Chapter 9

Legal Findings
IX. FINDINGS IN SUPPORT OF MASTER PLAN – PCC 33.820.050

This chapter provides the legal findings for each of the uses and proposed conditions of approval in the previous chapters. The applicable approval criteria are found in PCC 33.815.105 and PCC 33.805.040 A-F.

Conditional Use Approval Criteria

33.815.105 Institutional and Other Uses in R Zones

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

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

1. The number, size, and location of other uses not in the Household Living category in the residential area; and

This approval criterion requires a review of the other, non-University, non-residential uses in the immediate area. There are very few other non-residential uses in the area. The surrounding residentially zoned land outside of the campus is almost entirely developed with single family residences. For the most part, these are single homes on 5,000 square foot lots. There are a few churches in the area, one located along Portsmouth a few blocks north of Willamette Blvd. Other than the church there are no other non-residential uses in the immediate vicinity. Along the river both east and west there are several industrial uses but these uses are located on industrially zoned lands, rather than residentially zoned lands. The neighborhood is more accurately characterized as predominantly single family homes with the University on the bluff, south of Willamette Blvd.

2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.

This review criterion requires an analysis of the intensity and scale of the University’s proposed use including uses that are residential and non-residential in character. The University’s existing master plan contains a floor area ratio (“FAR”) limit of .36:1 for the campus. The proposed master plan calls for maintaining this current FAR limit without any density expansion. The University can maintain this current limit into the future because it has been able to expand its site area to include the 35-acre river campus. The .36:1 FAR will apply campus-wide. For comparison, this .36:1 FAR is well below the FAR that is permitted on the campus under the institutional development standards of PCC 33.110 and 33.120. The UP campus is split zoned. West of N. Portsmouth Avenue is the R5 zone and east of Portsmouth Avenue is the R2 zone.
The institutional development standards permit an FAR of .5:1 on the west side of Portsmouth and a 2:1 on the east side of Portsmouth. Our proposed request for maintaining the .36:1 FAR is consistent with and falls well below both of these standards. In the EG2 zone a 3:1 FAR is permitted and there is no limit in the IH zone. UP’s proposal complies in both instances.

However, because the FAR is measured campus-wide, it is appropriate to also address the location of the proposed uses that could be allowed under the master plan. The new master plan boundary will run along Willamette Blvd. to McKenna Street. The boundary will then run along the perimeter of Blocks 30 and 31 and down the bluff to include the river campus and the McCormick & Baxter site. There are two areas of the campus that will be in closest proximity to existing residential uses: (1) the Willamette Frontage west of Portsmouth; and (2) the south half of Block 30. The remainder of the University uses will be internal to the campus and will not be adjacent or proximate to non-University residential uses.

The University has therefore taken special care to evaluate these areas and to propose measures for each of these areas to ensure compatibility with the appearance and function of the residential areas.

**Willamette Frontage**

First, the University has proposed to include Blocks 28, 29 and 30 in the master plan. The north half of these blocks are owned in their entirety by the University with one exception. There is one single family owner on Block 29 along Willamette Blvd. and Van Houten. This property owner has consented to including that property in the master plan boundaries. Blocks 28, 29 and 30 all front Willamette Blvd. Willamette Blvd is a 100 foot right-of-way. Therefore, the closest residential uses across Willamette Blvd. are over 100 feet from the proposed University uses on the campus.

The Willamette frontages and width are illustrated in Figures 14 and 17. These figures show the at least 100 foot linear distance from building frontage to building frontage. Figure 17 illustrates the particular character of Willamette Blvd. in this area. Because the pavement width of Willamette is so much less than the actual width of the right of way there is ample room on the south frontage to incorporate a 12 foot through zone sidewalk, a 6 foot frontage zone and a 6 foot furnishing zone. If parking was desired on Willamette Blvd, the current width of the right of way could preserve all of these functions as well as add a 6 foot wide on-street parking strip. The University is not proposing this on-street parking. We are simply illustrating the kinds of components that could be incorporated into the south side of Willamette to further soften, distance and mitigate the University’s townhome style development from the nearby residential area to the north. This on-street parking could also add a parking supply in the area for special events, further reducing trips into the neighborhood.

Willamette Blvd. is classified as a neighborhood collector and transit access street. The institutional development standards allow a height of 50 feet on this frontage. The University proposes to comply with this development standard. Further, the University proposes to develop
residential style housing on this edge of the campus to ensure compatibility with the uses across the 100 foot right of way. These uses will house students in townhome style development with architectural elements that ensure consistency with residential appearance and character.

To this end, the University has proposed specific and objective design standards requiring such features as exterior finish materials of wood shingles, wood clapboard siding, and/or brick/stone, gable or hipped roof, small scale façade articulation, such as bay windows, entry alcoves, porches and awnings for visual interest to pedestrians and protection from weather. The stories above the ground floor must use residential style windows, either casement or double hung, with window muntins or other decorative elements.

