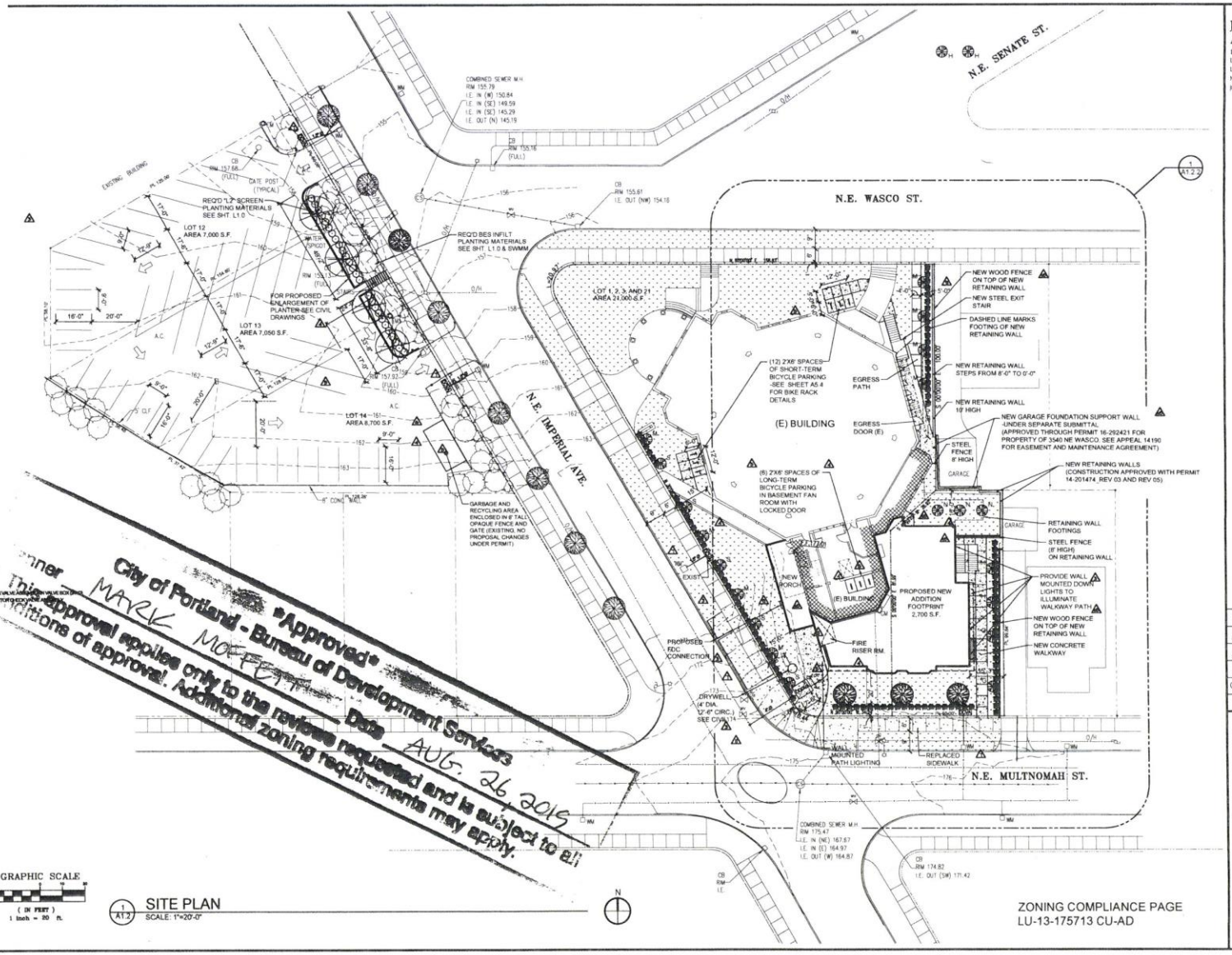
NORTH

THIS SITE LIES WITHIN THE:
LAURELHURST PLAN DISTRICT

Site

Recreational Trails

File No.	LU 18-178272 CU AD
1/4 Section	2934
Scale	1 inch = 200 feet
State ID	1N1E36AB 4300
Exhibit	B Jun 14, 2018



