



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

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Date: May 16, 2022
To: Interested Person
From: Amanda Rhoads, Land Use Services
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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 21-059882 AD

GENERAL INFORMATION

Applicant: Rashmi Vasavada | Hacker Architects
555 SE Martin Luther King Jr Blvd Ste 501 | Portland OR 97214
503-972-5306 | rvasavada@hackerarchitects.com

Owner: Portland Community College District
PO Box 19000 | Portland, OR 97280-0990

Owner's Representative: Krista Phillips
Portland Community College, Planning & Capital Constructon
9700 SW Capitol Hwy, Suite 260 | Portland OR, 97219

Site Address: 11900 SW 49TH AVE

Legal Description: BLOCK 81&82&99&100 TL 2500, WEST PORTLAND PK;
BLOCK 2-5&9&10&15 TL 100, WEST PORTLAND PK 1ST ADD;
TL 300 24.85 ACRES, SECTION 31 1S 1E;
TL 200 54.77 ACRES, SECTION 31 1S 1E;
TL 100 1.60 ACRES, SECTION 31 1S 1E;
TL 3500 11.01 ACRES, SECTION 31 1S 1E

Tax Account No.: R894615530, R894700100, R991310020, R991311450, R991311490,
R991311440

State ID No.: 1S1E31AC 02500, 1S1E31CA 00100, 1S1E31D 00300, 1S1E31CD
00100, 1S1E31BD 03500, 1S1E31D 00200

Quarter Section: 4223,4224,4123,4124

Neighborhood: Far Southwest, contact at Campmbellmj74@comcast.net

Business District: NONE

District Coalition: Office of Community & Civic Life, contact Leah Fisher at
leah.fisher@portlandoregon.gov

Plan District: NONE

Zoning: CI2c – Campus Institutional 2 with “c” Environmental Conservation
overlay on part of the site

Case Type: AD – Adjustment Review
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

Proposal:

The Portland Community College (PCC) Sylvania Campus recently completed several renovation and construction projects that required them to upgrade other parts of their site as part of their “nonconforming upgrade” requirements. To organize these required upgrades, PCC entered into an Option 2 covenant with the City of Portland, promising to address these upgrades within a period of 5 years. This review requests Adjustments to some of those standards:

Perimeter Parking Lot Landscaping (33.266.130.G.2.c and d and Table 266-5)

The Zoning Code requires landscape screening between parking areas and both adjacent properties and streets. This landscaping is required on the outside of both parking areas and driveways. The configuration of the campus is such that there is a driveway that runs essentially all the way around the site and out to the roads. An Adjustment is requested to utilize existing planting to meet the intent of this standard. Based on the configuration of the campus, 8,238 linear feet of L3 (high screen – adjacent to residential sites) and L2 (low screen – adjacent to streets) landscaping is required. The existing conditions are that 5,871 linear feet meet the standard, and 2,367 linear feet do not. The applicant requests to waive additional perimeter landscaping.

Interior Parking Lot Landscaping (33.266.130.G.3)

Interior parking lot (P1) landscaping requirements include minimum area, shrubs, and trees (Zoning Code Section 33.248.020.H). The campus has 2,688 striped parking stalls, requiring 120,960 square feet of landscaping. The current layout exceeds the minimum area by approximately 50,000 square feet, but is overall deficient in shrubs and trees. Given the credits from current trees in the P1 area, the applicant is deficient in 265 large trees (or 353 medium trees, or 530 small trees, or a combination thereof). The applicant proposes to add 147 trees in the P1 area and asks that any additional tree requirements are waived. Likewise, the applicant requests the requirement for shrubs in the P1 area be reduced to the existing number of shrubs.

Screening (33.150.260)

An Adjustment is requested to waive additional screening requirements for ground-mounted mechanical equipment and trash/recycling areas, and instead utilize existing planting and distance from adjacent properties and rights-of-way for screening.