These and other residential standards will ensure that the University’s residential uses do not significantly lessen the overall residential appearance and function of the area. The frontage will be predominantly residential with only small scale University office uses in the ground floor of, or integrated within, the residential uses. The University originally requested approval for small scale ground floor retail uses along Willamette but withdrew that proposal based on the intent to maintain a residential feel to the frontage. Precedent images of the kinds of residential development that could occur along Willamette are attached as Figure 15. These standards and use limitations along Willamette, together with the at least 100-foot setback from residential uses on the north side of Willamette, will provide the compatibility with residential character and appearance that is intended by this standard.

**Blocks 30 and 31**

There are 2 properties located on Block 30 that are not owned by the University. All other properties on these blocks are owned by the University. The University has engaged in a focused dialogue with the owners on Block 30 to ensure a continued satisfactory resolution to our growth needs and their residential needs over the term of the master plan. Based on our continued discussions, we have included these two properties in the new boundary. The owners have not yet given final consent to this inclusion. The Block 30 neighbors have requested several elements that are now included in the master plan.

First, the University has agreed to a no-build condition on the south half of Block 30 until such time as the University owns all of the lots on Block 30. Thus, the southern half of Block 30 will retain its single family residences until such time as those owners choose to relocate. The University has also agreed in this master plan to delay construction on Block 31 for 7 years and at that time only build to the code allowed 50 feet in a townhome style development. The University proposes to eliminate the 75 foot height request on Block 31 until such time as the University owns all of Block 30. To affect this condition, the University proposes an adjustment (addressed below) to permit the 75 foot height limit only at the time it owns all of the properties on Block 30.
Second, the Block 30 owners have requested that any vehicle access to Block 31 egress and ingress on the north-south streets (and preferably Monteith) rather than Warren Street. This will reduce the vehicle trips on Warren along their frontages. The University agrees with this condition while there is private ownership of Block 30 and has proposed this condition as an element of this master plan.

Third, the Block 30 neighbors would like the University to agree to a no-build zone at the location of the “S.L.U.G. garden” to preserve the views to the river, the west hills and the St. John’s Bridge. The area subject to this request is illustrated in Figure 25. There is no publicly protected viewpoint or view corridor in this location. However, the University has agreed to eliminate any proposed development on this corner lot and has agreed to preserve the lot as open space. The area of open space is particularly defined on Figure 25 and comprises 23,400 square feet. The University will also respect the required setback from the platted but undeveloped section of McKenna Street that will further expand the view towards the river, west hills and St. John’s bridge, shown in Figure 25.

OPEN SPACE NO-BUILD ZONE

Figure 25 (See enlarged Figure in Appendix)
Based on our discussions, the University has proposed the following conditions of approval to protect the residential appearance and character of the neighborhood:

1. The University will not develop any University uses on the south half of Block 30 until such time as the University owns all of the properties on Block 30.

2. The University will not develop on Block 31 for a period of 7 years from the effective date of this master plan approval. At that time, the University will limit the height on Block 31, adjacent to Block 30, to 50 feet until such time as the University owns all of Block 30. At that time, the University will be permitted to build to a height of 75 feet on Block 31. The adjustment criteria for this height request are addressed below.

3. The University will not build a dorm on Block 31 until such time as it owns all of the southern half of Block 30. In the interim period, if the University develops housing on Block 31, it will develop only townhome style housing consistent with the development standards in the Willamette Frontage zone.

4. During the period that there is any non-University ownership of Block 30, vehicle access to development on Block 31 shall be from Monteith Street and shall not ingress or egress to Warren Street. At such time as the University owns all of the properties on Block 30, vehicle access to Block 31 can occur along Warren Street.

5. The University shall observe a “no-build zone” for the area depicted on Figure 25. This area shall be preserved as open space to preserve the view to the river, St. John's bridge and west hills.

With these significant conditions on development for Blocks 30 and 31, the residential appearance and function of the neighborhood for these two owners on Block 30 will not be significantly lessened in compliance with this criterion.

**Parking**

The parking uses proposed in this master are more fully described under the transportation section below. The long term parking needs of the University under this master plan will be met with the on-campus parking supply and will therefore not detract from or significantly lessen the appearance or function of the neighborhood. The University has projected the growth of the student population over the next 20 years. At a modest growth rate of 2.8%, the University could, but is not expected to, reach a student enrollment of 5,000 students in 2030. The parking analysis specifically tracks student and staff parking needs over this period, translates that analysis into a parking need and then provides that need before it impacts neighborhood livability.