1 A1.2 SITE PLAN
SCALE: 1"=20'-0"

ZONING COMPLIANCE PAGE
LU-13-175713 CU-AD

"Approved"
City of Portland - Bureau of Development Services
Planner MARK MOFFITT Date AUG. 26, 2015
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

CASE NO. LU 18-178327 HR CU AD
EXHIBIT C.1
1/2

Architect/Engineer
Joseph M. Peragine
Architect
15938 Quarry Road, B-8
Lake Oswego, Oregon 97035
Lake Oswego: 503-635-5150
Mobile: 503-705-4820
jmperagine@msn.com

Stamp/Signature

WOL SLAVIC BAPTIST CHURCH

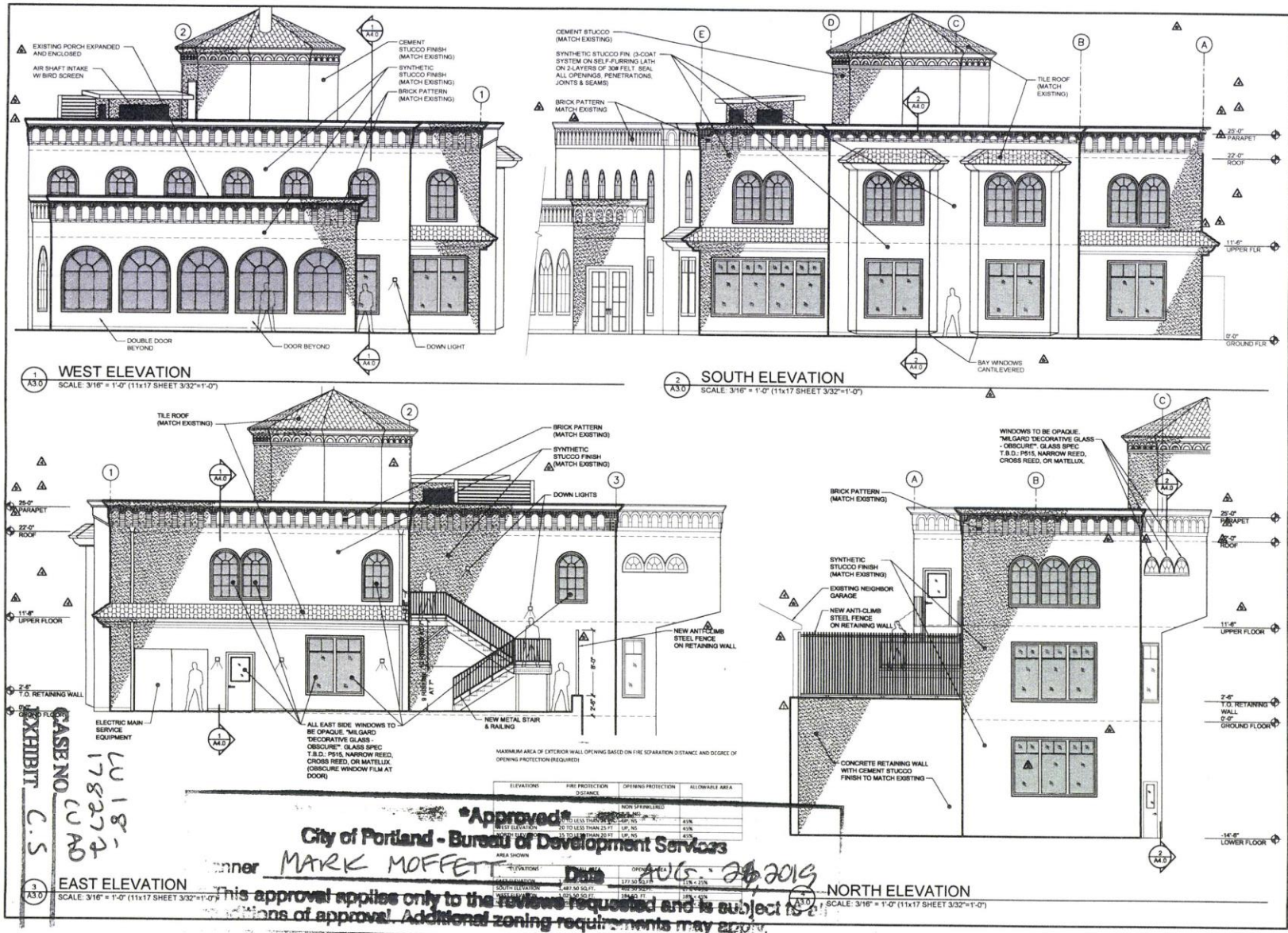
Sunday School Addition

Iss.	Type II CU	06-21-19
3	Revision	08-25-18
2	Revision	05-17-18
1	Revision	05-08-17
Origin	Permit Submittal	08-21-14
No.	Revision/Issue	Date

Project address
3505 NE Multnomah St.
Portland, OR 97232

sheet title
SITE PLAN

sheet number
A1.2



ELEVATIONS	FIRE PROTECTION DISTANCE	OPENING PROTECTION	ALLOWABLE AREA
