



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

January 16, 2007



TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Portland Plan Amendment
DLCD File Number 005-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: January 26, 2007

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

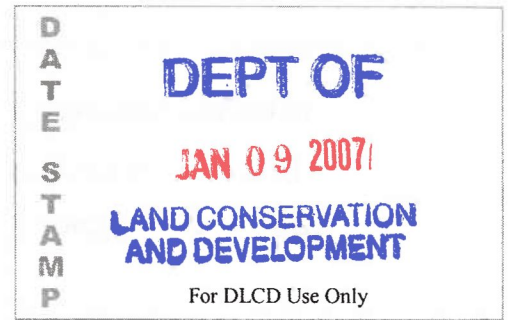
***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Meg Fernekees, DLCD Regional Representative
Douglas Hardy, City Of Portland

<paa> ya/

2 Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Portland Local file number: **LU 06-132925 CP ZC**

Date of Adoption: 1/3/2007 Date Mailed: **1/4/2007**

Date original Notice of Proposed Amendment was mailed to DLCD: 8/16/06

- | | |
|------------------------------------------------------------|----------------------------------------------------------------------|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input checked="" type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Comprehensive Plan Map amendment for the Triangle Park LLC site from Industrial Sanctuary to Mixed Employment; and a Zoning Map Amendment from Heavy Industrial (IH) to General Employment 2 (EG2), and from the River Industrial (i) Greenway overlay zone to the River General (g) Greenway overlay zone.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

The requested Comprehensive Plan Map/Zoning Map designations were approved as proposed, with conditions that: 1) limit the amount of retail and office space; 2) include Conditional Use approval criteria for any future dormitory development; and 3) require submission of sanitary and stormwater route of service plans as part of future Conditional Use review.

Plan Map Changed from: Industrial Sanctuary to: **Mixed Employment**

Zone Map Changed from: IHi to: **EG2g**

Location: 5828 N. Van Houten Place Acres Involved: **35**

Specify Density: Previous: n/a New: **n/a**

Applicable Statewide Planning Goals: 1, 2, 6, 9, 10, 12, 14

Was and Exception Adopted? YES NO

DLCD File No.: 005-06 (15470)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? **Yes** **No**

If no, do the statewide planning goals apply? **Yes** **No**

If no, did Emergency Circumstances require immediate adoption? **Yes** **No**

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Douglas Hardy** _____ Phone: **(503) 823-7816** Extension: _____
Address: **1900 SW 4th Ave, #5000** _____ City: **Portland**
Zip Code + 4: **97201** _____ Email Address: **dhardy@ci.portland.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to **maru.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE No. 180713

Amend the Comprehensive Plan Map designations and change zoning at 5828 N Van Houten Place at the request of the University of Portland (Ordinance; LU 06-132925CP ZC)

The City of Portland ordains:

Section 1. The Council finds:

1. Applicant University of Portland is purchasing property legally described as SECTION 18 1N 1E, TL 100, 33.43 ACRES; SECTION 18 1N 1E, TL 200, 0.89 ACRES; TL 8900, LOTS 1-9, BLOCK 36, PORTSMOUTH (hereinafter, the "Triangle Park property").
2. The University of Portland filed a land use application for comprehensive plan map and zoning map amendments for the Triangle Park property.
3. The applicant seeks the following:
 - a. a Comprehensive Plan Map Amendment from Industrial Sanctuary to Mixed Employment for the Triangle Park property;
 - b. a Zoning Map Amendment from Heavy Industrial (IH) to General Employment 2 (EG2) for the Triangle Park property; and
 - c. a Zoning Map Amendment from River Industrial ("i") Greenway Overlay Zone to the River General ("g") Greenway Overlay Zone on the portion of the Triangle Park property shown in Exhibit A.
 - d. The River Natural Greenway Overlay Zone ("n") currently applied to a portion of the Triangle Park property will continue to apply, as shown in Exhibit A.
4. An application complying with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland seeking amendment of the Comprehensive Plan Map and Zoning Map has been received with the proper fee for filing paid.
5. The Hearings Officer held a duly noticed public hearing on September 27, 2006 and a Recommendation was issued on September 28, 2006 (BDS File No. LU 06-132925 CP ZC). The Hearings Officer recommended approval of the requested Comprehensive Plan Map and Zoning Map Amendments, with conditions.
6. The Comprehensive Plan Map and Zoning Map amendments, based on the findings contained in the Recommendation of the Hearings Officer, are found to be in conformance with the Comprehensive Plan and relevant Title 33 approval criteria.

NOW, THEREFORE, the Council directs:

- a. City Council adopts the facts, findings, conclusions and recommendations of the Hearings Officer in BDS File No. LU 06-132925 CP ZC.
- b. The Comprehensive Plan Map and Zoning Map Amendments are approved as follows:
 1. a Comprehensive Plan Map Amendment from Industrial Sanctuary to Mixed Employment for the Triangle Park property, legally described as SECTION 18 1N 1E, TL 100, 33.43 ACRES; SECTION 18 1N 1E, TL 200, 0.89 ACRES, TL 8900, LOTS 1-9, BLOCK 36, PORTSMOUTH; and
 2. a Zoning Map Amendment from Heavy Industrial 1 (IH) to General Employment 2 (EG2) for the Triangle Park property; and
 3. a Zoning Map Amendment from River Industrial (“i”) Greenway Overlay Zone to the River General (“g”) Greenway Overlay Zone on the portion of the Triangle Park property shown in Exhibit A; and
 4. The River Natural Greenway Overlay Zone (“n”) currently applied to a portion of the Triangle Park property will continue to apply, as shown in Exhibit A.
 5. The Comprehensive Plan Map and Zoning Map amendments are subject to Conditions b.5.A through E below. Any violation of these conditions shall be subject to the enforcement procedures in the City Code, but will not void the Comprehensive Plan Map and Zoning Map amendments:
 - A. Until Metro’s Title 4 map is amended to remove the Triangle Park site from the Industrial Area, no single Retail Sales And Service, or Office use may exceed 5,000 square feet of floor area, with the total amount of Retail Sales And Service, and Office uses on the site not to exceed 20,000 square feet of floor area.
 - B. In addition to conformance with other land use review approval criteria required by Title 33 (Portland Zoning Code), dormitory development proposed on the Triangle Park site must demonstrate at time of land use review how the proposal meets the following criteria:
 1. The proposal can be designed and developed so that housing is buffered from potential nuisance impacts from uses allowed by right in the zone; and
 2. The proposal includes a design, landscape, and transportation plan which will limit conflicts between residential, employment and industrial uses.

- C. Retail Sales And Service, and Office uses on the Triangle Park site shall be limited to an equivalent trip cap of 1,880 daily trips, based on the Institute of Transportation Engineers Trip Generation Manual, 7th Edn. The applicant shall provide written verification at time of building permit review that all Retail Sales And Service, and Office uses on the site, both existing and proposed, do not exceed a maximum equivalent daily trip generation of 1,880 trips. Square footage equivalences shall be applied as follows:

<u>Use Category</u>	<u>Square Footage</u>	<u>Trip Equivalent</u>
Retail Sales And Service	23 sq. ft.	1 trip
Office	91 sq. ft.	1 trip

In addition, Retail Sales And Service uses on the Triangle Park site shall be limited to a maximum of 20,000 square feet.

- D.1. Unless exempted by Zoning Code Section 33.815.040.B, proposals that include up to 60,000 square feet of medical/dental Office or Institutional uses will be permitted on the Triangle Park site only if approved through a Type II Conditional Use review process; proposals that include more than 60,000 square feet of medical/dental Office or Institutional uses will be permitted on the site only if approved through a Type III Conditional Use review process. The approval criterion that will apply to such proposals will be as follows:

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

2. The Conditional Use review required by Condition D.1 will not apply if the Triangle Park site is incorporated into the master plan boundary of the University of Portland.
- E. A Route of Service plan shall be provided for proposed sanitary service, including any required private or public easements, and for stormwater treatment and disposal as part of any future Conditional Use land use review submittal on the Triangle Park site. Any public or private easements required to establish the route of service will be subject to review and approval by the Bureau of Environmental Services.

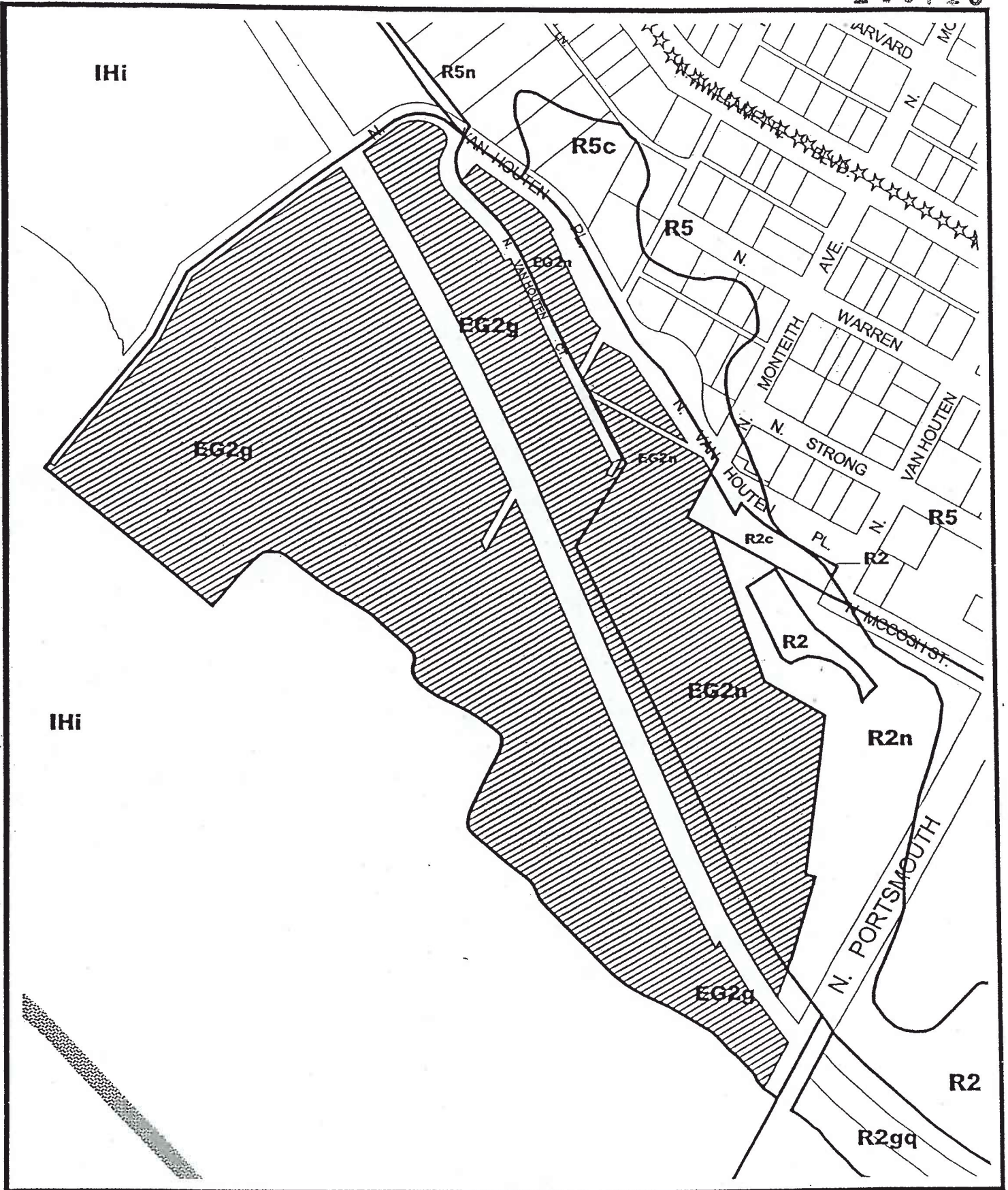
Section 2. This Ordinance shall be in force and effect on February 1, 2007 ("Effective Date").


Section 3. If the applicant, University of Portland, fails to acquire the Triangle Park property by the Effective Date of this Ordinance, the Bureau of Development Services will, at the request of the property owner and applicant, provide notice and file an ordinance with Council to repeal this Ordinance prior to its Effective Date or to extend the Effective Date of the Ordinance. The purpose of a repeal ordinance would be to make the zone change and comprehensive plan amendment for the Triangle Park property without force and effect.