Specifically, the master plan demonstrates that the student parking ratio is .47 spaces per student. This translates into an overall parking need at the end of the master plan of 670 spaces. The parking matrix in Table 6 of the master plan shows how this need emerges with student population growth. For example, based on a current student population of 3,190 full time under graduate students, the parking needed is 1,510 spaces. The parking currently provided and
shown in Table 2 and Figure 8 is 1,690 spaces, representing a 180 space surplus. This surplus is extinguished when and if the student population reaches 3,600 students. At a 2.8% growth rate the University is expected to reach 3,600 students on or about 2015. To ensure that any needed parking is provided by then, the University has proposed conditions of approval that require the University to report and track student enrollment and parking supply and ensure that the parking supply is in place before it is needed or that additional transportation demand management measures have been implemented that prove a reduction in the needed supply. With these measures, the master plan will not significantly lessen the appearance or function of the residential area.

Special Events

There are three main special event venues on the University campus: (1) the Chiles Center; (2) Merlo Field; and (3) Joe Etzel Field. The University proposes to retain its current special event management program on campus as approved under the existing master plan with a few updates and modifications. First, the transportation master plan evaluates special event parking needs based on the 95th percentile special event. The needed on-campus parking supply for special events is shown in Table 7. Table 7 shows that if the campus reaches an enrollment of 4,100 students it will need to provide additional parking on campus to adequately accommodate special event patrons. Because the average weekday parking condition on campus requires new parking at an enrollment of 3,600 students, the average weekday condition is a more conservative estimate of parking needs, rather than for special events. Therefore, the proposed parking conditions discussed above will address average weekday conditions as well as special event conditions.

The University’s tracking of special event traffic and parking shows a significant decline in parking in the neighborhood between 1997 and fall of 2011. The University is proposing several more conditions or modifications of the previous master plan related to special events that will further reduce impacts in the neighborhood.

These conditions are found on page 48 of the master plan and include a prohibition on scheduling special events concurrently with an attendance of over 1,500 people, compression on-campus parking during any event with over 3,500 attendees, the use of trained flaggers with radio contact to better utilize the on-campus lots and outreach in ticket sales which strongly discourages parking in the neighborhood for those attending special events. The University also proposes to meet annually with the UPNA to evaluate the effectiveness of the Special Event Management Plan.

The University does not propose any expansion of the currently approved number of night games on the main campus. Under the existing master plan, 32 night games are permitted at Merlo and Joe Etzel fields. The University proposes to maintain the 32 game limit for Merlo Field on the bluff. However, the University requests approval to host 50 night games on Joe Etzel Field. The lighting, already approved under the current master plan for this field, will be installed and will meet all of the City of Portland’s standards for lighting. Exhibit 1 to the master plan is a lighting report from Musco Lighting. That report studies the needed lighting for the new Joe Etzel Field and concludes that the light on the field and beyond will produce no mea-
surable light off-site. The fixtures will be aimed at the field of play with internal reflectors and external visors to ensure that the spill light on the sky glow will be minimal. The maintained light levels of 70 foot-candles on the baseball infield and 50 foot candles on the baseball outfield are designed to meet NCAA standards for game conditions. The Musco Report shows that .5 foot-candle standard will be met at all campus boundaries.

Similarly, the Musco Lighting Report evaluates additional lighting on the Pru Pitch and adjacent VGF. Currently that pitch does not meet the standards for a safe and playable practice light level. The additional light standards will increase the existing level of light to 30 foot-candles on the field meeting this safe play requirement. As the Musco Report concludes, there will be no spill light over .5 foot-candles onto Willamette Blvd. from these additional lighting standards.

Together, the relocation of Joe Etzel Field to the river campus and further distant from the surrounding neighborhood and the limitations on spill light should ensure that the night games remain protective of, and do not significantly lessen the function and appearance of the residential neighborhood. The sound systems for these night games are addressed below under the approval criteria for Livability.

**B. Physical Compatibility**

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

There are no designated scenic resources proposed for modification or alteration under this master plan.

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

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

There are two edges of campus that border existing residential uses. The first area is along the Willamette Frontage. This master plan includes a 3-block section of the Willamette Frontage not previously approved in the master plan. This 3-block section proposes a 50 foot height limitation as permitted under the institutional development standards for master plans and a zero lot line setback (addressed here and in the adjustment findings below). This 50-foot height limitation is removed from the existing 30 foot residential uses across from Willamette Blvd. by the linear distance of the 100-foot right of way. Thus, there is only a 20-foot height differential measured over 100 linear feet, amounting to a height change of 2 feet for every 10 feet of linear distance. This is a modest height change that allows the development to remain compatible in form and function with the uses across the right of way. The linear distance is illustrated in Figure 14.