		NON SPRINKLERED	
		UP, NS	45%
WEST ELEVATION	20 TO LESS THAN 25 FT	UP, NS	45%
NORTH ELEVATION	15 TO LESS THAN 20 FT	UP, NS	45%

AREA SHOWN

ELEVATIONS	[illegible]	OPENING AREA	
EAST ELEVATION	[illegible]	177.50 SQ.FT.	11% < 25%
SOUTH ELEVATION	1,487.50 SQ.FT.	402.50 SQ.FT.	27% < 45%
WEST ELEVATION	1,025.50 SQ.FT.	184.50 SQ.FT.	18% < 45%

Architect/Engineer
Joseph M. Peragine
Architect
15938 Quarry Road, B-8
Lake Oswego, Oregon 97035
Lake Oswego: 503-635-5150
Mobile: 503-705-4820
jmperagine@man.com

Stamp/Signature

WOL SLAVIC BAPTIST CHURCH

Sunday School Addition

Iss.	Type II CU	06-21-19
4	Revision	05-17-18
3	Revision	05-08-17
2	Revision	10-25-16
Origin	Permit Submittal	08-21-14
No.	Revision/Issue	Date

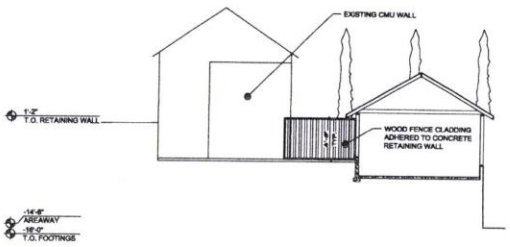
Project address
3505 NE Multnomah St.
Portland, OR 97232