Passed by the Council **JAN 03 2007**
Introduced by: Auditor Gary Blackmer
Gregory J. Frank:db , 2006

Gary Blackmer
Auditor of the City of Portland
By:


Deputy



ZONING  Site
PROPOSED

406052

OFFICE OF PORTLAND PLANNING & ZONING BOARD

H-4

06-132925

File No. LU 06-132925 CP ZC

1/4 Section 2324, 2323, 2223

Scale 1 inch = 300 feet

State-Id 1N1E18 100+

Exhibit A

(Sep 25, 2006)



NORTH



CITY OF
PORTLAND, OREGON
HEARINGS OFFICE

1900 S.W. 4th Avenue, Room 3100
Portland, Oregon 97201
Telephone: (503) 823-7307
FAX: (503) 823-4347
TDD (503) 823-6868

RECOMMENDATION OF THE HEARINGS OFFICER

I. GENERAL INFORMATION

File No.: LU 06-132925 CP ZC (HO 406052)

Applicants: University of Portland, property-owner
attn: Roy Heynderickx
5000 N. Willamette Blvd.
Portland, OR 97203

Triangle Park LLC, property-owner
attn: Jay Zidell
3121 SW Moody Avenue
Portland, OR 97239

Representative: Christen White, attorney
Ball Janik, LLP
101 SW Main Street, Suite 1100
Portland, OR 97204

Hearings Officer: Gregory J. Frank

BDS Staff Representative: Douglas Hardy

Site Address: 5828 N. VAN HOUTEN PLACE

Legal Description: SECTION 18 1N 1E ,TL 100, 33.43 ACRES; SECTION 18 1N 1E, TL 200,
0.89 ACRES; TL 8900, LOTS 1-9, BLOCK 36, PORTSMOUTH

State ID No.: 1N 1E18 00100, 1N 1E 00200, 1N 1E 18AB 08900

Tax Account No.: R941180100, R941180330, R669907980

Quarter Section: 2223, 2323

Neighborhood: University Park

District Neighborhood Coalition: North Portland Neighborhood Services

Business District: North Portland Business Assoc.

Existing Zoning: IH – Heavy Industrial

n – River Natural Greenway overlay zone
i – River Industrial Greenway overlay zone

Land Use Review: Type III, Comprehensive Plan Map Amendment (CP)
Zoning Map Amendment (ZC)

BDS Staff Recommendation to Hearings Officer: Approval with conditions

Public Hearing: The hearing was opened at 9:02 a.m. on September 27, 2006, in the 3rd floor hearing room, 1900 SW 4th Avenue, Portland, OR, and was closed at 9:30 a.m. The record was closed at that time.

Testified at the Hearing:

Douglas Hardy, BDS Staff Representative

Christy White, 101 SW Main Street, Suite 1100, Portland, OR, 97204

PROPOSAL

The University of Portland is requesting a **Comprehensive Plan Map Amendment and Zoning Map Amendment** for property located between N. Van Houten Place and the Willamette River, currently owned by Triangle Park, LLC. The Comprehensive Plan Map designation on the 35 acre site would change from Industrial Sanctuary to Mixed Employment, with the Zoning Map designation changing from Heavy Industrial (IH) to General Employment 2 (EG2). The Zoning Map Amendment also proposes changing the existing River Industrial (“i”) Greenway overlay zone on a portion of the Triangle Park property to the River General (“g”) Greenway overlay zone. No development is identified at this time as part of the Comprehensive Plan Map/Zoning Map Amendment.

RELEVANT APPROVAL CRITERIA

In order to be approved, this proposal must comply with the following approval criteria of Title 33, Portland Zoning Code:

Comprehensive Plan Map Amendment

- 33.810.050 Approval Criteria for Comprehensive Plan Map Amendments

Zoning Map Amendment

- 33.855.050 Approval Criteria for Base Zone Changes
- 33.855.060 Approval Criteria for Other Changes

II. ANALYSIS

Site and Vicinity: The 35-acre Triangle Park site is located at the base of Waud Bluff, southwest of the University of Portland campus. Historically, the site was used for industrial activities, and in the 1980s and 1990s, significant environmental contamination was identified. When Triangle Park, LLC, purchased the site in 1997, it entered into a Prospective Purchaser Agreement (PPA) with Oregon’s Department of Environmental Quality (DEQ). The PPA indemnified Triangle Park, LLC,

from liability for groundwater and sediment contamination at the site and required Triangle Park, LLC, to complete remedial action for soil contamination. DEQ approved Triangle Park, LLC's remedial investigation workplan in 1999; since then, DEQ has analyzed the site and reached conclusions about the scope of required remediation. The applicant notes that the required remediation by a private industrial user is unlikely to occur unless an economically viable reuse is identified, yet access constraints make industrial reuse difficult.

Road access to the Triangle Park property is available only through the adjacent single-dwelling residential neighborhood and University of Portland campus. The only direct, paved access to the property is from N. Van Houten Place, which runs from the University's West Campus down along the side of the bluff, and from N. Bluff, a street that winds from the Main Campus down a steeper section of the bluff. North Van Houten Place divides the Triangle Park property from the adjacent (vacant) McCormick & Baxter Superfund site, which is accessible from N. Edgewater Street. North Edgewater Street originates in a residential area northwest of the University. An active rail line, travelling in a northwest/southwest direction, bisects the Triangle Park site.

The surrounding area is largely characterized by low-density, single-dwelling development, located above the bluff. The exception is the 115 acre University of Portland ("University") campus, also located above the bluff, north and northeast of the Triangle Park site. The University is developed with approximately 1.1 million square feet of building area, with its boundaries extending north to N. Willamette Boulevard and west to N. Monteith Avenue (excepting the lots fronting N. Willamette, between N. Portsmouth and N. Monteith). The river bluffs currently form the eastern and southern boundaries of the campus.

Existing Zoning: The Triangle Park site is currently zoned Heavy Industrial (IH). A River Industrial (i) Greenway overlay zone is mapped over the westerly portion of the site, at the base of the bluff, with a River Natural (n) Greenway overlay zone mapped on the easterly portion of the site near the base of the bluff (see Exhibit B1).

The IH zone is one of the three zones that implements the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where all kinds of industries may locate including those not desirable in other zones due to their objectionable impacts or appearance. The development standards are the minimum necessary to assure safe, functional, efficient, and environmentally sound development.

The Greenway overlay zones are intended to implement the land use pattern identified in the Willamette Greenway Plan, and the water quality requirements of Metro Code 3.07.340.B (Title 3). The purpose of each of the Greenway overlay zones on the subject site is stated below.

1. River Industrial. The River Industrial zone encourages and promotes the development of river-dependent and river-related industries which strengthen the economic viability of Portland as a marine shipping and industrial harbor, while preserving and enhancing the riparian habitat and providing public access where practical.
2. River Natural. The River Natural zone protects, conserves, and enhances land of scenic quality or of significant importance as wildlife habitat.

Zoning on property in the nearby vicinity includes IH zoning on the adjacent McCormick & Baxter site and on properties immediately southwest of the subject site (across the Willamette River). The OS zone is mapped on the Willamette Cove Park, just northwest of the McCormick & Baxter site. The University of Portland is mapped with the R2 (Multi-Dwelling Residential 2000), south of N. Willamette Boulevard and east of N. Portsmouth Avenue; and R5 (Single-Dwelling Residential 5,000) west of N. Portsmouth Avenue. Three Greenway Overlay Zones - River General (g), River Natural (n), and River Water Quality (q) - are mapped along the southern edge of the campus, near the bluff. The adjacent residential neighborhood, north/northwest of the Triangle Park site, and north of Willamette Boulevard, is also mapped with the R5 zone.

Proposed Zoning: The applicant is proposing a Zoning Map amendment that will replace the IH zone on the Triangle Park site with the General Employment 2 (EG2) zone, and change the River Industrial (i) Greenway overlay on this site to River General (g) Greenway overlay zone (Exhibit B2). The EG zones implement the Mixed Employment map designation of the Comprehensive Plan. The zones allow a wide range of employment opportunities without potential conflicts from interspersed residential uses. The emphasis of the zones is on industrial and industrially-related uses. Other commercial uses are allowed (with size limitations) to support a wide range of services and employment opportunities. Colleges and other institutions are also allowed in the EG zones. Residential uses are allowed only if approved as a Conditional Use.

The development standards of the EG zones are intended to allow new development which is similar in character to existing development, and to promote viable and attractive industrial/commercial areas. Sites mapped with the EG2 zone have larger lots and an irregular or large block pattern than those in the EG1 zone. Areas mapped with the EG2 zone are less developed, with sites having medium and low building coverages and buildings which are usually set back from the street.

As indicated above, the River General overlay is one of four Greenway overlay zones that are intended to implement the land use pattern identified in the Willamette Greenway Plan, and the water quality requirements of Metro Code 3.07.340.B (Title 3).

Land Use History: Previous land use review history for the Triangle Park site includes the following:

- V 50-71: Approval in 1972 to vacate portions of N. McKenna Avenue, N. McCosh Street, N. Van Houten Court, N. Monteith Avenue, N. Bluff Street and alleys in Block 37, Portsmouth.
- LU 02-154365 GW: Approval with conditions in 2003 of a Greenway Review for the revegetation proposal for the Willamette Bluffs. None of the required conditions impact the requested Comprehensive Plan Map/Zoning Map amendment.

Agency Review: A "Request for Response" was mailed August 8, 2005. The following Bureaus have responded with no issues or concerns regarding the requested land use reviews:

- Bureau of Police (Exhibit E1);
- Fire Bureau/Fire Prevention Division (Exhibit E2);
- Bureau of Development Services/Life Safety Plans Examiner (Exhibit E3);
- Bureau of Water Works (Exhibit E4); and
- Portland Park & Recreation/Urban Forestry (Exhibit E5).

The Bureau of Environmental Services (BES) submitted comments regarding requirements that must be met at time of building permit review (Exhibit E6). BES notes that the public stormwater system is not available to serve the drainage needs of the site, and that stormwater runoff generated by future development on the site must demonstrate conformance with the requirements of the City's Stormwater Management Manual at time of building permit review. BES recommends a condition of approval that as part of future Conditional Use land use review submittals for development on the site, the route of service for proposed sanitary sewer (including any required public or private easements), and proposed route of stormwater treatment and disposal be identified. Additionally, any public or private easement required to establish the "route of service would be subject to BES review and approval.

The Bureau of Development Services/Site Development submitted comments recommending against stormwater infiltration (Exhibit E7). With pretreatment and detention, as applicable, Site Development indicates stormwater may be discharged to the Willamette River with DEQ approval.

Portland Transportation/Development Review provided written comments on the requested land use review, and recommend conditions of approval that address the adequacy of transportation services (Exhibit E8). Generally, these conditions limit the amount of Retail Sales And Service uses, and Office uses that may be built on the site, and require Conditional Use review for medical/dental office and institutional development. Portland Transportation's comments are detailed, below, in response to both the Comprehensive Plan Map and Zoning Map amendment criteria.

The Bureau of Planning submitted written comments, expressing overall support for the requested amendments, with a condition of approval that is intended to limit the impact of future residential development (including dormitories) on industrial uses (Exhibit E9). The Bureau of Planning's comments are identified in detail, below, in response to approval criteria in 33.810.050.A.1.

Neighborhood Review: A "Notice of Public Hearing" was mailed September 5, 2006. No written responses were received in response to the Notice of Proposal from the notified Neighborhood Association, District Coalition, Business Association or property-owners. A letter was received immediately prior to the hearing

ZONING CODE APPROVAL CRITERIA

This report contains the following parts, each of which examines compliance with applicable criteria:

- Part A** Comprehensive Plan Map Amendment
- Part B** Base Zone Map Amendment

Part C Other Zoning Map Amendments

PART A. COMPREHENSIVE PLAN MAP AMENDMENT

The applicant is requesting a Comprehensive Plan Map amendment from Industrial Sanctuary to Mixed Employment. For the requested Comprehensive Plan Map amendment to be approved, the applicant must demonstrate that the approval criteria in Section 33.810.050 of the Portland Zoning Code are met.

33.810.050 Approval Criteria

A. **Quasi-Judicial.** Amendments to the Comprehensive Plan Map that are quasi-judicial will be approved if the review body finds that the applicant has shown that all of the following criteria are met:

1. **The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be equally or more supportive of the Comprehensive Plan as a whole than the old designation;**

Findings: The proposal involves a Comprehensive Plan Map Amendment from Industrial Sanctuary to Mixed Employment. Based on the findings identified below, and with recommended conditions of approval, the requested Comprehensive Plan Map designation on balance will be equally supportive of the applicable goals and policies of the *Comprehensive Plan* as the existing designation, and this criterion will be met.

Goal 1 Metropolitan Coordination

The Comprehensive Plan shall be coordinated with federal and state law and support regional goals, objectives and plans adopted by the Columbia Region Association of Governments and its successor, the Metropolitan Service District, to promote a regional planning framework.

Findings: Policy 1.5 of this goal (Compliance with Future Metro Planning Efforts) requires the review and update of Portland's Comprehensive Plan so that it complies with the Regional Framework Plan adopted by Metro. The Urban Growth Management Functional Plan was approved by the Metro Council on November 21, 1996, and became effective February 19, 1997. The purpose of this plan is to implement the Regional Urban Growth Goals and Objectives, including the 2040 Growth Concept. Local jurisdictions must address the Functional Plan when Comprehensive Plan Map Amendments are proposed through the quasi-judicial or legislative processes. Each title of the Urban Growth Management Functional Plan is addressed below.

Overall, the requested Mixed Employment designation, with recommended conditions of approval, either will be supportive of the intent of the titles contained in the Urban Growth Management Functional Plan, or these titles will be met through compliance with other applicable City regulations.

- **Title 1, Requirements for Housing and Employment Accommodation**, *requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through city-wide analysis based on calculated capacities from land use designations.*

Housing (other than in houseboats) is a prohibited use in zones that correspond to the existing Industrial Sanctuary Comprehensive Plan Map designation on the site. The zones that correspond to the proposed Mixed Employment designation allow housing if approved as Conditional Use. As such, the proposed designation is potentially more supportive than the existing designation in promoting potential housing opportunities and increasing housing density.