Further, the uses proposed along this 3 block area of the Willamette Frontage will all be residential in use and subject to the special Willamette Frontage Zone design standards that mandate residential appearance and scale. The facades of these residential units will be finished with residential style materials such as shingles or clapboard and will be articulated with alcoves, bay windows or the like to reflect the residential character of the surrounding area across Wil-
lamette Blvd. These Willamette Blvd. design standards are detailed in Exhibit 2. It is important to note that at least two of the properties across Willamette Blvd. are owned by the University and several properties are homes owned by others who rent to University students. In the area already included in the master plan on the far eastern edge of campus also within the Willamette Frontage Zone, the uses across the right of way are almost entirely University owned homes or University rentals as shown on Figure 3.

While the University originally intended to develop retail uses in the ground floor of the residential units west of Portsmouth, the University has removed that request from this master plan based on concerns regarding compatibility with the neighborhood character across Willamette Blvd. The University will instead design these ground floor spaces with ancillary University office-like uses or ground floor residential uses. In either case, the building will be designed in its entirety consistent with the Willamette Frontage Zone design standards. Precedent images for the kind of development contemplated along the Willamette Frontage are shown in Figure 15. These precedent images have been converted into mandatory and objective design standards in Exhibit 2.

Lastly, Figure 17 shows a potential design of the zero lot line setback along the University’s Willamette Frontage Zone. The Willamette right of way currently extends well beyond the width of the existing pavement and sidewalk. Thus, as Figure 17 shows, there is currently a distance of 29 feet between the existing edge of pavement and the would-be building frontage on Blocks 28, 29 and 30. This nearly 30-foot distance could accommodate an on-street parking strip along the University frontage, a 4-foot furnishing zone, a 12-foot pedestrian zone and a 6 foot frontage zone, all separating the 50 foot height limitation from the southern edge of the Willamette frontage. Figure 17 illustrates that limiting the uses in the Willamette Frontage Zone to residential and ancillary office uses with no retail uses, together with the 50-foot height limitation, width of the right of way and the mandatory and objective compatibility design standards, the development proposed for the Willamette Frontage Zone is compatible with the uses across the right of way and any perceived incompatibility is mitigated for by the measures proposed for development in this master plan.

The second area is a 2-block area located along McKenna Street on the western edge of campus. This area is currently developed with the “S.L.U.G. garden” and the PACE House. The University has proposed several measures, detailed above in the discussion of Blocks 30 and 31, to mitigate for any perceived differences in scale. For ease of reference, those measures are repeated again here.

1. The University will not develop any University uses on the south half of Block 30 until such time as the University owns all of the properties on Block 30.

2. The University owns all of Block 31. The University will not develop on Block 31 for a period of 7 years from the effective date of this master plan approval. At that time, the University will limit the height on Block 31, adjacent to Block 30, to 50 feet until such time as the University owns all of Block 30. At that time, the University will be permitted to build to a height of 75 feet on Block 31. The adjustment criteria for this height request are addressed below.
3. The University will not build a dorm on Block 31 until such time as it owns all of the southern half of Block 30. In the interim period, if the University develops housing on Block 31, it will develop only townhome style housing consistent with the development standards in the Willamette Frontage zone.

4. During the period that there is any non-University ownership of Block 30, vehicle access to development on Block 31 shall be from Monteith Street and shall not ingress or egress to Warren Street. At such time as the University owns all of the properties on Block 30, vehicle access to Block 31 can occur along Warren Street.

5. The University shall observe a “no-build zone” for the area depicted on Figure 25. This area shall be preserved as open space to preserve the view to the river, St. John's bridge and west hills.

With these measures, University uses on this 2-block western edge of campus will be compatible with the two adjacent residential uses and will mitigate for any other perceived impacts by delaying incompatible height requests until the University owns all of the properties within Block 30.

C. Livability. The proposal will not have significant adverse impacts on livability of nearby residential zoned lands due to:

1. Noise, glare from lights, late-night operations, odors and litter; and

2. Privacy and safety issues.

There are no additional uses proposed under this master plan for the campus that would increase noise emanating from the campus. The University has proposed to maintain the 32-game limit for night games on the upper bluff campus. These games will continue to observe the limitations on amplified sound as required by the current master plan. If an amplified noise complaint is brought to the attention of the University during a soccer game, the University will go to the residence with a noise meter to evaluate the sound level and take corrective action if excess noise is detected. The University has not received a complaint of this nature in at least the preceding six years but proposes to continue this requirement in the new master plan.

The only other source of amplified sound on the campus is Joe Etzel Field. This field is already approved in the existing master plan for amplified sound. The field may be relocated under this master plan to the river campus, further distant from the residential neighbors along Willamette Blvd. If relocated, the University also proposes a condition of approval that requires the University to demonstrate before final building permit for any new field that the sound system meets all of the City noise standards, consistent with the currently approved announcement system for the existing field.