Exterior Display and Storage (33.150.270.D)

Exterior storage areas, except for plant nurseries, must be paved. PCC has a maintenance yard at the south end of the campus that is unpaved. The applicant requests an Adjustment to waive this standard for paving of this landscape yard.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. of Section 33.805.040, Adjustment Approval Criteria, have been met.

ANALYSIS

Site and Vicinity: Portland Community College - Sylvania is located off of SW 49th Avenue in Southwest Portland on a west-facing slope near the City of Lake Oswego. The PCC Campus includes multiple clustered buildings from 1 to 4 stories, most of which are designed in a

utilitarian, contemporary style and constructed out of concrete, glass, and metal. The area surrounding the PCC campus is primarily residential in character, with the east and south edges of the site adjacent to land within the City of Lake Oswego.

SW Lesser Rd to the west of campus is categorized as a Neighborhood Collector for traffic, a Transit Access Street, a City Walkway and City Bikeway, a Major Emergency Response Street, and Local Service for freight. Kerr Pkwy to the east of the site has designations just on the north part of the site, to the entrance of the campus. It is designated Local Service for traffic, a Major Transit Priority Street, a Major City Walkway, Major City Bikeway, a Major Emergency Response Street and a Truck Access Street.

Zoning: The Campus Institutional 2 (CI2) zone is intended for large medical centers, colleges and universities located in or near a Regional, Town or Neighborhood Center, or along a civic or neighborhood corridor that is served by frequent transit service. Development is intended to be pedestrian-oriented and at a scale that encourages urban-scale medical and educational facilities, while also ensuring compatibility with nearby mixed-use commercial and residential areas. Retail Sales and Service and Office uses are allowed to support the medical or college campus, and to provide services to the surrounding neighborhoods.

Areas along the south edge of the PCC Campus are also covered by the “c” or Environmental Conservation overlay zone. These portions of the site are generally heavily wooded, and no disturbance or activity is proposed within these areas under this project. For this reason, the Environmental Conservation overlay zoning is not under consideration in this review.

Land Use History: City records indicate that prior land use reviews include the following:

- **CU 073-83** – Conditional Use approval for an addition to the college with 418-space parking lot in NW corner of the site, with conditions.
- **LUR 91-00823 CU MS** (LU 91-009078 CU MS) – Approval of a Conditional Use Master Plan for PCC with conditions.
- **LUR 93-00371 CU MS** (LU 93-010370 CU MS) – Approval of a Conditional Use Master Plan for PCC for multiple construction and remodeling projects to occur on campus in two phases, with conditions of approval.
- **LUR 95-00062 ZC** (LU 95-011955 ZC) – Map error correction to EN and C zones.
- **LUR 98-00328 CU** (LU 98-015634 CU) – Conditional Use approval of amendments to the conditions of the Master Plan, with conditions of approval.
- **LU 03-159632 CU** – Conditional Use approval of installation of 3 T-Mobile wireless antennas and 2 equipment cabinets on campus center building.
- **LU 05-148744 CU** – Conditional Use approval of Nextel proposal for expansion of existing wireless telecommunications facility on the campus center building to replace 3 whip antennas with 12 new antennas and fenced equipment area at ground floor.
- **LU 05-174543 CU** – Conditional Use approval of Cingular Wireless proposal for new wireless telecommunications facility on campus center building, with 12 antennas and rooftop equipment cabinets.
- **LU 07-152287 CU** – Conditional Use approval of new wireless telecommunications facility for Cricket LCW to install 1 antenna and associated equipment on the Science and Technology Building at PCC.
- **LU 07-184790 CU** (HO 4080002) – Type III Conditional Use approval with conditions for the City of Portland to install a 125-foot monopole on the PCC campus to boost signal coverage for emergency communications in parts of SW Portland.
- **LU 10-172852 CU** – Conditional Use approval for Clearwire wireless telecommunications facility on campus center building to include 3 antennas, 6 data processing units, and one equipment cabinet.
- **LU 16-117167 CU** – Conditional Use approval for a new Verizon Wireless facility consisting of 16 antennas and associated equipment on the rooftop of the Amo DeBernardis Campus Center Building.

