

ORDINANCE NO. **158265**

MAR 20 1986

Accepted **MAR 18 1986**

Recorded **MAR 18 1986**

CITY OF PORTLAND
BUREAU OF PLANNING

An Ordinance amending the Comprehensive Plan to Local Commercial and changing the zoning to C3S for Tax Lot 1 of Blocks 172 and 173 (consisting of approximately 46,000 square feet) and for Lots 1-8 (including 1/2 of vacated streets west and south of and adjacent to and except part in street per Ordinance No. 94296, consisting of approximately 20,000 square feet), Block 173, Holladays Addition, located at N.E. Multnomah, at N.E. 16th Avenue, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

- 7557
1. The applicant, Lloyd Corporation, Ltd., deedholder, seeks a Comprehensive Plan Map Amendment to Local Commercial and a Zone Change to C3S for Tax Lot 1 of Blocks 172 and 173 (consisting of approximately 46,000 square feet) and for Lots 1-8 (including 1/2 of vacated streets west and south of and adjacent to and except part in street per Ordinance No. 94296, consisting of approximately 20,000 square feet), Block 173, Holladays Addition, located at N.E. Multnomah, at N.E. 16th Avenue.
 2. An application complying in all respects with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland and seeking such a Comprehensive Plan Map Amendment and Zone Change has been received.
 3. Applicant has paid the proper fee for the filing of such application.
 4. The City's Hearings Officer by Report and Recommendation dated January 29, 1986 (Planning Commission File No. 7557-PA), after and as a result of a duly authorized and conducted public hearing held January 27, 1986, on said property, has recommended that the Comprehensive Plan Map Amendment and Zone Change be granted, with conditions.
 5. The notice requirements for public hearings were fulfilled according to law.
 6. This rezoning constitutes an amendment of the City's Comprehensive Plan Map. Based upon the facts, findings and conclusions of the Hearings Officer's Report and Recommendation, this amendment of the Comprehensive Plan Map to Local Commercial is found to be in accordance with the Comprehensive Plan.
 7. This rezoning is in conformance with the Comprehensive Plan for the City, is in accordance with generally accepted land use planning standards and with applicable City and State legislative enactments as indicated in the Report of the Hearings Officer.

NOW, THEREFORE, the Council directs:

- a. That the facts, findings, conclusions, and recommendation of the Hearings Officer in P.C. File No. 7557-PA are adopted by City Council.

ORDINANCE No.

- b. The zone of Tax Lot 1 of Blocks 172 and 173 (consisting of approximately 46,000 square feet) and for Lots 1-8 (including 1/2 of vacated streets west and south of and adjacent to and except part in street per Ordinance No. 94296, consisting of approximately 20,000 square feet), Block 173, Holladays Addition, is changed to C3S, and the Comprehensive Plan Map is hereby amended to conform thereto.
- c. This Zone Change is granted under the following conditions.
- 1) A "pass plus" system shall be instituted whereby holders of Tri-Met passes can receive discounts on theater tickets.
 - 2) During the p.m. peak traffic hour of 4:00 to 6:00 p.m., conclusions of presentations in the various viewing rooms of the theater complex shall not all occur at the same time.
 - 3) Applicant shall participate in the facilitation of the operation of the N.E. 16th Avenue and N.E. Irving Street intersection and of the freeway ramp with the City and other public and private agencies if traffic impact is deemed by the City Bureau of Traffic Management to require such facilitation.
 - 4) Applicant shall participate in the identification of traffic impact to local service streets in the Sullivan's Gulch neighborhood, and in addressing those problems if such study and implementation measures are deemed necessary by the City Bureau of Traffic Management, when such impact is created by implementation of this proposal.
 - 5) If a theater is not developed on this site, applicant must submit any new proposals for review to Staff of the Bureaus of Planning, Traffic Management and Transportation Planning and Finance.
- d. This order shall not be effective and no change shall be made to the zoning maps until acceptance and recording as provided in Section 33.102.010.