With these measures, this master plan will not have significant adverse impacts on residential livability.
Lighting is addressed in part above. There are new practice light standards proposed for the Pru Pitch and VGF with a relocated lighting system for Joe Etzel Field. The baseball field has already obtained approval for night lighting under the existing master plan. This approved lighting has not yet been installed and will be co-located with any new location for the field. The Musco Lighting Report attached as Exhibit 1 demonstrates that there will be no light over .5 foot-candles at the campus boundaries from any of these light sources and that all lights are downcast to protect the night sky. The images on page 17 of the Master Plan demonstrate that the state of the art lighting technology utilized by the University results in no light spill to surrounding properties or the night sky in compliance with this criterion.

Proposed conditions of approval limit late-night operations to a prescribed time limit. The standards vary depending on whether the event is located at Merlo Field, closer to the residential neighborhood or Joe Etzel Field located quite distant from the residential neighborhood. Evening games are defined as all games that end after 6:00 pm. For Merlo Field, the master plan calls for evening games at Merlo Field to end by 9:30 pm with stadium lighting turned to low at 9:30 and turned off by 10:30 pm. Evening games at Joe Etzel Field must end by 10:30 pm with stadium lights switched to the low setting by 10:30 pm and turned off by 11:00 pm.

The soccer practice pitch can only be illuminated between 4:30 pm and 10:30 pm and is only illuminated to 30 foot-candles, far less light than the game pitch. There is no amplified sound proposed or allowed at the practice pitch and the fields may only be used by University uses. Every one of the residential uses across from the practice pitch on Willamette Blvd. is either a University owned home or a University rental.

There are no known odors from the University uses and the University proposes to continue its current litter control condition of approval after each soccer game. The litter patrol canvases the 2-block area surrounding the field and retrieves any litter left by spectators. Our experience over the last 10 years suggests that soccer fans do not leave litter in the neighborhood.

Privacy and safety issues are addressed in this master plan under Chapter 5, Proposed Uses. The University’s Office of Public Safety carries a public safety staff of 3.1 officers per 1000 students. For comparison, the City of Portland has an officer to resident ratio of 1.6 officers per 1000 residents. The University’s officers are not sworn officers and are not licensed to carry weapons. Thus, the Office of Public Safety works in collaboration with the Portland police to monitor any off-campus activities in the neighborhood.

There are several policies in place to regulate student behavior both on and off campus. First and most importantly, this master plan has an objective of achieving at least 75% on campus residency. Currently, 58% of the students live on campus. Housing more students on campus will help the University more effectively regulate student conduct and mitigate for any conflicts that could occur in the neighborhood between students and non-student residents. The FAR, height and design standards proposed in the master plan encourage and permit more residential development on campus.
Second, the University also staffs an Office of Residential Life that, together with the administration, enforces rules for student conduct. Exhibit 3 to the master plan details the rules for students living off campus with a primary objective of respecting their neighbors through the appearance and operation of off-campus housing. It is important to note that the University can impose a range of sanctions for unacceptable behavior from a warning for a first violation to expulsion for repeated violations.

Third, the University employs a full time maintenance and landscape staff who maintain the University off-campus homes and the exterior landscaping for those homes.

Fourth, some neighbors have asked for an annual landlord forum that would invite all landlords of off-campus student housing and residents of the neighborhood to discuss community expectations for off-campus housing. The University has agreed to host and organize this annual event.

With annual landlord forums and the continued presence of the Office of Public Safety, the University is actively managing any privacy and safety issues in the greater neighborhood that are associated with University students.

D. Public Services

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

The street classifications are listed in the Transportation System Plan at Table 2. N. Willamette Blvd., N. Portsmouth and N. Lombard Avenue are the major streets near the University. Willamette and Portsmouth are neighborhood collectors while Lombard is a major city traffic street. Table 2 also shows that each of these streets is either a transit access street, major transit priority street or local service transit street. All listed streets are also either a city walkway or city bikeway or local service walkway/bikeway.

The Transportation System Plan finds that all frontage improvements along and within the UP campus are consistent with these street classifications. The classifications and the multi-modal street, transit, pedestrian and bicycle networks surrounding the campus provide for a robust multi-modal environment for students, staff, visitors and faculty.