The proposed Mixed Employment Comprehensive Plan designation also promotes a large variety of employment uses. While the corresponding zones of both the existing and proposed Comprehensive Plan Map designations allow Office and Retail uses, the Employment designation allows such uses at greater floor areas. Both designations also allow a variety of industrial uses, with the only difference being that the Employment designation does not allow Railroad Yards and Waste-Related uses. As for institutional uses, the zones corresponding to the proposed Employment designation allow a far greater variety than the existing designation, including parks, schools, colleges, and religious institutions.

On balance, the proposed designation better supports this title than the existing designation in that it promotes greater opportunities for both housing and mixed employment growth, with limits on Office and Retail development.

- **Title 2, Regional Parking Policy**, *regulates the amount of parking permitted by use for jurisdictions in the region.*

This Title requires cities and counties to place limits on parking to ensure a more efficient use of land, and to promote alternative modes of transportation. Whether the site remains under its current Industrial Sanctuary designation or changes to the proposed Mixed Employment designation, parking on the site will continue to be regulated by provisions of Zoning Code Chapter 33.266, Parking and Loading, and specifically, Zoning Code Section 33.266.110 (Minimum Required Parking Spaces) and Section 33.266.115 (Maximum Allowed Parking Spaces). These regulations, which have been recognized by Metro as meeting the parking ratio requirements identified in Table 3.07-2 of Title 2, ensure that on-site parking will be consistent with Title 2.

- **Title 3, Water Quality, Flood Management, and Fish and Wildlife Conservation**, *protects the region's health and public safety by reducing flood and landslide hazards, controlling soil erosion and reducing pollution of the region's waterways.*

This Title is unaffected by the proposed Comprehensive Plan Map designation.

- **Title 4, Industrial and Other Employment Areas**, *places restrictions on certain uses in three designations on the 2040 Growth Concept Map.*

This Title limits type and density of uses in areas on the 2040 Growth Concept Map designated as Regionally Significant Industrial Areas, Industrial Areas, and Employment Areas. The subject site is identified on Metro's Title 4 map as an Industrial Area.

Retail and Office Use Limitations

As indicated in the findings above that address Title 1, the proposed Mixed Employment Comprehensive Plan Map designation, while still allowing a comparable diversity of industrial uses as the existing designation, also provides opportunities for a variety of nonindustrial uses on the site, including housing (if approved through a Conditional Use review process), a greater amount of Retail and Office than allowed under the existing designation, and institutional uses.

Under the corresponding zones of the existing Industrial designation (IG1, IG2 and IH), Retail Sales And Service and Office uses are allowed as follows: IG1 – one, 3,000 square foot Retail Sales And Service or Office use per site; IG2 and IH - up to four Retail Sales And Service or Office uses per site, with the floor area limited to a maximum of 3,000 square feet per use. These limits are generally based on Title 4 requirements that restrict retail and office to 3,000 square feet per use, with a 20,000 square foot maximum per site in Regionally Significant Industrial Area; and 5,000 square feet, with a 20,000 square foot maximum per site, for retail and office uses in Industrial Areas.

The corresponding zones (EG1 and EG2) of the proposed Mixed Employment designation allow by-right Retail use up to a floor area ratio (FAR) of 1:1, or 60,000 square feet per site, whichever is less. Office use are limited to an FAR of 1:1. Because this level of allowed Retail and Office use exceeds the Title 4 limits for Industrial Areas, the proposal is not in conformance with this Title of the Urban Growth Management Functional Plan. To ensure conformance with Title 4, staff recommends a condition of approval that no single Retail Sales And Service, or Office use may exceed 5,000 square feet of floor area, with the total amount of Retail Sales And Service, and Office uses on the site not to exceed 20,000 square feet of floor area. This condition will no longer be valid if in the future Metro's Title 4 map is amended to remove the site from the Industrial Area.

Portland Transportation also recommends limits on the amount of Retail and Office use that can be developed on the site, to address adequacy of transportation services. This condition is described below in response to Goal 6.

- **Title 5, Neighbor Cities and Rural Reserves**, *protects land along the green corridors from continuous strip development to maintain their rural character and agricultural economy.*

This Title is not applicable to the subject site.

- **Title 6, Central City, Regional Centers, Town Centers and Station Communities,** *enhances the Centers designated on the 2040 Growth Concept Map by encouraging development in these Centers.*

Because the site is not within one of the centers identified on Metro's 2040 Growth Map, this title is not applicable to the requested amendment.

- **Title 7, Affordable Housing,** *recommends that local jurisdictions implement tools to facilitate development of affordable housing.*

This Title is unaffected by the proposed Comprehensive Plan Map designation.

- **Title 8, Compliance Procedures,** *outlines compliance procedures for amendments to comprehensive plans and implementing ordinances.*

The proposal meets this Title by fulfilling the notice requirements for Type III land use reviews, as outlined in Portland Zoning Code Section 33.730.030 (Type III Procedure). In addition to notifying the affected City-recognized organizations and property-owners within a 400 foot radius of the site, a notice of the proposal has also been sent to Metro and to the Department of Land Conservation and Development. Therefore, the proposal is consistent with this Title.

- **Title 9, Performance Measures,** *ensures that progress or lack of progress is measured in the implementation of the Urban Growth Management Functional Plan (UGMFP) and the 2040 Growth Concept.*

This Title is not applicable to the requested land use action.

- **Title 10, Definitions,** *defines the words and terms used in the document.*

This Title is not applicable to the requested land use action.

- **Title 11, Planning for New Urban Areas,** *guides planning of areas brought into the UGB for conversion from rural to urban use.*

This Title is not applicable to the requested land use action.

- **Title 12, Protection of Residential Neighborhoods,** *protects the region's existing residential neighborhoods from air and water pollution, noise and crime, and to provide adequate levels of public services.*

The requested designation will have no greater impact on air and water pollution, or on crime than the existing designation on the subject site. As for noise, because the proposed Mixed Employment designation (and its corresponding zones) prohibits some of the most intense (and potentially high impact) industrial uses that are allowed under the existing Industrial Sanctuary designation (and its corresponding zones), the proposed designation provides a better transition to the adjoining single- and multi-dwelling residential zones, and nearby open space zone, than the existing designation.

- **Title 13, Nature in Neighborhoods**, *is intended to conserve, protect and restore a continuous ecologically viable streamside corridor system, to control and prevent water pollution, and to improve water quality.*

This Title is unaffected by the proposed Comprehensive Plan Map designation.

Goal 2 Urban Development

Maintain Portland's role as a regional employment, population, and cultural center, and the expansion of housing and employment opportunities while retaining the character of existing areas.

Findings: As previously mentioned, the proposed designation provides for greater diversity of uses on the site than the existing designation. The corresponding zones to the proposed Mixed Employment allow housing (if approved as a Conditional use), greater amounts of office and retail space, as well as a wide variety of industrial and institutional uses. On balance, a designation which promotes a wider diversity of potential uses, is more consistent with Goal 2.

Policy 2.1 Population Growth

Allow for population growth within the existing city boundary by providing land use opportunities that will accommodate the projected increase in city households by the year 2,000.

Findings: Neither the existing nor proposed designation allows housing development outright, so the amendment request has little impact on this policy. However, because housing may be developed under the corresponding zones of the proposed designation if approved as a Conditional Use, the proposal is somewhat more supportive of this policy than the existing designation.

Policy 2.2 Urban Diversity

Promote a range of living environments and employment opportunities for Portland residents in order to attract and retain a stable and diversified population.

Findings: The broad range of uses allowed in the corresponding zones to the proposed Mixed Employment designation have the potential, on balance, to support more diversified employment opportunities. The Mixed Employment designation is described in the Comprehensive Plan as encouraging "a wide variety of employment uses...in an industrial-type setting. Industrial uses are allowed with few limitations. Commercial

uses are allowed, but limited in intensity so as...to maintain adequate industrial development opportunities.” As such, the requested amendment still retains opportunities for industrial development, with options for limited commercial uses.

It can be argued that the proposed designation potentially decreases opportunities for future industrial development as non-industrial uses outbid industrial users. However, as indicated below in response to Policy 2.14, opportunities for industrial development on the site are limited, with such development likely to have adverse impacts on the surrounding residential neighborhood.

Policy 2.9 Residential Neighborhoods

Allow for a range of housing types to accommodate increased population growth while improving and protecting the City’s residential neighborhoods.

Findings: As stated above, housing is not allowed outright in the corresponding zones of either the existing or proposed designation. However, because housing is allowed in the proposed designation if approved through Conditional Use review and prohibited under the existing designation, the amendment request is more supportive of this policy than the existing situation. Also, because the existing designation has as a single focus the preservation and development of industrial uses, while the proposed designation allows a variety of non-industrial uses, the proposed designation may be more suitable given the site is adjacent to a residential neighborhood. Lastly, the University notes that the request will allow the University to expand below the bluff and away, instead of toward, the surrounding residential neighborhood.

Policy 2.14 Industrial Sanctuaries

Provide industrial sanctuaries. Encourage the growth of industrial activities in the City by preserving industrial land primarily for manufacturing purposes.

Findings: The applicant notes that the relevant approval criterion for amendment requests requires reviewing the proposal against relevant Comprehensive Plan policies, and demonstrating that *on balance* the requested designation is equally or more supportive of the Comprehensive Plan as a whole than the existing designation. As such, Policy 2.14 is not intended to be interpreted as an absolute prohibition against the re-designation of lands currently mapped with the Industrial Sanctuary designation; instead, this policy should be considered and balanced against all other relevant policies in the Comprehensive Plan. This balanced approach was most recently reaffirmed by City Council in a land use decision changing the designation of a site from Industrial Sanctuary to Mixed Employment (LU 05-181402 CP ZC).

Even without emphasizing other elements of the Comprehensive Plan, the proposed re-designation is consistent with the Bureau of Planning’s approach to industrial lands policy (chiefly, Policies 2.14 and 5.1). In anticipation of upcoming requests for industrial conversion, the Bureau of Planning developed an advisory framework for retention and conversion decisions. This framework was included in a memorandum from the Bureau of Planning to the Portland City Council, Portland Planning

Commission, and the Director of Bureau of Development Services (Exhibit A11), and included the following four principles:

1. Conserve the planned existing supply by limiting conversion to exceptional circumstances;
2. Avoid conversion of regionally significant industrial areas;
3. Avoid or minimize new uses that undermine industrial districts; and
4. Avoid undue disruption by changes that significantly precede the market.

The Bureau of Planning (BOP) has reviewed the request against these four principles, and supports the request with a condition of approval (identified below) (Exhibit E9). In their comments, BOP states they support the University's planned acquisition of the Triangle Park property as it will create significant and valuable public benefits that advance federal, state, and local objectives. Achieving multiple objectives in redevelopment is a central theme of the City's River Renaissance initiative. BOP notes the greatest potential public benefits of the University's use of the Triangle Park property are the cleanup of contaminated soils, increased public access to the Willamette River, improved habitat for fish and wildlife, and increased public recreational opportunities through development of the Greenway Trail that could connect with the adjacent McCormick & Baxter site and eventually to St. Johns and Kelley Point Park.

Over the past year, BOP states the City has worked with the University of Portland to provide coordination and support regarding federal and state requirements of cleanup activities. In addition, the City and the University discussed the shared desired outcomes for redevelopment of the Triangle Park property, and potentially the McCormick & Baxter site. Both the University and City envision improved natural areas along the river, development of a well-designed and attractive public greenway trail that is connected to adjacent neighborhoods, incorporation of creative stormwater management, and an improved and better connected transportation system. While these issues directly support existing Comprehensive Plan goals and policies, the work of attaining them will take place in part through the River Plan process and the University's master plan process.

BOP's assessment of the request, as reviewed against the four principles of industrial land conversion, is as follows:

1. Conserve the planned existing supply of Industrial Sanctuary land by limiting conversion to exceptional circumstances. This first consideration emphasizes the *quantity* of the city's industrial land supply. We generally support retention [of the Industrial Sanctuary] because the regional industrial land supply is limited and because current policy calls for retention of industrial sanctuaries. However, this conversion proposal appears to reflect exceptional circumstances that warrant looking at this site differently.

Specifically, we have analyzed whether there are exceptional circumstances in terms of three issues: 1) site size; 2) harbor access; and 3) truck access and traffic. In terms of

site size and harbor access, our analysis would recommend that the site not be converted to non-industrial uses. At over 30 acres, the site is large and located on the Willamette River, inside the working harbor. However, there is extremely limited road access down the side of the bluff to the site. It is estimated that road improvements would cost over \$5 million. Even if the road improvements were made, the industrial truck traffic would still be directed through [adjacent] residential neighborhoods on local streets. In conclusion, the site's poor access may be an exceptional circumstance that supports conversion to non-industrial use.

[This conclusion is supported in an earlier BOP document, published in June 2001, entitled, *McCormick & Baxter Reuse Assessment Project: Final Report* (Exhibit A7). While the assessment report focused on the reuse of the adjacent McCormick & Baxter site, the subject site has comparable situational characteristics. The report (page 23) found the industrial reuse of the McCormick & Baxter site to be economically infeasible in the short term based on the development costs of the contaminated site exceeding current industrial values. Additionally, the report found "the quality of truck access to the site, which is a standard requisite of industrial sites, to be marginal." "Industrial truck traffic would result in significant impacts on the residential and campus environment along streets..." "Other challenges for industrial truck traffic are the steep grades of access routes and distances from a highway or arterial."]