sheet title
EXTERIOR ELEVATIONS

sheet number
A3.0

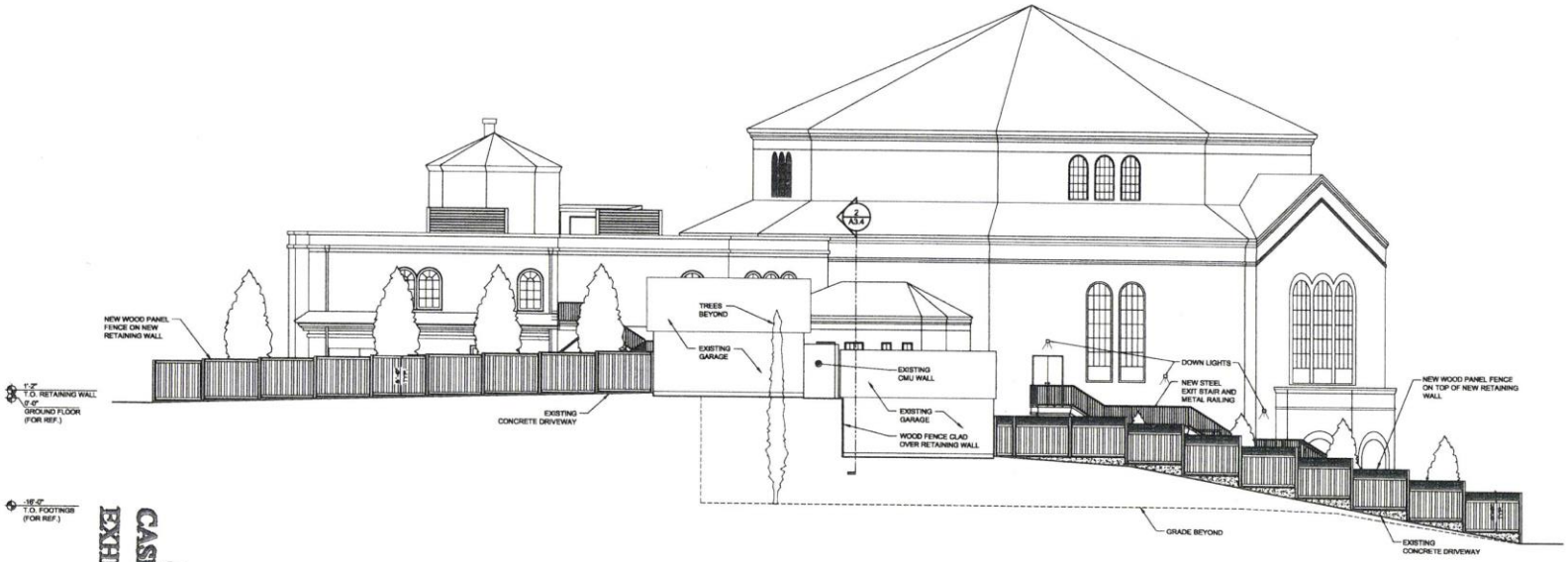
Approved
City of Portland - Bureau of Development Services
Planner MARK MOFFETT Date AUG. 26, 2019
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

CASE NO. CU AD 178272
EXHIBIT C.S
1/2



2 / A3.4 EAST LOT LINE - NORTH ELEVATION - NEIGHBORS' VIEW
SCALE: 1/8" = 1'-0"

Approved
City of Portland - Bureau of Development Services
Planner MARK MOFFETT Date AUG. 26, 2019
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



1 / A3.4 EAST LOT LINE - EAST ELEVATION - NEIGHBORS' VIEW
SCALE: 1/8" = 1'-0"

CASE NO. LU 18-178272 CU AD
EXHIBIT C.9
1/2

Architect/Engineer
Joseph M. Peragine
Architect
15908 Quarry Road, B-8
Lake Oswego, Oregon 97035
Lake Oswego: 503-635-5150
Mobile: 503-705-4820
jmperagine@msn.com