2. The transportation system is capable of supporting the proposal in addition to the existing uses in the area.

The Transportation System Plan (“TSP”) demonstrates that the transportation system is capable of supporting the proposed use in addition to existing uses in the area. At a student enrollment of 5,000 students, all of the study intersections will continue to operate at acceptable levels of service, with one exception. At an enrollment of 4,700 students, the main campus entrance will not meet acceptable service levels. The University has therefore proposed a condition of approval that requires a re-evaluation of that intersection at an enrollment of 4,700 students. If the re-evaluation demonstrates that the intersection will not operate acceptably at the anticipated enrollment of 4,700 students, the University is required to install a traffic signal at this location to return the intersection to acceptable levels of service.
The TSP also shows that based on an 85% utilization of on-campus parking, the University has a parking ratio of .47 spaces per student. This ratio includes staff demand. Today there is sufficient parking on campus to accommodate the average weekday parking demand. There are currently 1,690 spaces on campus for a student population of 3,190 students resulting in a 180-space surplus today. However, assuming only the current transportation demand management measures are in place, when the University reaches an enrollment of 3,600 students its parking demand will exceed the supply. New parking will therefore be required before the University reaches a population of 3,600. To ensure an adequate parking supply that keeps pace with projected growth, the University has proposed conditions of approval that require the University to add specific parking supply tied to calibrated student population increases. Table 6 contains this detailed parking inventory requirement and proposed conditions of approval.

If no changes to existing transportation demand management measures occur, the University will need to add 670 new parking spaces over the planning period if the University reaches an enrollment of 5,000 students. To ensure that the University tracks this parking requirement, the University will submit a Parking Supply Report to the UPNA and the City of Portland each fall with the fall student enrollment count and the parking supply count, ensuring this adequate supply of parking. As part of this report, if the University has proposed and implemented additional transportation demand management measures that have the impact of reducing the parking need on campus, the University shall submit that data and conclusions to the UPNA and the City of Portland quantifying the reduced parking need based on the new but implemented transportation demand management measures.

Special events required an additional parking analysis contained in the transportation master plan. Special event parking needs vary from the standard average weekday demand because parking patterns can vary from one event to another.

During the past several years 160-170 special events have occurred annually on the UP campus. The average registered event is less than 1,500 people and two-thirds of the events are intentionally scheduled on the weekends when the parking supply is most plentiful on the campus to avoid impacts in the neighborhood. The transportation master plan shows that these average events do not cause parking impacts in the neighborhood. Instead it is the larger, more infrequent special event that causes some parking impacts in the neighborhood. While these larger events occur only about 10 times a year for a limited number of hours, they cause parking impacts that the University would like to mitigate. Parking impacts seem to become measurable during the 95th percentile special event. These are events with an attendance over 3,500 people. Examples of events with this level of attendance are high school graduations and select athletic events such as women's soccer versus Stanford or men's basketball versus Washington State University. In the fall of 2011, Kittelson and Associates measured the parking impacts from the women's game versus Stanford and the men's game versus WSU.

The study found that approximately 81% of on-campus lots were utilized during the games and that the on-street off-campus blocks that experienced high utilization was adjacent to the venue entrance. During the soccer game the on-street blocks most highly utilized were along Willamette Blvd. and one block north of Willamette Blvd. During the basketball game the blocks most highly utilized were within 2 blocks of Portsmouth, which provides the most direct access to the Chiles Center.
This study facilitated a better and more current understanding of the off-campus parking impacts created when there is a 95th percentile event and helped identify additional mitigation measures that will curb or mitigate those impacts. The study also demonstrated significant progress from 1997 when a similar study was conducted. In the 1997 study almost 1/3 more block faces were impacted by special event parking than occurs today. The study attributes this lessening of impact to the University’s implementation of its Special Event Management Plan.

As mentioned above, the University proposes several new conditions of approval that will help further mitigate the number of visitors to special events that park off-campus.

1. The University shall continue to implement the revised and updated SEMP with a biennial inventory of special events and an analysis of the effectiveness of the SEMP submitted to the Bureau of Transportation starting 2 years from the date of the master plan approval.

2. If the University schedules an event with a projected attendance of more than 1,500 persons, the University shall not schedule another concurrent event with an expected attendance of 1,500 persons.

3. For all events with an expected attendance of more than 3,500 persons, the University shall:
   a. Institute compression parking on campus to increase the supply/use of on-campus lots during the larger special events.
   b. Station trained parking attendants at critical intersections to capture event goers before they enter the neighborhood and direct them to open on-campus lots using radio contact.
   c. Provide outreach and awareness during pre-event ticket sales for appropriate parking locations on campus.
   d. Station pedestrian guards at the N. Portsmouth and N. Willamette Blvd. intersection to facilitate safe crossing pre- and post-game time.
   e. Meet with the UPNA at least annually to review the effectiveness of the SEMP.
   f. Evaluate partnerships with neighboring churches, school and other uses to provide off campus parking during special events.

With these special event and average weekday parking measures, the transportation system is capable of supporting the proposed use in compliance with this criteria.

Lastly, the University will maintain the updated transportation demand management measures contained in the transportation master plan. To date, the University has a successful history of employing several TDMP measures with a significant impact on the SOV rate for campus staff. In 1996 the UP SOV rate was 86%. Today it is 61%, a drop of 25 percentage points. This is the lowest SOV rate of any purely educational institution in the Metro area, second only to OHSU. The bike/walk rate for the University has hit an all time high of 22%. The University has several active TDMP measures that have helped them reach this low SOV rate and high bike/walk rate including five zip cars on campus, access to transit, transit passes, parking policies, no
parking sanctuaries off-campus, on-campus housing, a prohibition on freshman bringing a car to campus and an employee home purchase grant program for the purchase of homes in north Portland.