2. *Avoid conversion of regionally significant industrial areas.* Our second consideration emphasizes the *quality* of industrial locations. Metro's regional designation of significant areas identifies prime industrial areas that would be difficult to replace elsewhere in the region. This site, along with the abutting McCormick & Baxter site, is not mapped as regionally significant.

In designating significant industrial areas, City staff worked closely with Metro. In general, the designation was applied to the city's industrial districts that are at the hub of Oregon's primary distribution infrastructure (over 90 percent of Portland's industrial land), while excluding areas near neighborhoods and urban centers where a finer-grain mix of land uses may be desired. All of the industrial land along the east side of the Portland Harbor was designated as regionally significant, except for this site and the neighboring McCormick & Baxter site mentioned above. These sites were left off the regionally significant map in favor of further study because of the severe access and economic constraints for industrial reuse on the sites.

3. *Avoid or minimize new uses that undermine industrial districts.* The third consideration emphasizes the *integrity of industrial districts*. Examples of changes that undermine district integrity include introduction of incompatible uses such as housing, high density uses that would drive up land values, and high traffic generating uses that create congestion points on freight streets. These uses are inconsistent with Portland's industrial sanctuary policy, the main feature of which is to encourage industrial growth in the city by limiting the mix of land uses in industrial areas.

A case could be made that if the abutting McCormick & Baxter site (currently vacant) is reused for industrial uses, some non-industrial uses on the Triangle Park site may be compatible. For example, University athletic fields, maintenance facilities and potentially classroom facilities could be compatible in the primarily heavy industrial harbor setting, but dormitories would not. A case could also be made that the McCormick & Baxter site, which has the same access constraints, combined with this site are not a viable industrial district, and therefore conversion of this site would not undermine a viable industrial district.

4. *Avoid undue disruption by changes that significantly precede the market.* Our fourth consideration emphasizes the *timing of conversion*. This site (and the adjacent McCormick & Baxter site) are currently vacant and available for reuse. Because of this and the fact that these sites are not part of a bigger industrial district, premature conversion is not a factor.

Taking all four principles into account, BOP finds conversion of this site to non-industrial uses is warranted, and supports the amendment request. However, BOP notes concerns about possible residential uses (including dormitories) on the site and their potential impact on heavy industrial properties and uses on the adjacent McCormick & Baxter site and industrial properties directly across the river.

The corresponding zones to the proposed Comprehensive Plan designation (Mixed Employment) would allow housing to be considered through a Conditional Use review process. BOP wants to ensure that, as part of the review process, the potential impacts on both the industrial uses and proposed residential uses are considered before housing is allowed, with appropriate measures employed to mitigate identified impacts.

In both the EG1 and EG2 zones, the Conditional Use review considers whether housing can be designed so that it is buffered from potential nuisance impacts of heavier uses allowed by right in the Employment zones, and that measures are considered that limit potential conflicts between the uses (Zoning Code Section 33.815.130.D). The approval criteria read as follows:

1. The proposal can be designed and developed so that housing is buffered from potential nuisance impacts from uses allowed by right in the zone; and
2. The proposal includes a design, landscape, and transportation plan which will limit conflicts between residential, employment, and industrial uses.

These approval criteria apply only to Residential uses defined as Household Living and Group Living; the criteria do not apply to dormitory development. If the Triangle Park site is developed by the University, and because much of the University campus is residentially-zoned, dormitory development on the Triangle Park site would be reviewed only against the Conditional Use approval criteria found in Zoning Code Section 33.815.105. These approval do not consider impacts of development on industrial uses.

To address the concerns raised by BOP, BDS recommends a condition of approval that the Conditional Use approval criteria in Zoning Code Section 33.815.130.D be applied to dormitory development. This will ensure that potential impacts on industrial uses are considered prior to approval of dormitories.

With the recommended condition of approval, the requested amendment is consistent with the intent of Policy 2.14.

Policy 2.19 Infill and Redevelopment

Encourage infill and redevelopment as a way to implement the Livable City Growth principles and accommodate expected increases in population and employment. Encourage infill and redevelopment in the Central City, at transit stations, along Main Streets, and as neighborhood infill in existing residential, commercial and industrial areas.

2.20 Utilization of Vacant Land

Provide for full utilization of existing vacant land except in those areas designated as open space.

Findings: The proposed Mixed Employment (and corresponding EG1 and EG2 zones) allow a wider diversity of uses than allowed under the existing designation. While still focusing on the establishment of an industrial setting, the EG1 and EG2 zones allow a larger amount of retail and office uses, while also allowing residential and institutional uses if approved through the Conditional Use review process. Broadening the uses allowed for a site that has sat vacant for a considerable period of time may help promote its redevelopment, particularly given its location adjacent to a major, growing institution (University of Portland). Providing an opportunity for potential institutional development at the site would also allow the University of Portland to grow down and away from the surrounding lower density residential neighborhood, accomplishing both reuse of a vacant site and infill in an established neighborhood.

Policy 2.22 Mixed Use

Continue a mechanism that will allow for the continuation and enhancement of areas of mixed use character where such areas act as buffers and where opportunities exist for creation of nodes or centers of mixed commercial, light industrial and apartment development.

Policy 2.23 Buffering

Ensure that impacts from nonresidential uses on residential areas are mitigated through the use of buffering and access limitations.

Findings: As stated above, the proposed Mixed Employment designation is more supportive of these policies than the existing designation as the proposed designation better facilitates mixed-use opportunities. While both designations allow an array of industrial uses, with some opportunity for residential in the proposed designation (if approved through the Conditional Use review process), the proposed designation allows

greater opportunities for office and retail development. (To preserve the intent of the General Employment zones to remain industrial and industrially-related, office and retail uses would still be limited in size under the proposed designation.) The greater variety of uses allowed under the proposed designation better promotes the potential for mixed-use development.

This mixed-use nature of development is more appropriate for the subject site than the existing designation given its adjacency to a Single-Dwelling zoned neighborhood, and the 115 acre University of Portland. A mixed-use redevelopment of the site would also be preferable to industrial development given access to the site is through the single-dwelling neighborhood.

Goal 3 Neighborhoods

Preserve and reinforce the stability and diversity of the City's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses and insure the City's residential quality and economic vitality.

Findings: The applicant notes in response to Goal 3 that the University has been located on the adjacent bluff for more than one hundred years, and that the University has had a long economic and social presence in the City and in the neighborhood. Granting the zone change will enable the University to acquire the Triangle Park property for its future use, thus enabling it to meet its expansion needs within its existing neighborhood, but without altering the stability of the surrounding residential neighborhoods. This statement, and the requested Comprehensive Plan Map designation, is supportive of Goal 3.

Goal 4 Housing

Enhance Portland's vitality as a community at the center of the region's housing market by providing housing of different types, tenures, density, sizes, costs and locations that accommodate the needs, preferences and financial capabilities of current and future households.

Findings: The requested Mixed Employment designation is somewhat more supportive of this housing goal than the existing Industrial Sanctuary designation in that the corresponding zones of the proposed designation allow housing if approved as a Conditional Use. Housing in the corresponding zones of the existing Industrial Sanctuary designation is prohibited.

Goal 5 Economic Development

Foster a strong and diverse economy which provides a full range of employment and economic choices for individuals and families in all parts of the City.

Findings: As detailed below, the proposal, on balance, is found to be equally or more supportive of Goal 5 as the existing designation.

Policy 5.1 Urban Development and Revitalization

Encourage investment in the development, redevelopment, rehabilitation and adaptive reuse of urban land and buildings for employment and housing opportunities.

Objectives (relevant to the requested review):

- A. Ensure that there are sufficient inventories of commercially and industrially-zoned, buildable land supplied with adequate levels of public and transportation services.*
- C. Retain industrial sanctuary zones and maximize use of infrastructure and intermodal transportation linkages with and within these areas.*
- E. Define and develop Portland's cultural, historic, recreational, educational and environmental assets as important marketing and image-building tools of the city's business districts and neighborhoods.*
- F. Recognize and support environmental conservation and enhancement activities for their contribution to the local economy and quality of life for residents, workers and wildlife in the city.*

Findings: In general, the requested Comprehensive Plan Map amendment has the potential to encourage rehabilitation, redevelopment, and adaptive reuse of urban land, and would allow the adjacent University of Portland to redevelop the property with a variety of public and private uses. A university (and other institutional) uses are prohibited on the site under the existing designation (and its corresponding zones).

More specifically, the proposal on balance is equally or more supportive of the stated objectives under Policy 5.1 than the existing designation. Objectives A and C seek to ensure that the City retains sufficient industrial and commercial land with high quality transportation infrastructure. While the request would result in a reduction of land in the Industrial Sanctuary inventory, there are significant constraints on the site that greatly limit its development for industrial use. As explained above in response to Policy 2.14, road access to the site is inadequate for heavy industrial uses given the steep slope, and the high cost (relative to value) of required road improvements. Furthermore, road improvements to the site would encourage vehicle and truck trips associated with an industrial use to traverse the adjacent single-dwelling neighborhood.

The site is located on the Willamette River, making barge access an alternative. However, as indicated in BOP's Site Reuse Assessment for the adjacent McCormick & Baxter site, the cost of remedying environmental contamination (and DEQ requirements for protecting the sediment cap) may make the required barge access improvements uneconomical.

Given these constraints, removing the property's industrial sanctuary designation will not practically alter the real supply of buildable land in the Industrial Sanctuary, and therefore is not inconsistent with Objective A.

The request may appear to be in conflict with Objective C that seeks to preserve concentrations of industrial uses (in districts) so as to allow efficient use of infrastructure amongst industrial uses. However, the site is not located in a district consisting of

properties mapped with the Industrial Sanctuary. Instead, the Triangle Park site is located adjacent to an established single-dwelling neighborhood and an institutional use (University of Portland). The only industrial property within a quarter mile of the site is the McCormick & Baxter property, which is a designated Superfund site with serious development constraints. Given the isolation of the Triangle Park site from other industrial properties, Objective C has little relevance to this proposal.

The requested Comprehensive Plan Map amendment has the potential to further Objective E by allowing institutions, such as the adjacent University of Portland, to redevelop the site and expand their mission.

Because the amendment increases the type of uses on the site, thereby potentially encouraging the site's redevelopment and prerequisite environmental clean-up, the proposal may further Objective F by supporting environmental enhancement activities.

Policy 5.8 Diversity and Identity in Industrial Areas

Promote a variety of efficient, safe and attractive industrial sanctuary and mixed employment areas in Portland.

Objectives (relevant to the requested review):

- A. Recognize and promote the variety of industrial areas in Portland through development regulations which reflect the varied physical characteristics of the city's industrial areas. Distinguish between older developed areas and newer, less developed ones.*
- D. Within industrial districts, allow some lands designated for commercial or mixed employment. Provide for this while maintaining the overall industrial orientation of the districts.*
- E. Create mixed employment areas which encourage a broad range of employment opportunities by permitting a mix of industrial and commercial activities. Prevent land use conflicts within the mixed employment areas through the use of development standards and by limiting conflicting types of development.*

Findings: This Policy recognizes the range of characteristics in the City's industrial districts and properties, and the need for zoning to reflect that diversity. Although the Portland Harbor generally is attractive as a freight hub, this Policy of recognizing the varied characteristics of particular areas is promoted by recognizing the isolation of the specific Triangle Park property and the physical and access constraints that limit the feasibility for heavy industrial reuse. The proposed designation recognizes the potential industrial redevelopment of the site, while promoting mixed employment opportunities that may be better suited given the site's location.

Policy 5.9 Protection of Non-industrial Lands

Protect non-industrial lands from the potential adverse impacts of industrial activities and development.

Findings: While both the existing and proposed designation allow a variety of industrial uses, the intent of the corresponding zones to the existing Industrial Sanctuary designation (IG1, IG2 and IH) is to provide areas where most (or all, in the case of the IH zone) industrial uses may operate, including those not desirable in other zones due to the objectionable impacts or appearance of the industrial uses. The intent of the corresponding zones to the proposed Mixed Employment designation (EG1 and EG2) is to promote a wide range of employment opportunities, generally in an industrial setting. The mixed use characteristics (and development standards) of the Mixed Employment designation is more appropriate for the site given its close proximity to a single-dwelling residential neighborhood and large university campus.

Goal 6 Transportation

Develop a balanced, equitable, and efficient transportation system that provides a range of transportation choices; reinforces the livability of neighborhoods; supports a strong and diverse economy; reduces air, noise, and water pollution; and lessens reliance on the automobile while maintaining accessibility.

Findings: As detailed below in response to the applicable policies under Goal 6, Portland Transportation finds that with recommended conditions of approval, the amendment request is equally or more supportive of the relevant policies under Goal 6 than the existing Comprehensive Plan Map designation on the site.

Policy 6.1 Coordination

Coordinate with affected state and federal agencies, local governments, special districts, and providers of transportation services when planning for and funding transportation facilities and services.

Policy 6.2 Public Involvement

Carry out a public involvement process that provides information about transportation issues, projects and processes to citizens, businesses and other stakeholders, especially to those traditionally underserved by transportation services, and that solicits and considers feedback when making decisions about transportation.

Findings: These two policies are met by the public notices for quasi-judicial land use reviews that are required by the Portland Zoning (Chapter 33.730). This notice requirement includes a mailed notice to affected property-owners, as well as to surrounding neighborhood and business associations, and city, regional and state agencies. The mailed notice solicits comments from the public on the proposed land use action. The site is also required to be posted with the proposed land use action at least 30 days in advance of the hearing. For Comprehensive Plan Map amendments, a public hearing is required before both the Hearings Officer and City Council, which provides additional opportunity for public comment.