- **LU 21-076086 EV** – Currently pending. Environmental Violation Review addressing zoning violation 10-195896 CC that entails construction of a paved construction staging area that is partially, and a driveway that is wholly, within the resource area of the Environmental Conservation Overlay Zone.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **March 8, 2022**. The following Bureaus have responded with no issues or concerns:

- Bureau of Transportation (Exhibit E.2);
- Water Bureau (Exhibit E.3);
- Fire Bureau (Exhibit E.4);
- Site Development Section of BDS (Exhibit E.5); and
- Life Safety Plans Examiner (Exhibit E.6).

The Bureau of Environmental Services requested additional information on existing stormwater management on campus and to better address the purpose of the parking lot landscaping regulations (Exhibit E.1.a). The applicant provided Exhibits A.10-11 and, after reviewing the new materials, BES found the existing stormwater infrastructure was sufficient to meet the purpose of the regulation. BES has no further objections to the approval of the requested Adjustments (Exhibit E.1.b).

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on March 8, 2022. One written response was received from a notified neighbor with a question about whether tree removal was proposed (Exhibit F.1). No further comments were received.

Staff Response: *No trees are proposed to be removed.*

ZONING CODE APPROVAL CRITERIA

33.805.010 Purpose (Adjustments)

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 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 purpose statement for each of the requested Adjustments are considered separately.

Adjustment to Interior Parking Lot Landscaping Requirements

PCC – Sylvania Campus has a total of 2,688 striped parking stalls, requiring 120,960 square feet of P1 landscaping. Within the areas of the P1 requirement, the Sylvania campus has almost 175,000 square feet of landscaped area, but those areas are not planted to the density of shrubs and trees required by the P1 standard (1.5 shrubs per parking space as well as one large tree per 4 parking spaces, one medium tree per 3 parking spaces, or one small tree per 2 parking spaces). The applicant has requested

an Adjustment to Zoning Code Section 33.266.130.G.3.b to reduce the number of required trees within the interior parking lot landscape areas.

Also, while a thorough count was made in the initial application of the number of shrubs, when the applicant refined the area that counted toward interior parking lot landscaping, the undertaking was not repeated and it was requested that the Adjustment include an allowance that the existing number of shrubs within the P1 planting area be deemed sufficient.

Adjustment to Perimeter Parking Lot Landscaping Requirements

The applicant requests an Adjustment to Zoning Code Section 33.266.130.G.2.d to waive the required perimeter parking lot landscaping meeting the L2 or L3 standard where the standards are not already met (see Exhibit C.3). The total linear feet of required perimeter landscaping for the site is 8,238 linear feet of L3 (high screen – adjacent to residential sites) and L2 (low screen – adjacent to streets) landscaping. Currently 5,871 linear feet meet the standards, and 2,367 linear feet do not.

The purpose of these two standards is found at 33.266.130 A, which states the following:

The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles. The setback and landscaping standards:

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

Staff will address all relevant purpose statements below.

- *Improve and soften the appearance of parking areas;*
- *Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;*
- *Shade and cool parking areas;*

The Adjustments are largely to legalize the existing layout of parking areas on the site, which likely met standards when first installed, but which have become nonconforming as parking lot landscaping standards in the Zoning Code have been strengthened. What this means is that many of the trees provided in the interior and perimeter of the existing parking lots are larger, mature trees that significantly contribute to the appearance of the area.

Further, there are additional landscaping areas that do not count toward interior parking lot landscaping, but are nevertheless within the parking areas (only the first 10 feet of a landscaping area counts toward interior parking lot landscaping). Within these larger areas, an additional 256 trees are planted and likewise contribute benefits to the overall site and to the parking area. These trees are represented by blue circles on Exhibit C.2.

Related to this is the initial count of shrubs in the areas thought to count toward interior parking lot landscaping. As seen in the original P1 Landscaping chart on page 1 of Exhibit A.2, the number of existing shrubs for the parking areas onsite far exceeded the requirements (by those counts, which did change somewhat through the review process, the required number of shrubs was 4,444 and the applicant counted 9,035 shrubs provided). It is likely that a sufficient number of shrubs remains within the interior parking lot landscaping areas to meet the standard; however, the findings are worded such that the existing counts will be approved in case there are fewer shrubs within the approved L1 planting area than anticipated.