Under this master plan, the University proposes to continue these measures and experiment with further measures that may bring the SOV rate below even today’s 61%.

With these findings and the analysis and conclusions of the transportation master plan, the University's master plan satisfies this criterion.

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

The site is served by all of the City’s utility services. The Water Bureau has commented that there is sufficient capacity in the water service to accommodate the University’s growth needs in the master plan. Police and fire protection currently serve the site and will continue to serve the site in the future with the growth anticipated in this master plan. There are adequate water supplies serving the campus for regular University uses as well as emergency use.

The site is also now fully served by sanitary and stormwater disposal systems that have previously been approved by the City of Portland’s Bureau of Environmental Services. The City’s Bureau of Environmental Services has provided a scope of work plan for the University’s conceptual stormwater and sanitary disposal systems plan. The University will submit the stormwater and sanitary plan in the next 30 days in response to this criteria.

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

There are no area plans adopted by the City Council that apply to the University neighborhood or community.

**Adjustment Approval Criteria**

PCC 33.805.040 (A)-(F) contain the approval criteria for adjustments. There are two adjustments requested in this application: (1) an adjustment to the front lot line setback along Willamette Blvd. on Blocks 28, 29 and 30; and (2) a height adjustment from 50 feet to 75 feet for Blocks 31, 32, 33, 34, 35 and 37.

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

**Willamette Blvd. Setback**

Blocks 28, 29 and 30 are in the R5 zone of the campus. The purpose of the front lot line setback in the R5 zone is multi-fold but as relevant here the setbacks maintain light, air and separation for fire protection, reflect general building scale and placement of houses, promote reasonable physical relationships between houses, promote open, visually pleasing front yards and allow
adequate flexibility to site a building so that it is compatible with the neighborhood and allows for architectural diversity. The purpose of the institutional development standards found at 33.110.245 is to maintain compatibility and limit negative impacts in residential zones.

All of these purposes are equally or better met by the proposed setback. This 3-block section of Willamette Blvd., Blocks 28, 29 and 30, proposes a 50 foot height limitation as permitted under the institutional development standards for master plans and a zero lot line setback. This 50-foot height limitation is removed from the existing 30 foot residential uses across from Willamette Blvd. by the linear distance of the 100-foot right of way. Thus, there is only a 20-foot height differential measured over 100 linear feet, amounting to a height change of 2 feet for every 10 feet of linear distance. This is a modest height change that allows the development to remain compatible in form and function with the uses across the right of way. The linear distance is illustrated in Figure 14.

Further, the uses proposed along this 3 block area of the Willamette Frontage will all be residential in use with ancillary office uses and subject to the special Willamette Frontage Zone design standards that mandate residential appearance and scale. The facades of these residential units will be finished with residential style materials such as shingles or clapboard and will be articulated with alcoves, bay windows or the like to reflect the residential character of the surrounding area across Willamette Blvd. These Willamette Frontage Zone Design Standards are detailed in Exhibit 2. It is important to note that at least two of the properties across Willamette Blvd. are owned by the University and several properties are homes owned by others who rent to University students. In the area already included in the master plan on the far eastern edge of campus also within the Willamette Frontage Zone, the uses across the right of way are almost entirely University owned homes or University rentals as shown on Figure 3.

Lastly, Figure 17 shows a potential design of the zero lot line setback along the University's Willamette Frontage Zone. The Willamette right of way currently extends well beyond the width of the existing pavement and sidewalk. Thus, as Figure 17 shows, there is currently a distance of 29 feet between the existing edge of pavement and the would-be building frontage on Blocks 28, 29 and 30. This nearly 30-foot distance could accommodate an on-street parking strip along the University frontage, a 4-foot furnishing zone, a 12-foot pedestrian zone and a 6 foot frontage zone, all separating the 50 foot height limitation from the southern edge of the Willamette frontage. Figure 17 illustrates that limiting the uses in the Willamette Frontage Zone to residential and ancillary office uses with no retail uses, together with the 50-foot height limitation, width of the right of way and the mandatory and objective compatibility design standards, the development proposed for the Willamette Frontage Zone is compatible with the uses across the right of way and any perceived incompatibility is mitigated for by the measures proposed for development in this master plan.