Section 2. The Council declares an emergency exists because there should be no delay in the beneficial use of the above-described property; therefore this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **MAR 5 1986**

Commissioner Strachan
January 29, 1986
G.H.Fleerlage/ja

Jewel Lansing
Auditor of the City of Portland
By
Edna Cervera Deputy



CITY OF
PORTLAND, OREGON

HEARINGS OFFICE

Hearings Officer
George H. Fleerlage
1120 S.W. 5th Ave., Room 1015
Portland, Oregon 97204-1960
(503) 796-7719

REPORT AND RECOMMENDATION OF THE HEARINGS OFFICER

File No.: 7557-PA

Applicant: Lloyd Corporation, Ltd., 700 N.E. Multnomah, Suite 1050, 97232-2188, deedholder.

Represented by: Robert G. Cameron, Executive Vice President, Lloyd Corporation, Ltd., 700 N.E. Multnomah, Suite 1050, 97232-2188; and Dick Spies, Broome, Oringdulph, O'Toole, Rudolf, Boles and Associates, 733 N.W. 20th, 97209.

Hearings Officer: George H. Fleerlage.

Bureau of Planning Representative: Jeanne Harrison, City Planner.

Bureau of Transportation Planning and Finance Representative: Laurel Wentworth.

Bureau of Traffic Management Representative: John Bustraan.

Proposal: Comprehensive Plan Map designation of Local Commercial and a Zone Change to C3S for Tax Lot 1 of Blocks 172 and 173 (consisting of approximately 46,000 square feet) and for Lots 1-8 (including 1/2 of vacated streets west and south of and adjacent to and except part in street per Ordinance No. 94296, consisting of approximately 20,000 square feet), Block 173, Holladays Addition, located at N.E. Multnomah, at N.E. 16th Avenue.

Date of Application: January 2, 1986

Report to Hearings Officer: January 17, 1986

Recommendation Rendered: January 29, 1986

Filed: January 31, 1986

Last Date to Appeal: February 14, 1986

Bureau of Planning Recommendation to Hearings Officer: Approval.

Hearings Officer Recommendation to City Council: Approval with conditions.

Public Hearing: The hearing was opened in Meeting Room A, 1120 S.W. 5th Avenue, Portland, Oregon, on January 27, 1986, at 11:13 a.m. and closed at 12:02 p.m. An oral recommendation was announced at that time.

Speaking in Support of the Proposal: None.

Speaking as an Interested Party: Charlsie Sprague, 2234 N.E. Clackamas, 97232.

Speaking in Opposition to the Proposal: None.

Number Writing in Support of the Proposal: One.

Number Writing as an Interested Party: One.

Number Writing in Opposition to the Proposal: None.

I. FACTS

A. General Information

Proposal: Comprehensive Plan Map designation of Local Commercial and a Zone Change to C3S for Tax Lot 1 of Blocks 172 and 173 (consisting of approximately 46,000 square feet) and for Lots 1-8 (including 1/2 of vacated streets west and south of and adjacent to and except part in street per Ordinance No. 94296, consisting of approximately 20,000 square feet), Block 173, Holladays Addition.

Location: N.E. Multnomah at N.E. 16th.

Legal Description: Tax Lot 1 of Blocks 172 and 173, and Lots 1-8 (including one-half of vacated streets west and south of and adjacent to, and excepting part in street by Ordinance No. 94296), Block 173, Holladays Addition.

Quarter Section: 2932.

Zones: RH, High-Density Multifamily Residential.
C2, General Commercial.
C3, Local Commercial.
S, Signboard Control.

Neighborhood: Sullivan's Gulch.

Description of Plan: The applicant proposes to lease Blocks 172 and 173 to Tom Moyer Theaters for construction of a complex of 10 movie theaters. The proposed structure will contain approximately 38,000 square feet of floor area and seating for approximately 3,000 to 3,500 persons. The entrance to the theaters will be oriented to the northwest corner of the site adjacent to N.E. Multnomah. No additional off-street parking is proposed. There are currently parking lots (containing approximately 1,020 spaces) west of the proposed site structure and across N.E. Multnomah, north of this site. This parking will be available to theater patrons as well as to patrons of the Lloyd Center development.

B. Site Information

Description: Blocks 172 and 173 contain approximately 66,000 square feet, including approximately 26,000 square feet of vacated right-of-way. The area currently designated for General Commercial use consists of approximately 46,000 square feet and the RH-designated portion of the site contains approximately 20,000 square feet of area.

The site is part of a larger contiguous parcel that also includes Blocks 152, 153, 160 and 161 and additional vacated rights-of-way. This larger block contains approximately 280,200 square feet of area, approximately 85,000 square feet of which has been vacated. This area is a paved off-street parking lot, usually used for Lloyd Center overflow parking only.