Stamp/Signature

WOL SLAVIC BAPTIST CHURCH

Sunday School Addition

No	Revision/Issue	Date
Iss	Type II CU	06-21-19
Origin	Permit Submittal	08-21-14

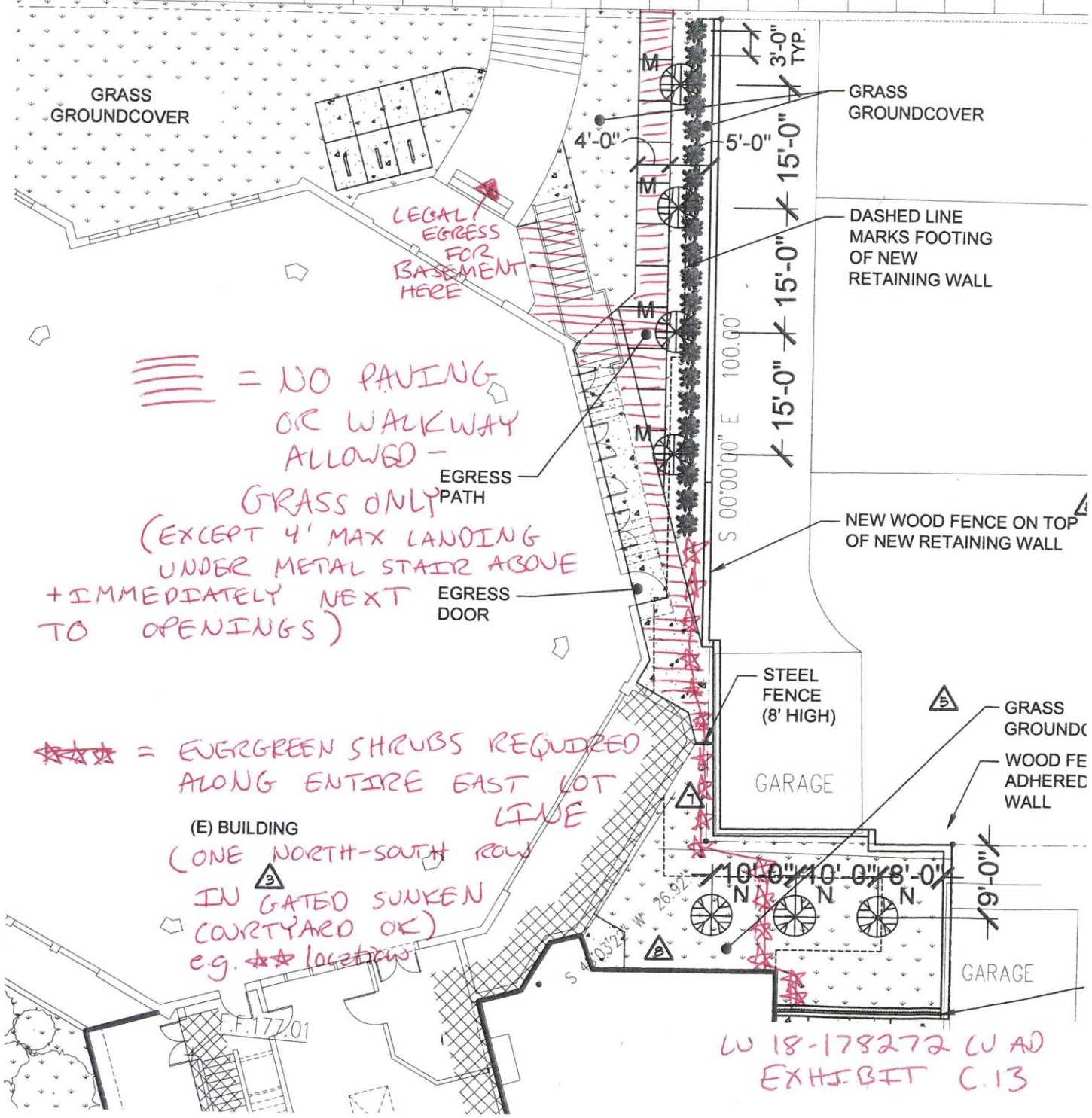
Project address
3505 NE Multnomah St.
Portland, OR 97232

sheet title
EAST LOT LINE - EAST ELEVATION

sheet number
A3.4

N.E. WASCO ST.

Approved
City of Portland - Bureau of Development Services
Reviewer MARK MOFFETT Date AUG. 26 2019
This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



LU 18-178272 LU AD
EXHIBIT C.13