The applicant is proposing to plant an additional 147 trees, over a third of which will be evergreen trees, within the interior parking lot landscaping areas. Over two thirds of these trees are in the large category, contributing to greater coverage of parking spaces per the P1 standards than small or medium trees. These trees are represented by green (evergreen) and yellow (deciduous) dots on Exhibit C.2. More detail is provided in Exhibit A.7 as well.

These trees are both going to be planted within existing landscape areas to fill them in further, and some will be planted in new tree wells to further disperse tree coverage around the site, especially in the northern lots. While this is fewer than what would be required under the standard, the combination of exceeding the landscape area required within the P1 area by roughly 50,000 square feet, plus having additional landscape areas that don't count toward the P1 counts but that are home to 256 additional trees, and the efforts to fill in areas that are tree-deficient with 147 additional trees that exceed the 20 percent evergreen requirement substantially, and are more than 80 percent large trees, results in a proposal that equally meets the purposes listed above to improve and soften the appearance of parking areas and shade and therefore cool parking areas.

The perimeter parking lot landscaping requirements more directly address visual impact from neighboring properties and nearby streets. The campus has a driveway surrounding campus and connecting to the nearby roads; perimeter parking lot landscaping is required all around this driveway. A key piece of the standard is that the landscaping requirement must be met within 20 feet of the edge of the parking or driveway area. As seen in Exhibit C.3, the areas that are deficient are mostly heavily screened from other sites and streets by extensive tree cover, other landscaping, and longer distances. However, the screening is not located within 20 feet of the driveway. Nonetheless, the purpose of the standard is met, as shown from the numerous photos of the perimeter landscaping from various spots on the campus on pages 10-16 of Exhibit A.4.

- *Direct traffic in parking areas;*

The Bureau of Transportation addressed this purpose statement in its findings: "While this is primarily about on-site vehicular circulation, it does affect how vehicles enter and exit the public right-of-way. The site plan does not show modifications to any of the driveways and no new driveways are proposed onto the public right-of-way. The proposal does not appear to modify the on-site drive aisles leading to the driveways or change the angle of approach to the right-of-way. The proposed work and related adjustments are not anticipated to have any impact on how vehicles move between the subject site and the public right-of-way. PBOT has no objection to the requested adjustments" (Exhibit E.2).

The proposal does not propose changes for onsite circulation either; some new tree wells are proposed to be added, but these are between parking spaces and will not change traffic flow onsite.

- *Reduce the amount and rate of stormwater runoff from vehicle areas;*

- *Reduce pollution and temperature of stormwater runoff from vehicle areas; and*
- *Decrease airborne and waterborne pollution*

For these three purpose statements, we look to the Bureau of Environmental Services to provide feedback. BES provided feedback regarding the Adjustment requests to parking lot landscaping (Exhibit E.1.a and b). In this case, because of the existing stormwater facilities within the parking lots, BES did not object to the Adjustments, nor did they impose any conditions of approval:

Based on the submitted Memorandum and Stormwater Monitoring Plan, the site has numerous existing stormwater facilities including rain gardens, bioswales, flow-through planters, water treatment devices and detention pipes. This infrastructure in combination with the proposed added plantings helps to reduce the amount and rate of stormwater runoff and will reduce pollutants in the runoff from the campus. Therefore, BES does not have concerns related to the proposed adjustment to parking lot landscaping. (Exhibit E.1.b)

For the reasons described above, the relevant purposes for both interior and perimeter parking lot landscaping are met with the proposal.