Policy 6.4 Classification Descriptions

Street classification descriptions and designations describe the types of motor vehicle, transit, bicycle, pedestrian, truck, and emergency vehicle movement that should be emphasized on each street.

Policy 6.5 Traffic Classification Descriptions

Maintain a system of traffic streets that support the movement of motor vehicles for regional, interregional, interdistrict, and local trips as shown. For each type of traffic classification, the majority of motor vehicle trips on a street should conform to its classification description.

Policy 6.6 Transit Classification Descriptions

Maintain a system of transit streets that supports the movement of transit vehicles for regional, interregional, interdistrict, and local trips.

Policy 6.7 Bicycle Classification Descriptions

Maintain a system of bikeways to serve all bicycle users and all types of bicycle trips.

Policy 6.8 Pedestrian Classification Descriptions

Maintain a system of pedestrianways to serve all types of pedestrian trips, particularly those with a transportation function.

6.9 Freight Classification Descriptions

Maintain a system of truck streets and districts and other freight facilities.

Policy 6.10 Emergency Response Classification Descriptions

Emergency Response Streets are intended to provide a network of streets to facilitate prompt emergency response.

Policy 6.11 Street Design Classification Descriptions

Street Design Classification Descriptions identify the preferred modal emphasis and design treatments for regionally significant streets and special design treatments for locally significant streets.

Findings: The applicant has provided a memo prepared by Kittelson & Associates that addresses transportation impacts associated with the proposed Comprehensive Plan Amendment and Zoning Map Amendment. The memo compares the reasonable worst-case scenario for the existing IH zoning (380,000 square feet of Manufacturing) with the reasonable worst-case scenario for the proposed EG2 zoning (360,000 square feet of General Office and 20,000 square feet of Retail). The results of the memo indicate that the transportation system has adequate level-of-service and street capacity to support the additional trips. However, the number of daily vehicle trips added to local service streets in the area by the additional square footage of allowed office space in the EG2 zoning scenario is potentially significant.

Goal 6 promotes neighborhood livability, among other items. Under the current IH zone, up to 380,000 square feet of Warehousing could be built, generating up to 1,880 trips per day. This volume, itself, would impact neighborhood livability. An additional 3,370 daily trips could be added to the local street system, primarily N. Portsmouth Avenue, under the proposed EG2 zoning. This increased volume would be a significant impact on neighborhood livability.

Based on the level of increased volumes associated with the worst-case EG2 scenario, Portland Transportation finds that providing a limitation on square footage that is equivalent to the IH use that generates the highest number of daily trips (1,880 trips) is more supportive of Policies 6.4-6.11 (Classification Descriptions). Retail Sales And Service, and Office uses tend to be the higher trip generators in an EG2 zone. Therefore, Portland Transportation recommends square footages for Retail Sales And Service, and Office uses on the Triangle Park site be limited to an equivalent trip cap of 1,880 daily trips, based on the Institute of Transportation Engineers Trip Generation Manual, 7th Edn. The applicant should provide written verification at time of building permit that all Retail Sales And Service, and Office uses on the site, both existing and proposed, do not exceed a maximum equivalent daily trip generation of 1,880 trips. Square footage equivalencies should be applied as follows:

<u>Use Category</u>	<u>Square Footage</u>	<u>Trip Equivalent</u>
Retail Sales and Service	23 sq. ft.	1 trip
Office	91 sq. ft.	1 trip

In addition, Retail Sales And Service uses on the Triangle Park site shall be limited to a maximum of 20,000 square feet.

For Medical/Dental Office or Institutional uses (e.g., schools, colleges, medical centers) that typically would be allowed outright in the proposed EG2 zone, Portland Transportation recommends that an evaluation of the transportation system be required through a Conditional Use review, using the following criterion:

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

Consistent with how Conditional Use reviews are processed for Retail Sales And Service uses in the EG zones, Portland Transportation recommends that proposals which include up to 60,000 square feet of medical/dental Office or Institutional uses be processed as a Type II Conditional use review, with proposals including more than 60,000 square feet

of medical/dental Office or Institutional uses being processed as a Type III Conditional Use review. Minor changes to medical/dental Office or Institutional uses approved as a Conditional Use under this requirement would be allowed without further Conditional Use review per Zoning Code Section 33.815.040.B.1 (Proposals that alter the development of an existing conditional use.)

A primary goal of the Conditional Use review will be to keep daily trips in the same range as what the existing zone (IH) could generate (1,880 daily trips). This Conditional Use review will not be required if the Triangle Park site is incorporated into the master plan boundary of the University of Portland. In that situation, the adequacy of transportation services associated with proposed Institutional uses will be assessed as part of the required Conditional Use Master Plan review.

Policy 6.12 Regional and City Travel Patterns

Support the use of the street system consistent with its state, regional and city classifications and its classification descriptions.

Findings: The site has access to arterial streets in all directions. Both N. Portsmouth Avenue and N. Willamette Boulevard are Neighborhood Collectors. North Lombard Street is a District Collector and is accessed via N. Portsmouth Avenue. In addition, a number of local service streets in the area provide access to these identified arterials. This policy is met.

Policy 6.13 Traffic Calming

Manage traffic on Neighborhood Collectors and Local Service Streets consistent with the land uses they serve and to preserve and enhance neighborhood livability.

Findings: As noted in the discussion of the policies related to Classification Descriptions (6.4-6.11), by limiting the square footage of Office and Retail Sales And Service uses, the requested amendment is not expected to increase traffic impacts on local service streets over what is allowed under the existing industrial designation. This policy is met.

Policy 6.16 Access Management

Promote an efficient and safe street system, and provide adequate accessibility to planned land uses.

Findings: There is primarily one access point to the Triangle Park site. The roadway will need to be improved at time of building permit review in order to provide reasonable accessibility. Access to arterials is noted above in the discussion of Policy 6.12. This policy is met.

Policy 6.18 Adequacy of Transportation Facilities

Ensure that amendments to the Comprehensive Plan (including goal exceptions and map amendments), zone changes, conditional uses, master plans, impact mitigation plans, and land use regulations that change allowed land uses are consistent with the identified

function and capacity of, and adopted performance measures for, affected transportation facilities.

Findings: The site is accessed from the western end of N. Van Houten Avenue via N. Van Houten Place/Court, a public street. North Van Houten Place/Court will need to be improved with curbs and sidewalks at time of building permit. A memo discussing traffic impacts was prepared by Kittelson & Associates, Inc. (Exhibits A2 and A3). Acceptable level-of-service (LOS) for intersections that are under City of Portland authority is LOS "D" or better. The primary intersection through which trips from this site would travel is N. Portsmouth Avenue and N. Willamette Boulevard. This intersection is expected to operate at LOS "D" or better with the limitations proposed in discussion under Policies 6.4 - 6.11. No mitigation would be necessary with the proposed limitations.

A review of other uses allowed in the EG2 zone include Medical/Dental Office uses and Institutional uses, such as Colleges. The number of vehicle trips generated by a Medical/Dental Office uses is significantly higher (more than two times) than the number of vehicle trips generated by a General Office use. Institutional uses also have the potential to generate more trips than a General Office use and have other impacts associated with them. Neither of these scenarios were evaluated in the Transportation Impact Study. As such, Portland Transportation recommends that prior to approval of any of these uses on this site, an evaluation of the transportation system be required.

This policy is met with the condition of approval identified above that limits the square footage of Retail Sales And Service and Office uses, and requires future transportation system evaluation for Medical/Dental Office uses and Institutional uses.

Policy 6.19 Transit-Oriented Development

Reinforce the link between transit and land use by encouraging transit-oriented development and supporting increased residential and employment densities along transit streets, at existing and planned light rail transit stations, and at other major activity centers.

Findings: Tri-Met Route Number 1 serves the site via N. Van Houten Avenue to N. Strong Street and to N. Portsmouth Avenue. Tri-Met Route Number 40 serves the site on N. Willamette Boulevard. This policy is met.

Policy 6.20 Connectivity

Support development of an interconnected, multimodal transportation system to serve mixed-use areas, residential neighborhoods, and other activity centers.

Findings: Due to steep topography adjacent to this site, only one public street connection is physically feasible. This policy is met.

Policy 6.22 Pedestrian Transportation

Plan and complete a pedestrian network that increases the opportunities for walking to shopping and services, schools and parks, employment, and transit.

Policy 6.23 Bicycle Transportation

Make the bicycle an integral part of daily life in Portland, particularly for trips of less than five miles, by implementing a bikeway network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer.

Findings: The streets approaching this site are currently unimproved. Improvements to N. Van Houten Place/Court, including sidewalks, will be required at time of building permit review. This policy is met.

Policy 6.25 Parking Management

Manage the parking supply to achieve transportation policy objectives for neighborhood and business district vitality, auto trip reduction, and improved air quality.

6.26 On-Street Parking Management

Manage the supply, operations, and demand for parking and loading in the public right-of-way to encourage economic vitality, safety for all modes, and livability of residential neighborhoods.

6.27 Off-Street Parking

Regulate off-street parking to promote good urban form and the vitality of commercial and employment areas.

Findings: Due to the steep topography adjacent to the site, the amount of parking for uses on the site will likely be adequate to accommodate the proposed uses on the site. There are not expected to be negative parking impacts from the proposed Comprehensive Plan and Zoning Map Amendment. This policy is met.

Policy 6.28 Travel Management

Reduce congestion, improve air quality, and mitigate the impact of development-generated traffic by supporting transportation choices through demand management programs and measures, and through education and public information strategies.

Findings: Depending on the proposed uses on the site, Transportation Demand Management measures may be required due to required provisions of the ECO Rule for employers with more than 50 employees. There are nearby transit facilities that will contribute to some success in the travel management area. This policy is met.

Policy 6.30 Truck Movement

Provide a complete, safe, and reliable system of Major and Minor Truck Streets for local truck movement, connecting Freight Districts, intermodal facilities, and commercial areas.

Findings: The existing IH zoning allows uses that are truck intensive. Due to the location of the site, high truck usage has negative impacts on the livability of the adjacent residential neighborhood. In addition, N. Willamette Boulevard is weight-restricted to most trucks due to roadway stability. The proposed EG2 zoning will typically have uses that generate a less intensive truck usage. This provides fewer livability impacts on the neighborhood streets, which is more supportive of Policies 6.4 - 6.11. Due to the restriction on N. Willamette Boulevard and the impacts on neighborhood livability, a zone that has fewer truck trips is also preferred. This policy is met.

Goal 8 Environment

Maintain and improve the quality of Portland's air, water and land resources and protect neighborhoods and business centers from detrimental noise pollution.

Findings: As addressed below in the relevant policies under this goal, the requested amendment will be equally or more supportive of Goal 8 than the existing designation.

Policy 8.4 Ride Sharing, Bicycling, Walking, and Transit

Promote the use of alternative modes of transportation such as ridesharing, bicycling, walking, and transit throughout the metropolitan area.

Findings: The proposed Mixed Employment designation will accommodate a wider range of uses than would otherwise be allowed outright if the subject site retained its existing Comprehensive Plan map designation. This greater diversity of allowed uses has the potential to increase employment opportunities. Given the site's proximity to residential neighborhoods and to N. Willamette Boulevard and N. Portsmouth Avenue, two designated transit streets (with bus service), these employment opportunities can be accessed by alternative modes of transportation including bicycling, walking and public transit.

8.11 Special Areas

Recognize unique land qualities and adopt specific planning objectives for special areas.

H. Willamette River Greenway

Protect and preserve the natural and economic qualities of lands along the Willamette River through implementation of the city's Willamette River Greenway Plan.

Findings: The proposed designation has the potential to encourage the redevelopment of this vacant, contaminated site by permitting a wider array of uses. Addressing the environmental contamination on the site, and regulating subsequent development through the Greenway overlay regulations will be directly supportive of this policy.

Goal 9 Citizen Involvement

Improve the method for citizen involvement in the on-going land use decision-making process and provide opportunities for citizen participation in the implementation, review and amendment of the adopted Comprehensive Plan.

Policy 9.1 Citizen Involvement Coordination

Encourage citizen involvement in land use planning projects by actively coordinating the planning process with relevant community organizations, through the reasonable availability of planning reports to city residents and businesses, and notice of official public hearings to neighborhood associations, business groups, affected individuals and the general public.

Policy 9.3 Comprehensive Plan Amendment

Allow for the review and amendment of the adopted Comprehensive Plan which insures citizen involvement opportunities for the city's residents, businesses and organizations.

Findings: As noted above, the City and the applicant have complied with the mandated neighborhood notification requirements identified in the Portland Zoning Code. This includes posting the site with a description of the proposal at least 30 days prior to the hearing; mailing affected property-owners, neighborhood associations, district coalition offices, and business associations a written description of the proposal and notifying them of the opportunity to comment on the proposal, and holding public hearings before the Hearings Officer and City Council. As such, Goal 9 will be equally met.

Goal 10 Plan Review and Administration

Portland's Comprehensive Plan will undergo periodic review to assure that it remains an up-to-date and workable framework for land use development. The Plan will be implemented in accordance with State law and the Goals, Policies and Comprehensive Plan Map contained in the adopted Comprehensive Plan.