The site is generally "V" shaped, with the wide part of the V fronting N.E. Multnomah and the narrow end of the V being formed by the curve of N.E. 16th Drive. The site is relatively flat except for the southern edge which slopes steeply down to N.E. 16th. There is no vegetation except for the steep bank which is fully covered with trees and bushes.

History: When zoning was established by the City, Block 172 was designated for commercial use and Block 173 was designated for multifamily development.

In February 1955, City Council approved Ordinance No. 101650, changing Zone I (single-family and duplex) and Zone II (multifamily) to Zone III (commercial) on what is now Lloyd Center. That Zone Change was approved with the following conditions:

- a. Use restricted to comprehensive retail and shopping area according to plans (variations allowed), City Council No. 6890 (1954), minimum of 850,000 square feet in building or buildings.
- b. Parking in minimum ratio of 1.5 square feet of area off-street to 1 square foot of floor area.

Blocks 172 and 173 were not part of the original Lloyd Center project area.

In 1959, the City applied new zoning to all property and the AOPS zones (Apartment-Residential with Parking and Signboard overlays) were applied to Block 172 and 173. The "P" (Parking) overlay zone was applied to property adjacent to businesses to accommodate the increased parking demands generated by the use of the automobile. In 1960 additional portions of blocks in the vicinity of Lloyd Center were granted the parking overlay zone to allow for additional surface parking.

In 1963 a Revocable Permit was requested by Rose Festival Sponsors (File 4483R) for Block 173 to institute scenic helicopter flights in conjunction with the Rose Festival.

On January 1, 1981 (effective date of the Portland Comprehensive Plan), the zoning on Blocks 172 and 173 was changed from AOPS TO RHS (High-Density Multifamily with a Sign Control overlay). A Comprehensive Plan

designation of General Commercial was placed on Block 173 (the northern 70 percent of the site).

Lloyd Center proper was zoned C3 in 1981, although the land south of N.E. Multnomah and west of N.E. 15th retained its C2 designation. A C3 Comprehensive Plan designation was placed on the three blocks north of Multnomah between 15th and 16th.

In October 1980, the Banfield Light Rail Transit Station Area Planning Program (TSAPP) was initiated as a two-year project by many cooperating agencies, including the City of Portland, in order to prepare land use plans and implementation strategies for the light rail stations between Gresham and downtown Portland. The Lloyd Center area is part of the Holladay segment of the TSAPP. City Council adoption of the ordinances instituting TSAPP expanded the C3 zoning around Lloyd Center and areas to the west of Lloyd Center. Blocks 172 and 173 were part of the original TSAPP Holladay Street area recommended for change to C3 by the Planning Commission in 1983. City Council approved the TSAPP zoning map recommendation by Ordinance No. 155570, but the blocks east of N.E. 15th were not included as a part of the Holladay Segment and, therefore, retained the zoning pattern and Comprehensive Plan designations as they had been established in 1981.

In October 1984, City Council passed Ordinance No. 156681, vacating portions of N.E. Holladay Way between N.E. Holladay Street and N.E. Multnomah Street, and Tax Lot 1 of Blocks 172 and 173, under certain conditions. Conditions 1, 2, 6, 7, 8 and 9 are not directly relevant to this request, but Conditions 3, 4 and 5 directly affect development on this site:

- "(3) That development on these properties and on the superblock to the west across N.E. Holladay Way be in accordance with the Supplemental Recommendation 1 through 9 for the Holladay Street Segment of the Banfield Light Rail Transit Station Area Planning Program, as adopted by the Planning Commission on June 14, 1983.
- "(4) That if property between N.E. 15th and N.E. 16th Avenues, N.E. Multnomah and N.E. Holladay Streets, is developed separately from property west of N.E. 15th, its only vehicular access shall be from N.E. Multnomah Street as a continuation of the alignment of N.E. 15th Avenue north of N.E. Multnomah Street. No vehicular access shall be allowed east of N.E. 15th Avenue along N.E. Multnomah Street.
- "(5) That if the vacated rights of way are developed in conjunction with the property west of N.E. 15th, there shall be no vehicular access to the resulting superblock east of N.E. 15th Avenue.