Adjustment to Screening

The purpose for the screening standard is in Zoning Code Section 33.150.260.A:

- A. **Purpose.** *The screening standards address specific unsightly features that detract from the appearance of campus institutional areas.*

Further, 33.150.260.B, which addresses garbage and recycling collection areas, specifies these items “must be screened from the street and any adjacent properties.” Section C addressing mechanical equipment similarly requires screening “from the street and any abutting residential zones...” The request is to allow three mechanical areas and two trash/recycling areas to not have screening meeting the L3 or F2 screening requirements.

The PCC Sylvania campus is largely buffered from surrounding residential zones and rights-of-way by dense vegetation and distance. Site slope further reduces the appearance of on-site features from the broader area. Ground mounted mechanical equipment and trash areas adjacent to or within loading areas are sited away from the main campus thoroughfares; relegated to the edges of campus and buffered from the main pedestrian spine by existing buildings. The location of these area, existing structures, and natural features of the site work to minimize any detrimental impact on the appearance of campus institutional areas, meeting the purpose of this standard both from the vantage point of abutting properties and roads, and from the most heavily-used parts of campus. For these reasons, the purpose for the screening standard is equally met by the proposal.

Adjustment to Exterior Display and Storage

The applicant is asking to waive the paving requirement for an exterior storage area at the south end of campus. The purpose for the exterior display and storage regulations are in Zoning Code Section 33.150.270.A:

- A. **Purpose.** *The standards of this section are intended to assure that exterior display, storage, and work activities:*
- *Will be consistent with the desired character of the zone;*
 - *Will not be a detriment to the overall appearance of a commercial area;*

- *Will not have adverse impacts on adjacent properties, especially those zoned residential; and*
- *Will not have an adverse impact on the environment.*

The CI2 zone is characterized by large-scale institutional uses that are more urban-scale in character while ensuring compatibility with nearby mixed-use commercial and residential areas. The zone isn't a perfect fit with the site – while the campus is large, the area is more suburban in nature, and the buildings onsite are surrounded by forested areas and are generally separated from the adjacent streets by some distance that makes the campus less walkable and more reliant on vehicles.

The unpaved storage area is at the south end of campus and surrounded by woods on three sides; on the fourth side, the unpaved area is also screened by mature landscaping from the rest of campus. There are no commercial areas nearby – the campus is surrounded on all four sides almost exclusively by single-dwelling residences - but the unpaved area will regardless not be visible from any adjacent properties. No impacts are expected on the campus' residential neighbors. Further, none of the areas are within the parts of campus that are zoned Environmental Conservation; therefore, no adverse environmental impacts are expected. Rather, leaving the area unpaved is better for this location adjacent to the "c" overlay by minimizing the impervious areas and recognizing that the use of the space is largely to store landscape materials that are largely organic anyway. It's also worth noting that part of the driveway leading to the main campus circulation area is paved, which will minimize mud and dust moving onto the campus. The proposal equally meets the purpose of the regulation.

For the reasons stated above, this criterion is met for all four requested Adjustments.

- 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: Since the subject site is in the Campus Institutional 2 zone, the proposal must be consistent with the classifications of the adjacent streets and the desired character of the area. The street classifications are listed under "Site and Vicinity" above. The requested Adjustments neither change the campus' relationship to the streets on which the site abuts, nor does it change the use or intensity of use of the institution (and resulting traffic to the site). The requested Adjustments, therefore, do not change the campus' consistency with the street classifications.

"Desired Character" is defined in Section 33.910.030 as:

The preferred and envisioned character (usually of an area) based on the purpose statement or character statement of the base zone, overlay zone, or plan district. It also includes the preferred and envisioned character based on any adopted area plans or design guidelines for an area.

The base zone's character statement is found above under "Zoning." The focus is on urban-scale development with a pedestrian orientation, and compatibility with surrounding commercial and residential areas. As described above, the requested Adjustments will have no impact on the campus' compatibility with the neighboring residential areas, and the areas under review will not even be visible from outside the campus due to the distance to adjacent properties, the mature foliage throughout campus, and the grade changes on the site. The Adjustments do not inhibit the building of an urban campus with pedestrian orientation.