Findings: As indicated below in response to the applicable policies, the proposal will be equally or more supportive of this goal as is the existing designation.

Policy 10.5 Corresponding Zones and Less Intense Zones

Corresponding zones are zones which best implement a Comprehensive Plan Map designation. Base zones must either be the zone corresponding to the designation, or be a zone less intense than the corresponding zone. When the Comprehensive Plan Map is amended legislatively and the underlying base zones are more intensive than allowed by the amended Plan Map, the zones are automatically changed to corresponding zones. When the Comprehensive Plan Map is amended through a quasi-judicial review and the underlying base zone is more intensive than allowed by the amended Plan Map, the zone must be changed to a corresponding zone as part of the review. In either situation, when the underlying base zone is less intensive than the corresponding zone, the underlying zone may remain. Base zones that are corresponding, less intense, and more intense for each designation are shown in Table 10.4-1.

Findings: The applicant is requesting a Comprehensive Plan Map amendment from the Industrial Sanctuary designation to the Mixed Employment designation. The Mixed Employment designation has two corresponding zones – General Employment 1 (EG1) and General Employment 2 (EG2). As discussed in more detail in response to the Zoning Map Amendment approval criteria, below, the applicant is requesting an EG2 designation for the site. Because the EG2 zone corresponds to the Mixed Employment designation, this policy is met.

Policy 10.7 Amendments to the Comprehensive Plan Map

Quasi-judicial amendments to the Comprehensive Plan Map will be reviewed by the Hearings Officer prior to City Council action, using procedures stated in the zoning code. For quasi-judicial amendments, the burden of proof for the amendment is on the applicant. The applicant must show that the requested change is: (1) Consistent and supportive of the appropriate Comprehensive Plan Goals and Policies, (2) Compatible with the land use pattern established by the Comprehensive Plan Map, (3) Consistent with the Statewide Land Use Planning Goals, and (4) Consistent with any adopted applicable area plans adopted as part of the Comprehensive Plan.

Findings:

- 1) *Consistent and supportive of the appropriate Comprehensive Plan Goals and Policies.*

The approval criteria contained in Zoning Code Section 33.810.050.A require the applicant to demonstrate the requested amendment is equally or more supportive of applicable goals and policies of the Comprehensive Plan than the existing designation. As detailed in the findings included herein, the applicant has demonstrated, with conditions of approval, that this criterion is met.

- 2) *Compatible with the land use pattern established by the Comprehensive Plan Map.*

The requested Mixed Employment designation is compatible with the land use pattern established by the Comprehensive Plan Map as it allow uses that are more compatible with the surrounding residential and institutional uses. Additionally, the amendment will not undermine the policy of preserving Industrial Sanctuaries given the site is not suitable for industrial development and is isolated from other properties in industrial use.

- 3) *Consistent with the Statewide Land Use Planning Goals.*

The requested Comprehensive Plan Map amendment is consistent with the applicable Statewide Land Use Planning Goals, since the State Land Conservation and Development Commission (LCDC) has acknowledged the City's *Comprehensive Plan*, and the City goals mentioned in "LCDC and Comprehensive Plan Considerations" are comparable to the statewide planning goals, as follows: City Goal 1 is the equivalent of State Goal 2 (Land Use Planning); City Goal 2 addresses

the issues of State Goal 14 (Urbanization); and City Goal 3 deals with local issues of the neighborhoods. Additionally, the following City and State goals are similar: City Goal 4 - State Goal 10 (Housing); City Goal 5 - State Goal 9 (Economic Development); City Goal 6 - State Goal 12 (Transportation); City Goal 7 - State Goal 13 (Energy Conservation); City Goal 8 - State Goals 5, 6, and 7 (Environmental Impacts); and City Goal 9 - State Goal 1 (Citizen Involvement). Further, City Goal 10 addresses City plan amendments and rezoning, and City Goal 11 is similar to State Goal 11 (Public Facilities and Services).

- 4) *Consistent with any adopted applicable area plans adopted as part of the Comprehensive Plan.*

The site is not located within the boundaries of an area plan adopted as part of the Comprehensive Plan.

Policy 10.8 Zone Changes

Base zone changes within a Comprehensive Plan Map designation must be to the corresponding zone stated in the designation. When a designation has more than one corresponding zone, the most appropriate zone will be applied based on the purpose of the zone and the zoning and general land uses of surrounding lands. Zone changes must be granted when it is found that public services are presently capable of supporting the uses allowed by the zone, or can be made capable prior to issuing a certificate of occupancy. The adequacy of services is based on the proposed use and development. If a specific use and development proposal is not submitted, services must be able to support the range of uses and development allowed by the zone. For the purposes of this requirement, services include water supply, sanitary sewage disposal, stormwater disposal, transportation capabilities, and police and fire protection.

Findings: As discussed in Part B of this recommendation, which includes findings for the requested Zoning Map amendment, the applicant has demonstrated that the requested EG2 Zoning Map designation corresponds to the proposed Mixed Employment Comprehensive Plan Map designation, and that with conditions of approval public services are capable of supporting uses allowed in the EG2 zone. As such, the proposal is supportive of this policy.

Goal 11 Public Facilities

(11 A) Provide a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities.

Policy 11.2 Orderly Land Development

Urban development should occur only where urban public facilities and services exist or can be reasonably made available.

Findings: The proposed Comprehensive Plan Map amendment has been reviewed by the City service bureaus, and with the exception of Portland Transportation and Bureau of Environmental Services, these bureaus have expressed no concerns with the

amendment request (Exhibits E1-E8). City service bureau responses are detailed later in this recommendation in response to the Zoning Map Amendment criteria.

Briefly, for the two service bureaus that recommended conditions of approval:

- 1) To minimize impacts on existing transportation infrastructure, Portland Transportation has proposed a condition of approval that limits the intensity of allowed uses under the proposed zone that generate the largest amount of vehicle trips (Retail Sales And Service and Office uses) (Exhibit E8). To further minimize potential impacts on the transportation system, Portland Transportation has proposed an additional condition that Institutional uses and medical/dental offices, which typically are allowed outright under the proposed designation, must first receive Conditional Use approval to assess potential impacts on the transportation system. With the conditions of approval, Portland Transportation finds that the transportation system is capable of accommodating the proposal.
- 2) No development is proposed as part of the current Comprehensive Plan Map Amendment request. However, once development is proposed, the Bureau of Environmental Services will require additional information to determine adequacy of service for specific development plans. As such, the Bureau of Environmental Services recommends a condition of approval that a route of service be provided for proposed sanitary service, including any required private or public easements, and for proposed route of stormwater treatment and disposal as part of any future Conditional Use land use review submittal on the site. (Given the conditions of approval recommended by Portland Transportation, all Institutional development, as well as medical/dental office use will require conditional use review.)

Goal 12 Urban Design

Enhance Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a sustainable legacy of quality private developments and public improvements for future generations.

Findings: The requested Mixed Employment designation (and corresponding EG2 zone) better meets this policy than the existing Industrial Sanctuary (and corresponding IH) designation. The IH zone is described in Zoning Code Section 33.140.030.D as a zone that provides areas where uses may locate that may not be desirable in other zones due to their objectionable impacts or appearances. Development standards are described as the “minimum necessary” to ensure functional, efficient, and safe development. As such, the IH zone has no limit on the maximum amount of floor area that may be developed, nor any height limit. There are no minimum setbacks from street lot lines, with no minimum site landscaping requirements (aside from screening for parking, and exterior storage, display and work areas). Standards for pedestrian systems that facilitate movement to and through the site, including connections between main entrances and the street, are not required for development in the IH zone.

By comparison, the General Employment zones are described in Zoning Code section 33.140.030.A as allowing a wide range of services and employment opportunities, with development standards intended to promote a viable, attractive industrial/commercial area. These development standards limit the bulk of buildings by establishing a maximum floor area ratio, with required landscaped building setbacks. Minimum overall site landscape standards apply in the EG zones, with required pedestrian standards. Together, the additional standards required in the proposed designation result in a more attractive development that better fits into a neighborhood that includes single-dwelling residential and institutional uses.

Summary

Based on these findings, the requested Comprehensive Plan Map amendment to Mixed Employment is on balance equally or more supportive of the applicable *Comprehensive Plan* goals and policies as is the existing Industrial Sanctuary designation. This criterion is met.

2. When the requested amendment is:

- From a residential Comprehensive Plan Map designation to a commercial, employment, industrial, or institutional campus Comprehensive Plan Map designation; or
- From the urban commercial Comprehensive Plan Map designation with CM zoning to another commercial, employment, industrial, or institutional campus Comprehensive Plan Map designation;

the requested change will not result in a net loss of potential housing units. The number of potential housing units lost may not be greater than the potential housing units gained.

Findings: Because the existing Comprehensive Plan Map designation is neither residential nor Urban Commercial with a CM zone, this criterion is not applicable.

3. When the request is for a site within the Guild's Lake Industrial Sanctuary plan district and involves a change from the Industrial Sanctuary designation to any other designation, in order to prevent the displacement of industrial uses and preserve land primarily for industrial uses, the following criteria must also be met:

- a. **The uses allowed by the proposed designation will not have significant adverse effects on industrial uses in the plan district or compromise the district's overall industrial character;**
- b. **The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing uses in the plan district. Evaluation factors include street capacity and level of service, truck circulation, access to arterials, transit availability, on-street parking impacts, site access requirements, neighborhood impacts, and pedestrian and bicycle circulation and safety;**

- c. **The uses allowed by the proposed designation will not significantly interfere with industrial use of the transportation system in the plan district, including truck, rail, and marine facilities; and**
- d. **The proposed designation will preserve the physical continuity of the area designated as Industrial Sanctuary within the plan district and not result in a discontinuous zoning pattern.**

Findings: Because the site is not within the Guild's Lake Industrial Sanctuary plan district, this criterion is not applicable.

PART B BASE ZONE MAP AMENDMENT

33.855.050 Approval Criteria for Base Zone Changes

An amendment to the base zone designation on the Official Zoning Maps will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

- A. Compliance with the Comprehensive Plan Map.** The zone change is to a corresponding zone of the Comprehensive Plan Map.
 - 1. When the Comprehensive Plan Map designation has more than one corresponding zone, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.**

Findings: The applicant proposes a Comprehensive Plan Map designation of Mixed Employment, which has two corresponding zones: General Employment 1 (EG1) and General Employment 2 (EG2). The EG1 and EG2 zones are described in Zoning Code Section 33.140.030.A1 and A2, respectively, as follows:

EG1 areas generally have smaller lots and a grid block pattern. The area is mostly developed, with sites having high building coverages and buildings which are usually close to the street. EG1 zoned lands will tend to be on strips or small areas.

EG2 areas have larger lots and an irregular or large block pattern. The area is less developed, with sites having medium and low building coverages and buildings which are usually set back from the street. EG2 zoned lands will generally be on larger areas than those zoned EG1.

The subject site is large, and located in an area (below the bluffs) that is distinguished by an irregular, large block pattern. These characteristics are consistent with the description of the EG2 zone, and therefore the requested EG2 zone is most appropriate for this site

Although both the EG1 and EG2 zones permit a wide range of uses that may be consistent with the zoning pattern of surrounding land (including industrial, institutional, commercial, and residential as a conditional use), the EG2 zone is most consistent with the zoning pattern

in the immediate area. By encouraging a less urban, street-oriented development pattern than the EG1 zone, the requested EG2 zone provides better protection for the surrounding residential uses should industrial development occur on the site. Also, the EG2 zone remains closest to the industrial zoning of other sites on the Portland Harbor.

Based on these findings, the EG2 zone is the most appropriate of the two corresponding zones of the Urban Commercial designation, and this criterion is met.

- 2. Where R zoned lands have a C, E, or I designation with a Buffer overlay, the zone change will only be approved if it is for the expansion of a use from abutting nonresidential land. Zone changes for new uses that are not expansions are prohibited.**

Findings: As the subject site is not mapped with a residential zone, this criterion is not applicable.

- 3. When the zone change request is from a higher-density residential zone to a lower-density residential zone, or from the CM zone to the CS zone, then the approval criterion in 33.810.050 A.2 must be met.**

Findings: The proposal does not involve a request from a higher density residential zone to a lower density residential zone, or from a CM zone to a CS zone. As such, this criterion is not applicable.

B. Adequate public services. Public services for water supply, transportation system facilities and capacity, and police and fire protection are capable of supporting the uses allowed by the zone or will be capable by the time development is complete, and proposed sanitary waste disposal and stormwater disposal systems are or will be made acceptable to the Bureau of Environmental Services.

- 1. Adequacy of services applies only to the specific zone change site.**
- 2. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands. Service demands may be determined based on a specific use or development proposal, if submitted. If a specific proposal is not submitted, determination is based on City service bureau demand projections for that zone or area which are then applied to the size of the site. Adequacy of services is determined by the service bureaus, who apply the demand numbers to the actual and proposed services to the site and surrounding area.**

Findings: As indicated below, the Bureaus of Police, Fire, Environmental Services, Water, and BDS Site Development have responded that adequate existing services are available for the anticipated level of use(s) that may occur under the proposed zoning designation, with no conditions of approval required. The Bureau of Environmental Services and Portland Transportation have responded that with conditions of approval this approval criterion can be met.

Police Bureau (Exhibit E1)

The Police Bureau responded they are capable of serving the proposal, and express no objections or concerns at this time.