The street vacation was requested in order to re-route traffic circulation due to location of the light rail line on N.E. Holladay Street west of the Banfield Freeway.

C. Vicinity Data

Surrounding Conditions: The major Lloyd Center development is located northwest of the site and consists of approximately 1.3 million square feet of leasable commercial space. The blocks on the east, north and west of the site are currently paved and in use as surface parking lots. The new light rail line and the Banfield Freeway are south of the site. Holladay Park, the location of a light rail station, is approximately 600 feet west of the site.

Service Considerations: Discussion of services is included under Comprehensive Plan Considerations, Goal 10, Policy 10.8, of this Staff Report.

D. Agencies and Neighborhood Associations Contacted

Bureau of Environmental Services, Bureau of Traffic Engineering, Bureau of Traffic Management, Transportation Planning Section of the Bureau of Transportation Planning and Finance, Plans, Inspections and Neighborhood Quality Divisions of the Bureau of Buildings, Water Bureau, Fire Bureau, Police Bureau, Park Bureau, City Forester, Office of Energy, Portland Development Commission, Tri-Met, Sullivans Gulch Neighborhood Association, Kerns Neighborhood Association, the Southeast Uplift Office and Central Northeast Neighbors.

E. Exhibits (Numbers refer to exhibits originally part of the Planning Staff Report, letters received in response to the Auditor's Office notification, and material submitted at the hearing, if any. Only those exhibits marked (*) are attached.)

1. Applicant's Statements
 - a. Dated November 12, 1985
 - b. Dated August 29, 1985
 - c. Traffic Study
- *2. Vicinity Map
3. Zoning Maps
 - * a. Existing
 - * b. Proposed by Applicant
 - * c. Proposed by Staff
- *4. Land Use Map
5. Plans
 - a. Site Plan

- b. Conceptual Plan
- c. Conceptual Drawing
- 6. Agency Responses
 - a. Land Use Planning, Bureau of Planning
 - b. Park Bureau, Street Tree Division
 - c. Water Bureau
 - d. Fire Bureau
 - e. Housing Section, Bureau of Planning
 - f. Police Bureau
 - g. (see Exhibit j)
 - h. Bureau of Environmental Services
 - i. Urban Design Section, Bureau of Planning
 - j. Bureau of Traffic Management and Transportation Planning Section of the Bureau of Transportation Planning and Finance
- 7. Letters
 - a. Sullivan's Gulch Neighborhood Association
 - b. Vetter

II. FINDINGS

A. Code Considerations

The RH, High-Density Multifamily Residential, zone permits single-family and multifamily development. Density is calculated based on assigned floor area ratios (F.A.R.s). An F.A.R. of 4 to 1 is permitted on Blocks 172 and 173. Commercial uses are not permitted except up to 20 percent of a new residential development approved through the Conditional Use process.

The C2, General Commercial, zone permits a broad range of commercial uses, including movie theaters. Theaters are classified as a Group 5 use for the purpose of calculating off-street parking requirements. Theaters are required to provide one off-street parking space per 56 square feet of floor area or, where seating is fixed, one space per eight seats or 16 feet of bench length. A theater complex containing 3,000 seats would require 375 off-street parking spaces; 3,500 seats would require 438 spaces. Either 19 or 22 bicycle parking spaces would also be required. The applicant's site plan indicates that if C2 zoning were approved, required parking spaces would be accommodated in the parking lot west of the site. The site plan submitted does not show any bicycle parking.

The C2 zone is designed to accommodate uses that are auto-oriented and so is generally placed along portions of major traffic streets.

The C3, Local Commercial, zone permits many of the same uses as the C2 zone, including theaters, but excludes most auto-related commercial uses

and the small-scale manufacturing that is permitted in the C2 zone. In addition, no off-street parking is required and a maximum number, equal to the C2 minimum, is imposed. Ten bicycle parking spaces would be required under C3 zoning. Under both C2 and C3 zoning, new construction is required to meet building orientation requirements so that any land between an adjacent transit street and a structure is treated as an extension of the sidewalk, by paving the area for pedestrian movement or by landscaping. Motor vehicle parking and maneuvering is not permitted in these areas. At this location, the light rail line, the Banfield Freeway and N.E. Multnomah are either transitways or transit streets. As shown on Exhibit 5b submitted by the applicant, the proposed location of the theater complex meets the building orientation requirements.