With this design and the zero lot line setback, the purpose of the setback standards will be equally or better met. The setback will maintain light, air and separation for fire protection, reflect general building scale and placement of houses, promote reasonable physical relationships between houses, promote open, visually pleasing front yards and allow adequate flexibility to site a building so that it is compatible with the neighborhood and allows for architectural diversity. The setback will also maintain compatibility and limit negative impacts in residential zones in compliance with this criterion.
Height Adjustment

The University proposes to increase the height Blocks 31, 32, 33, 34, 35 and 37 from the code allowed height of 50 feet to 75 feet. The purpose of the height standard under 33.110.215 is to reflect general building scale and placement of houses and promote reasonable building scale. Under the institutional development standards the purpose is to maintain compatibility and limit negative impacts in residential zones.

Here the only blocks requesting a height adjustment are blocks internal to the campus not proximate to any residential uses or other uses not of similar scale. Blocks 31, 32, 33, 34, 35 and 37 are all completely owned by the University and are at least 373 feet from Willamette Blvd. Each block is an internal campus block with at least one City block located between it and the residential uses located off campus. The perimeter or buffer blocks between the 75 foot height request and the off-campus residential uses are all limited to 50 feet in height creating a tier of height into the center of the campus. In addition, the campus east of Portsmouth Avenue is permitted under its R2 zoning to develop to an institutional standard of 75 feet. This height request is therefore consistent with the scale of height already permitted on the east side of Portsmouth, creates some height continuity with the balance of campus and yet is removed from the perimeter of campus by at least 373 feet. Therefore the height equally or better reflects reasonable building scale and limits negative impacts in residential zones in compliance with this criteria.

B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area;

Willamette Blvd. Setback

For the same reasons stated above the zero lot line setback will not significantly detract from the livability or appearance of the residential area. The building frontages on Willamette Blvd. will enjoy over a 100 foot setback from the homes across Willamette Blvd. to the north. Many of the homes across Willamette Blvd. in the vicinity of Blocks 28, 29 and 30 are either owned by the University or are University rentals. Figure 3 shows the pattern of ownership and Figure 17 shows the over 100 foot setback. The current edge of pavement of Willamette Blvd. is located 29 feet from the proposed building frontage. The 29 foot area can be developed with wide sidewalks, a furnishing zone, a frontage zone and even an on-street parking area which is consistent with Willamette Blvd.’s classification as a neighborhood collector.

The uses on these Blocks 28, 29 and 30 will all be developed as residential uses with some ancillary office uses for the University. The residential design standards for these uses found in Exhibit 1 will ensure that these uses remain compatible with the residential uses across Willamette Blvd. The design standards require the use of residential architecture and materials with clapboard or shingles, gable, hipped or flat roofs, residential style windows and articulation of the façade with bay windows and the like.

While the University originally proposed ground floor retail uses on these blocks, that request has been removed in favor of small scale ancillary office uses for the University that attracts only internal trips.

With these design standards and the linear buffer of Willamette Blvd., the setback will not detract from the livability or appearance of the residential area.
Height Adjustment

The increased height is requested only for blocks that are internal to the campus. None of the height adjusted blocks border single family residences and all of the blocks are separated from the Willamette Blvd. right of way by at least 373 feet, creating a generous buffer between uses. The 75 foot height will be located behind the perimeter height of 50 feet and will create an attractive height tier that is internal to the campus. With these measures, the height adjustment will not detract from the livability or appearance of the residential area.

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

Two adjustments are being requested and both remain consistent with the purpose of the zone as articulated above. The Willamette Setback is appropriate given the width of Willamette Blvd. and the ability to create an inviting pedestrian environment between the southern edge of pavement and the building line. The residential uses on the adjusted blocks will be limited to 50 feet as permitted by the institutional development standards, and the design standards will require an architectural style that is compatible with neighborhood development. The height adjusted blocks are internal to the campus and are located over 373 feet from the closest residential use. The 75 foot height being requested is consistent with the height allowed on similar areas of the campus located on the east side of Portsmouth Blvd. Thus both adjustments continue to respect appropriate scale and physical relationships between uses consistent with the purpose statement for both adjustments.

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

There are no scenic or historic resources on campus.

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

The only impacts created by these adjustments are one of scale. Both the height on the internal blocks and the setback on Willamette Blvd. have been mitigated through location and design. The location of the added height is internal to the campus, tucked behind the perimeter buildings which are 50 feet in height. The height adjusted buildings are also located over 373 feet from the residential uses across Willamette Blvd., mitigating with distance for any change in scale. The setback adjustment is requested on a neighborhood collector that is 100 feet in width. The uses across the right of way are located over 100 feet from the building locations on Blocks 28, 29 and 30. The uses on these blocks are required under this master plan to be residential in character with specific design standards to ensure compatibility with the uses across Willamette Blvd. With these location and design specifics, any impacts have been mitigated.

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

The use is not in an environmental zone.

In sum, the University’s master plan meets all of the applicable approval criteria under 33.815 and 33.805.