Fire Bureau/Fire Prevention Division (Exhibit E2)

The Fire Bureau reviewed the proposal and has no objections or conditions of approval associated with the requested land use review.

Bureau of Water Works (Exhibit E4)

The Bureau of Water Works has reviewed the proposal and has no objections or conditions of approval associated with the requested land use review.

Bureau of Environmental Services (Exhibit E6)

BES provided a written response that for the most part addresses requirements – for sanitary services and stormwater management - that must be met at time of building permit review. As for sanitary services, BES notes that there is no public sanitary sewer currently available to service this property. There is a public combination sewer manhole (BES Node #AAJ674) located above the property at the intersection of N. McKenna and N. Warren that feeds into an existing 15” public combination sewer. Constructing a pump system to transport sewage into this system may be an option. BES’ Modeling group conducted a preliminary capacity analysis of the public sewer basin. During a 25-year storm event, existing conditions show the pipe to be currently at capacity—without taking into consideration flow from future development of the proposed site. (Installation of flow monitoring equipment within the public sewer system is recommended to calibrate BES’ model for a more precise analysis.)

Based upon the tentative future University development of this site and a sanitary sewer flow rate of 0.20 cfs as prepared by Chuck Gregory of W&H Pacific on behalf of the University, BES can approve discharge of the sanitary flow to the public sewer system. No storm discharge to this sewer system will be allowed. The pump station for this sanitary discharge will need to be designed to not create an odor problem, and will need to be reviewed by BES prior to approval. Any change to the proposal submitted under this land use review will require re-evaluation of the public sewer capacity and approval of the sanitary discharge.

Future connection into the existing public sewer system will be required to be constructed to serve the site at the applicant’s or owner’s expense. A portion of the sanitary sewer required to serve this site may be required to be constructed as a public sewer extension. Connection to the public sanitary sewer in the public right-of-way must follow BES’ “Rules of Connection” and meet the standards of the City of Portland’s Sewer Design Manual.

Regarding stormwater management, BES notes that there is an existing 30” concrete public storm sewer running along the north property line that discharges into the Willamette River via a public stormwater outfall. However, due to the site characteristics and chance for pollutants in stormwater runoff, this public stormwater system is not available to serve the drainage needs of the Triangle Park site. If private outfalls are to be constructed to serve the drainage needs of the

site, appropriate permits will be required to be obtained from the relevant State and Federal agencies

BES also notes that the area adjacent to the public stormwater outfall at the northwestern area of the site is an area of potential concern (AOPC) according to the EPA. Soil concentrations of pollutants (primarily metals) are above EPA's screening levels. Future development of the site must not re-contaminate the area.

BDS Site Development has recommended against on-site infiltration for this project. The applicant will need to address route of service for stormwater disposal following the Stormwater Management Manual disposal hierarchy. Conformance with the Stormwater Management Manual will be reviewed at time of building permit review.

BES notes that the site is located adjacent to the Willamette River, in the Fiske subwatershed of the Willamette watershed, with the Willamette River having an established Total Maximum Daily Loads (TMDLs) for the following pollutants: bacteria, temperature, PCBs, dioxin, polycyclic aromatic hydrocarbons (PAHs), and trace metals. As stated in the Stormwater Management Manual, applicants must use pollution reduction facilities that are capable of reducing these pollutants, as approved by BES. Again, conformance with these requirements will be determined at time of building permit review.

As for recommendations that should be applied as a condition of approval associated with the current land use review (as opposed to requirements that must be met at time of building permit application), BES recommends a condition that as part of future Conditional Use reviews submitted for development on the site, a Route of Service for proposed sanitary sewer, including any private or public easements, shall be required. This condition should also apply to the proposed route of stormwater treatment and disposal.

With the recommended condition of approval, BES finds that the criterion for sanitary and stormwater services is met.

Bureau of Development Services/Site Development Section (Exhibit E7)

Site Development provided written comments that were limited to requirements reviewed at time of building permit review (or potentially at time of future land use reviews that propose development on the site.) These comments include a recommendation against stormwater infiltration on the site. With pre-treatment and detention, as applicable, stormwater may be discharged to the Willamette River with DEQ approval. Site Development also notes that because significant portions of the site are under the 100-year flood elevation, development will be subject to the applicable provisions of Chapter 24.50 (Flood hazards).

Site Development identifies no conditions of approval that are required for the requested Zoning Map amendment.

Portland Transportation/Development Review (Exhibit E8)

Portland Transportation notes that the site fronts on two public streets: N. Portsmouth Avenue and N. Van Houten Place/Court. North Portsmouth Avenue is currently improved with curbs and sidewalks; N. Van Houten Place/Court will be required to have street

improvements at time of building permit for development on the site.

Acceptable level-of-service (LOS) for intersections that are under City of Portland authority is LOS "D" or better. The primary intersection through which trips from this site would travel is N. Portsmouth Avenue and N. Willamette Boulevard. The applicant submitted a memo, prepared by Kittelson & Associates, Inc., which considers traffic and parking impacts associated with the proposal (Exhibits A2 and A3). This analysis indicates the intersection is expected to operate at LOS "D" or better, with the Retail Sales And Service and Office use limitations identified in response to Comprehensive Plan Policies 6.4 - 6.11, above.

The EG2 zone will also allow medical/dental Office use, and Institutional uses. The number of vehicle trips generated by a medical/dental Office use is significantly higher (more than two times) than the number of vehicle trips generated by general Office uses. Institutional uses also have the potential to generate more trips than general Office uses, and have other impacts associated with them. Neither the medical/dental Office nor Institutional use scenario was evaluated in the applicant's Transportation Impact Study. As such, Portland Transportation recommends a condition of approval that an evaluation of the transportation system be required through a Conditional Use review process prior to development of these uses on this site.

Portland Transportation finds that this approval criteria is met (with regards to the transportation system) with a condition that limits the square footage of Office and Retail uses, as identified above in response to Comprehensive Plan Policies 6.4 – 6.11, and a condition for future transportation system evaluation for medical/dental Office uses and Institutional uses.

Summary

Based on the responses from the service bureaus, and with the identified conditions of approval, this criterion is met.

- C. When the requested zone is IR, Institutional Residential.** In addition to the criteria listed in subsections A. and B. of this Section, a site being rezoned to IR, Institutional Residential must be under the control of an institution that is a participant in an approved impact mitigation plan or conditional use master plan that includes the site. A site will be considered under an institution's control when it is owned by the institution or when the institution holds a lease for use of the site that covers the next 20 years or more.

Findings: As the proposal does not involve mapping an IR zone, this criterion is not applicable.

PART C OTHER ZONING MAP AMENDMENTS

33.855.060 Approval Criteria for Other Changes

In addition to the base zones and Comprehensive Plan designations, the Official Zoning Maps also show overlay zones, plan districts, and other items such as special setback lines, recreational trails, scenic viewpoints, and historic resources. Amendments to all of these except historic resources and

the creation of plan districts are reviewed against the approval criteria stated in this section. Historic resources are reviewed as stated in Chapter 33.846, Historic Reviews. The creation of a new plan district is subject to the approval criteria stated in 33.500.050. An amendment will be approved (either quasi-judicial or legislative) if the review body finds that all of the following approval criteria are met:

- A. Where a designation is proposed to be added, the designation must be shown to be needed to address a specific situation. When a designation is proposed to be removed, it must be shown that the reason for applying the designation no longer exists or has been addressed through other means; and**

- B. The addition or removal is consistent with the purpose and adoption criteria of the regulation and any applicable goals and policies of the Comprehensive Plan and any area plans; and**

Findings: The applicant is requesting a Zoning Map amendment to change the existing River Industrial (“i”) Greenway overlay designation on a portion of the Triangle Park site to the River General (“g”) Greenway overlay (see Exhibits B1 and B2).

The River Industrial overlay zone encourages the development of river-related industrial uses that “strengthen the economic viability of Portland as a marine shipping and industrial harbor.” To achieve that goal, the River Industrial overlay zoning requires Greenway review for uses of riverfront property (landward of the greenway setback) that are not “river-dependent or river-related” (Zoning Code Section 33.440.100). As part of the Greenway review, applicants must demonstrate that the site is unsuitable for river-dependent or river-related use.

The existing “i” overlay is no longer appropriate on this property given unique constraints that make it unlikely to be redeveloped for industrial uses. The constraints facing industrial development on the site are detailed in response to Comprehensive Goal 2.14, above, and in the Bureau of Planning’s recommendation on this land use review (Exhibit E9). These constraints are factors leading to the Bureau of Planning’s conclusion that exceptional site circumstances merit removing the property from the industrial sanctuary. Changing the base zone from IH to EG2 will allow a broader range of uses that eliminates the reason for the River Industrial designation.

The Bureau of Planning’s conclusion on the industrial suitability of the site is mirrored in the City’s *River Concept* report, endorsed by City Council on April 26, 2006. The *River Concept* will guide the City’s development of the *River Plan*, a focused planning project for land along the Willamette River. The *River Concept* acknowledges the “economic and access constraints for industrial land uses” on the Triangle Park site, and advocates that this property (and other vacant, contaminated riverfront land in the area) “be transformed into recreational and environmental learning opportunities for the University of Portland and the Portland community.” Given this policy direction, it is appropriate to remove the “i” Greenway overlay zone.

Because the Triangle Park site is located within the Willamette Greenway Plan boundary, the “i” overlay must be replaced with an alternative Greenway overlay zone. The River General (“g”) overlay zone is an appropriate replacement as it envisions a broader range of uses than the “i” overlay, and allows for public use as well as enhancement of the river’s natural qualities. This is directly supportive of the visions for the Triangle Park site as identified in the *River Concept*.

Given these considerations, Approval Criteria A and B are met.

- C. In the Marquam Hill plan district, relocation of a scenic viewpoint must be shown to result in a net benefit to the public, taking into consideration such factors as public access, the quality of the view, the breadth of the view, and the public amenities that are or will be available.**

Findings: As the subject site is not in the Marquam Hill plan district, 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 prior to the approval of a building or zoning permit.

III. CONCLUSIONS

The applicant is seeking a Comprehensive Plan Map amendment from Industrial Sanctuary to Mixed Employment, and a Zoning Map amendment from IH (Heavy Industrial) to EG2 (General Employment 2). The applicant also seeks to replace the River Industrial Greenway overlay with the River General Greenway overlay on a portion of the site.

Bureau of Development Services staff, in coordination with City service bureaus, reviewed the Comprehensive Plan Map request against the goals and policies of the Comprehensive Plan, and on balance found the requested designation to be equally or more supportive of the Plan than the existing designation with several conditions of approval. The Hearings Officer concurred with the BDS staff discussion. The recommended conditions of approval are intended to ensure compliance with Title 4 of the Urban Growth Management Functional Plan, address potential transportation impacts, consider impacts of residential development on area industrial uses, and ensure that sanitary and stormwater service needs are met.

With regards to the requested Zoning Map amendment, BDS finds the EG2 zone the most appropriate of the two corresponding zones under the Mixed Employment Comprehensive Plan Map designation, given the site characteristics and surrounding conditions. With the condition of approvals recommended by Portland Transportation and Bureau of Environmental Services, adequate services are available to serve uses allowed under the proposed zone. The applicant has demonstrated that the reason for applying the River Industrial Greenway overlay zone no longer

exists, and that mapping the River General Greenway overlay zone is consistent with the purpose and adoption criteria of the regulation and area plans.

IV. RECOMMENDATION

Approval of a Comprehensive Plan Map Amendment from Industrial Sanctuary to Mixed Employment;

and

Approval of a Zoning Map Amendment from General Industrial 1 (IH) to General Employment 2 (EG2);

and

Approval of a Zoning Map Amendment to change the River Industrial (i) Greenway overlay zone to the River General (g) Greenway overlay zone on a portion of the site, as identified on Exhibit B2;

all for property legally described as SECTION 18 1N 1E ,TL 100, 33.43 ACRES; SECTION 18 1N 1E, TL 200, 0.89 ACRES; TL 8900, LOTS 1-9, BLOCK 36, PORTSMOUTH (herein after, the "Triangle Park site");

with approvals subject to the following conditions:

- A. Until Metro's Title 4 map is amended to remove the Triangle Park site from the Industrial Area, no single Retail Sales And Service, or Office use may exceed 5,000 square feet of floor area, with the total amount of Retail Sales And Service, and Office uses on the site not to exceed 20,000 square feet of floor area.
- B. In addition to conformance with other land use review approval criteria required by Title 33 (Portland Zoning Code), dormitory development proposed on the Triangle Park site must demonstrate at time of land use review how the proposal meets the following criteria:
 1. The proposal can be designed and developed so that housing is buffered from potential nuisance impacts from uses allowed by right in the zone; and
 2. The proposal includes a design, landscape, and transportation plan which will limit conflicts between residential, employment, and industrial uses.
- C. Retail Sales And Service, and Office uses on the Triangle Park site shall be limited to an equivalent trip cap of 1,880 daily trips, based on the Institute of Transportation Engineers Trip Generation Manual, 7th Edn. The applicant shall provide written verification at time of building permit review that all Retail Sales And Service, and Office uses on the site, both existing and proposed, do not exceed a maximum equivalent daily trip generation of 1,880 trips. Square footage equivalencies shall be applied as follows:

<u>Use Category</u>	<u>Square Footage</u>	<u>Trip Equivalent</u>
Retail Sales and Service	23 sq. ft.	1 trip
Office	91 sq. ft.	1 trip


In addition, Retail Sales And Service uses on the Triangle Park site shall be limited to a maximum of 20,000 square feet.