The “c” Environmental Conservation overlay is applied to the heavily wooded areas at the south and west side of campus. None of the work or areas under review are within the environmental zoning and no impacts to the environmental areas are anticipated with approval of the proposal.

For these reasons, 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 purpose of the zone was addressed in criterion B above. All of the proposed Adjustments relate to interior campus locations, set back a significant distance from adjacent properties and rights-of-way. As a result, the cumulative effect of the proposed Adjustments does not negatively affect the proposal’s consistency with the purpose of the CI2 zone and surrounding residential character. 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 historic resources present on the site. The proposal does not address parts of the site that have the Environmental Conservation overlay and the Adjustments are not expected to have impacts on those areas. Therefore, this criterion is met.

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

Findings: There are no discernible impacts that would result from granting the requested adjustment. 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 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 requested Adjustments to maintain existing conditions with regard to perimeter parking lot landscaping, screening of mechanical and trash/recycling areas, and leaving a landscape maintenance yard unpaved, and to enhance interior parking lot landscaping with additional trees in existing and new landscape areas, have been demonstrated to equally meet the purposes for the regulations; have been found to be consistent with the desired character of the area, and will not have impacts on neighboring properties. Since the approval criteria have been demonstrated to be met, the Adjustments must be granted.

ADMINISTRATIVE DECISION

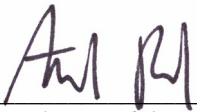
Approval of the following four Adjustments:

- Adjustment to Zoning Code Section 33.266.130.G.2.c and d and Table 266-5 to maintain existing conditions for perimeter parking lot landscaping, whereby requirements are met for 5,871 linear feet, but not met for an additional 2,367 linear feet;
- Adjustment to Zoning Code Section 33.266.130.G.3 to plant 147 additional trees in the parking areas and use existing shrubs and groundcover to meet the interior parking lot landscaping standards;
- Adjustment to Zoning Code Section 33.150.260 to waive additional screening requirements for ground-mounted mechanical equipment and trash/recycling areas; and
- Adjustment to Zoning Code Section 33.150.270.D to waive the paving requirement for the landscaping maintenance yard at the south end of campus.

Approval is per the approved plans, Exhibits C.1 through C.5, signed and dated May 11, 2022, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 21-059882 AD."

Staff Planner: Amanda Rhoads

Decision rendered by:  **on May 11, 2022**
By authority of the Director of the Bureau of Development Services

Decision mailed: May 16, 2022

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 June 23, 2021, and was determined to be complete on December 15, 2021.

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 June 23, 2021.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant waived the 120-day review period, as stated with Exhibits A.6 and A.9. **The 120 days will expire on: December 15, 2022.**

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 Adjustment Committee, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received **by 4:30 PM on May 30, 2022. The completed appeal application form must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for Office of Community and Civic Life recognized organizations for the appeal of Type II and IIX decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

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 Adjustment Committee 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 Adjustment Committee 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 after **May 30, 2022** 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 Statement
 1. Original Narrative (superseded by A.4)
 2. Original Plans (superseded by A.7)
 3. Incomplete Response Memo, December 15, 2021
 4. Updated Narrative
 5. NCU Diagram
 6. 60-Day Extension
 7. Updated Plans
 8. Interior Parking Lot Landscaping Summary Plan
 9. Full Timeline Extension
 10. Memo to BES with Additional Findings
 11. Stormwater Maps
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Interior Parking Lot Landscaping (attached)
 3. Perimeter Landscaping
 4. Mechanical Areas to remain unscreened
 5. Trash/Recycling Areas to remain unscreened
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses:
 1. Bureau of Environmental Services
 - a. BES Response
 - b. BES Response
 2. Bureau of Transportation
 3. Water Bureau
 4. Fire Bureau
 5. Site Development Review Section of BDS
 6. Life Safety (Building Code) Plans Examiner
- F. Correspondence:
 1. Joseph Veliz, March 15, 2022, with questions

G. Other:

1. Original Land Use Application
2. Incomplete Letter, July 23, 2021
3. 180-Day Warning Letter, November 18, 2021

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).