- D. 1. Unless exempted by Zoning Code Section 33.815.040.B, proposals that include up to 60,000 square feet of medical/dental Office or Institutional uses will be permitted on the Triangle Park site only if approved through a Type II Conditional Use review process; proposals that include more than 60,000 square feet of medical/dental Office or

Institutional uses will be permitted on the site only if approved through a Type III Conditional Use review process. The approval criterion that will apply to such proposals will be as follows:

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

2. The Conditional Use review required by Condition D.1 will not apply if the Triangle Park site is incorporated into the master plan boundary of the University of Portland.
- E. A Route of Service plan shall be provided for proposed sanitary service, including any required private or public easements, and for stormwater treatment and disposal as part of any future Conditional Use land use review submittal on the Triangle Park site. Any public or private easements required to establish the route of service will be subject to review and approval by the Bureau of Environmental Services.



Gregory J. Frank, Hearings Officer
9/28/06

Date

Determined Complete: July 20, 2006
Report to Hearings Officer: September 15, 2006
Recommendation Mailed: September 29, 2006

City Council Hearing. The City Code requires the City Council to hold a public hearing on this case and you will have the opportunity to testify. The hearing will be scheduled by the City Auditor upon receipt of the Hearings Officer's Recommendation. You will be notified of the time and date of the hearing before City Council. If you wish to speak at the Council hearing, you are encouraged to submit written materials upon which your testimony will be based, to the City Auditor.

If you have any questions contact the Bureau of Development Services representative listed in this Recommendation (823-7700).

Recording the final decision. If this Land Use Review is approved, the final decision must be recorded by the Multnomah County Recorder before the approved use is permitted, any building or zoning permits are issued, or any changes to the Comprehensive Plan Map or Zoning Map are made.

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

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

For further information on recording, please call the County Recorder at (503) 988-3034.

Expiration of this approval. This decision expires three years from the date it is recorded unless:

- A building permit has been issued, or
- The approved activity has begun, or
- In situations involving only the creation of lots, the land division has been recorded.

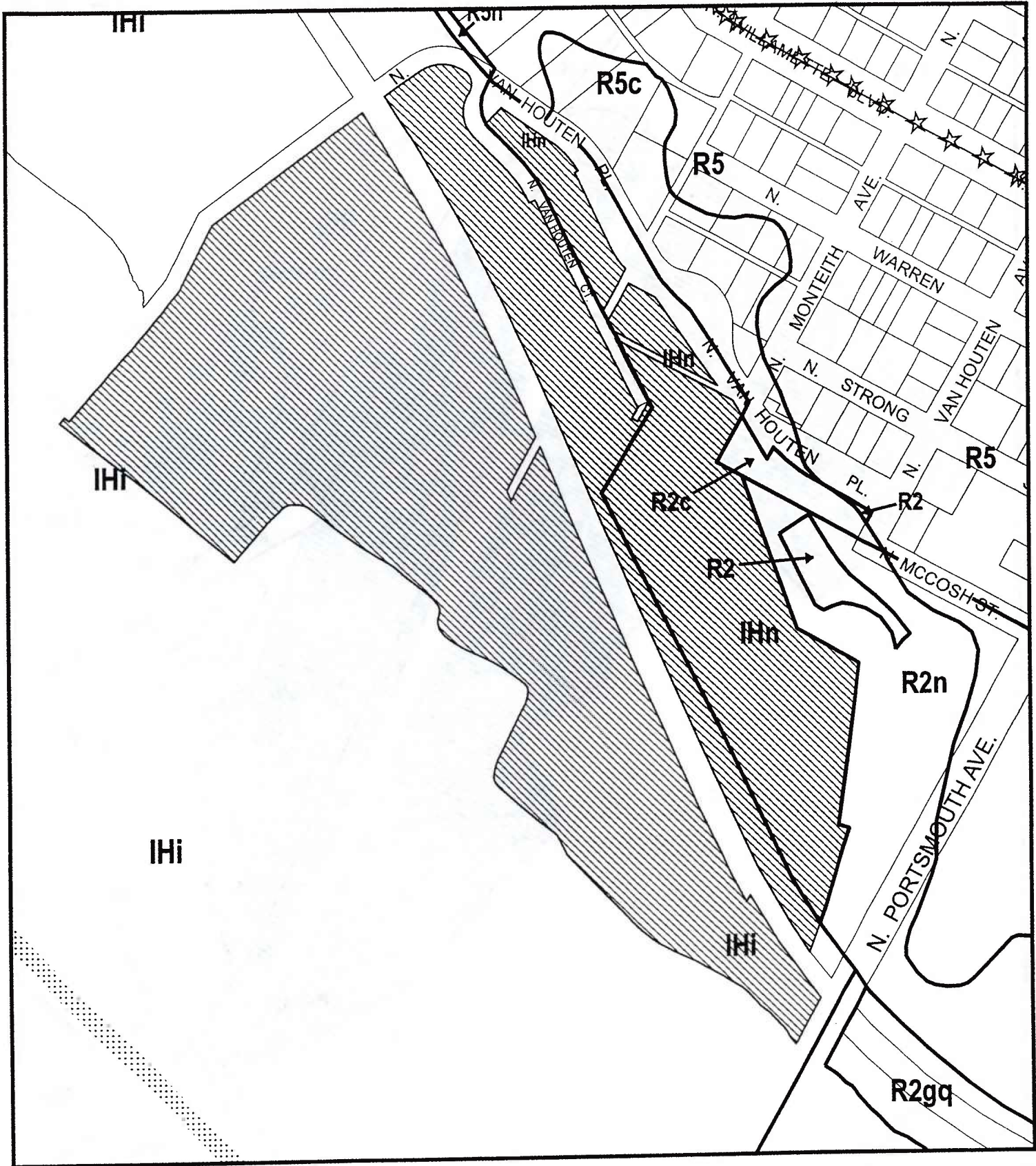
Applying for your permits. A building permit, occupancy permit, or development permit must be obtained before carrying out this project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed here.
- All applicable development standards, unless specifically exempted as part of this land use review.
- All requirements of the Building Code.
- 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/Submittal
 - 1. Written narrative for Comprehensive Plan Map/Zoning Map Amendment
 - 2. Memorandum from Kittelson & Associates regarding Triangle Park Comprehensive Plan Map/Zoning Map Amendment, dated March 14, 2006
 - 3. Memorandum from Kittelson & Associates, dated July 18, 2006
 - 4. Letter from Ball Janik responding to Incompleteness Letter, dated July 20, 2006
 - 5. E-mail from Megan Walseth (Ball Janik) regarding inventory of campus events, dated August 22, 2006
 - 6. BOP Memorandum on Industrial Land Conversion, dated February 21, 2006
 - 7. McCormick & Baxter Site Reuse Assessment: Final Report, dated June 2001
 - 8. McCormick and Baxter Site: Transportation System Existing Conditions Report, dated March 2000
 - 9. McCormick & Baxter Reuse Assessment Project: Background Report, dated May 2000
 - 10. Memorandum from Steve Kountz, Bureau of Planning, regarding industrial land conversion considerations, dated November 8, 2005
 - 11. Memorandum from Gil Kelley, Bureau of Planning, regarding industrial land conversion considerations, dated February 21, 2006
 - 12. River Concept, endorsed April 26, 2006
 - 13. Letter from Gil Kelley (Bureau of Planning) and Dean Marriott (Bureau of Environmental Services) regarding University of Portland acquisition of Triangle park property, dated January 12, 2006
- B. Zoning Maps
 - 1. Existing Zoning for Triangle Park Site (attached)
 - 2. Proposed Zoning for Triangle Park Site
- C. Plans & Drawings (none)
- D. Notification information
 - 1. Request for Response
 - 2. Posting Letter Sent to Applicant
 - 3. Notice to be Posted
 - 4. Applicant's Statement Certifying Posting, dated August 28, 2006
 - 5. Mailing List for Mailed Notice
 - 6. Mailed Notice
 - 7. DLCDC Notice of Proposed Amendment
- E. Agency Responses
 - 1. Police Bureau
 - 2. Fire Bureau/Fire Prevention Division
 - 3. Bureau of Development Services/Life Safety Plans Examiner
 - 4. Bureau of Water Works
 - 5. Portland Parks & Recreation/Urban Forestry Division
 - 6. Bureau of Environmental Services
 - 7. Bureau of Development Services/Site Development Review Section

8. Portland Transportation/Development Review
 9. Bureau of Planning
- F. Correspondence (none)
- G. Other
1. Original LUR Application
 2. Site History Research
 3. Title 4 Excerpt from Metro's Urban Growth Management Functional Plan
 4. Pre-Application Conference Summary Notes
 5. Letter of Incompleteness, dated June 27, 2006
- H. Received in the Hearings Office
1. Hearing Notice
 2. Staff Report
 3. Oylear Letter
 4. Updated Proposed Zoning Map (replaces B-2) (attached)

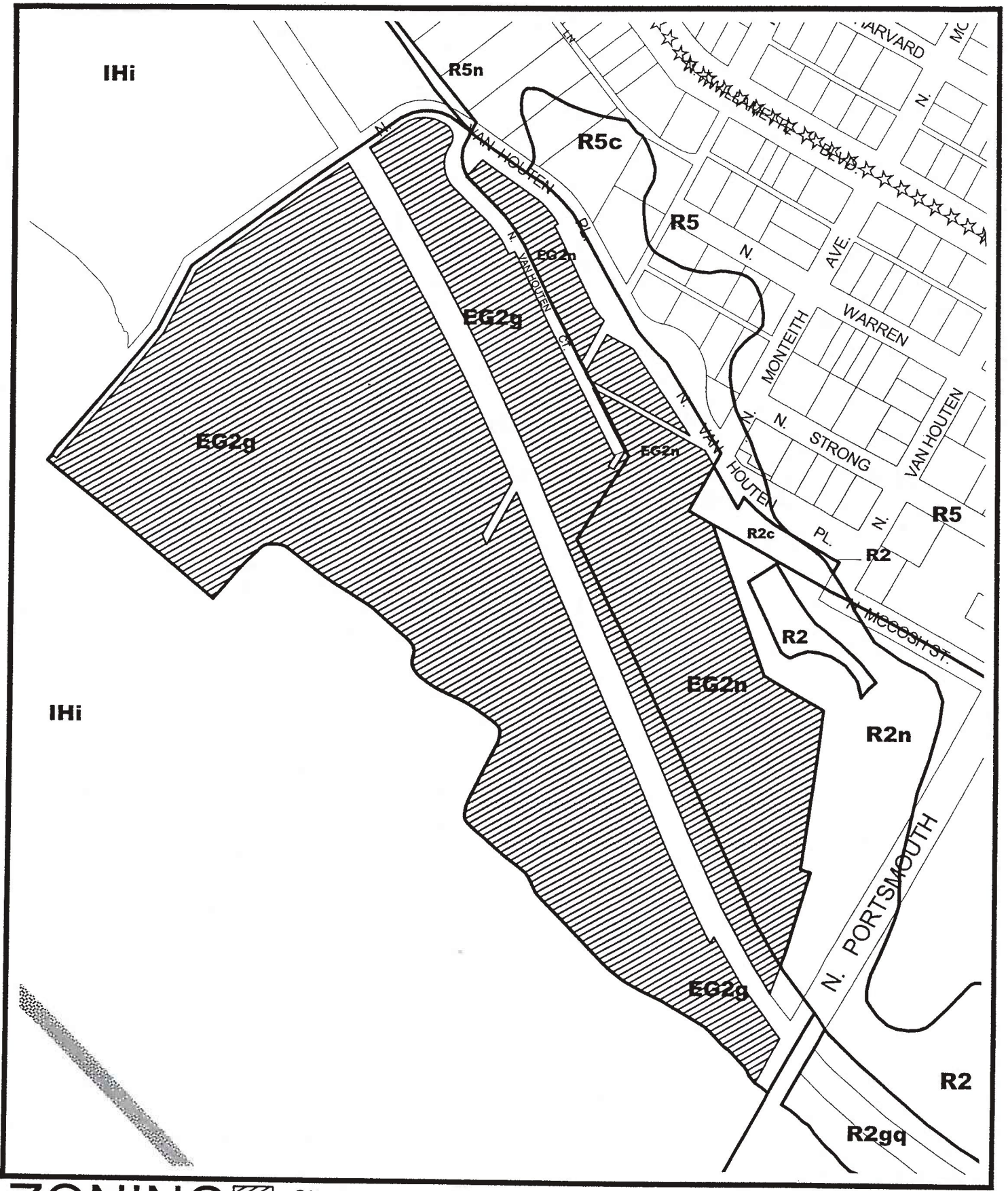


ZONING EXISTING

 Site



File No. LU 06-132925 CP,ZC
 1/4 Section 2223
 Scale 1 inch = 300 feet
 State_Id 1N1E18 100
 Exhibit B1 (Jul 25, 2006)



ZONING Site

PROPOSED



406052

PORTLAND
PLANNING OFFICE

H-4

06-132925

File No.	LU 06-132925 CP ZC
1/4 Section	2324, 2323, 2223
Scale	1 inch = 300 feet
State-Id	1N1E18 100+
Exhibit	B (Sep 25, 2006)