The proposal meets the floor area ratio, lot coverage, height and yard requirements of both the C2 and C3 zones. Signage requirements are also the same for both zones.

The applicant originally requested C2 zoning, consistent with the majority of the site that has a General Commercial Comprehensive Plan designation and to provide for maximum flexibility of use of the site. However, since the C2 zoning imposes minimum off-street parking requirements, at least 438 off-street parking spaces would need to be specifically set aside for the proposed use and those parking spaces would need to be landscaped to meet Zoning Code design regulations. Since the site is adjacent to C3 zoning and across N.E. Multnomah from Local Commercial Comprehensive Plan designations, the C3 zoning for this site is logical and consistent. The C3 zone is designed to provide for the establishment of retail and service uses that are supportive of transit services, so it is consistent to place C3 zoning on a site that has such excellent bus service and is within several hundred feet of the Holladay Park light rail station. The applicant has verbally stated that he has no objection to the C3 designation and zoning.

This site is part of a larger parcel that was formed by the vacation of N.E. Holladay Way in 1984 by Ordinance No. 156681. The superblock formed by this vacation is subject to the regulations of Chapter 33.91, Superblock Development Regulations, of the Zoning Code. The regulations require that walkways, open spaces and plazas be provided within the superblock equal to 50 percent of the amount of vacated street incorporated into the superblock. At least one plaza must be provided that has an area of five percent of the total area of the superblock, including vacated streets.

Prior to the issuance of any Building Permits for the proposed development, compliance with the superblock regulations must be shown. The applicant has submitted a conceptual site plan (Exhibit 5b) that shows that the superblock requirements can be met.

B. LCDC Considerations and Statewide Planning Goals

The State Land Conservation and Development Commission (LCDC) has acknowledged the Comprehensive Plan for the City of Portland. The State adopted 19 goals between December 1974 and December 1976. These goals are to carry out Statewide planning goals and guide development in Oregon. Guidelines are not mandatory. They are suggested directions for local governments to consider when developing Comprehensive Plans and applying the goals:

GOAL 1 -- CITIZEN INVOLVEMENT: Guidelines 4 A and B require that agencies that evaluate or implement public projects or programs shall provide assistance to the public.

Comment: There has been public notification to the property owners within 400 feet of this request. In addition, the association for the neighborhood within which the project site lies, as well as other neighborhood groups and district associations have been notified. All written and oral testimony is taken into consideration by the Hearings Officer and City Council in the decision making process. Copies of Reports are available to the public. Goal 1 and its associated guidelines are met.

GOAL 2 -- LAND USE PLANNING:

Part I - Planning: "To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."

Comment: Portland adopted its Comprehensive Plan in October, 1980 (effective date January 1, 1981). On May 1, 1981, the State Land Conservation and Development Commission adopted the Plan.

Part II - Exceptions: "When, during the application of the Statewide goals to plans, it appears that it is not possible to apply the appropriate goal to specific properties or situations, then each proposed exception to a goal shall be set forth during the plan preparation phases and also specifically noted in the notices of public hearing. The notices of hearing shall summarize the issues in an understandable and meaningful manner."

Comment: This request does not require an exception to any Statewide goal.

Part III - Use of Guidelines: "Governmental units shall review the guidelines set forth for the goals and either utilize the guidelines

or develop alternative means that will achieve the goals. All land use plans shall state how the guidelines or alternative means utilized achieve the goals."

Guideline 5 suggests the procedure for review of major revisions and minor changes in the Plan. Major revisions are categorized as "land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land itself, such as conversion of residential to industrial use, or a spatial change that affects large areas or many different ownerships."

Comment: The City follows this guideline by providing notice 30 days prior to the hearing date and notifying all property owners within 400 feet of the boundaries of the site within contiguous ownership. Notice is also sent to neighborhood associations and other interested groups or individuals.

Minor changes are those that do not have significant effect beyond the immediate area of the change. These changes should be based on public need and justification. Major revisions should respond to changes in development rates, public desires and needs, and should be made no more frequently than every two years.

This proposal will generate significant traffic and represents a change from residential to commercial zoning. The request does not fall into the category of a major revision, due to rapid growth or development rates. The applicant should meet the guideline of showing public need and justification of the request. The applicant has submitted justification of the request, as shown by Exhibit 5a. See "Comprehensive Plan Considerations", Policy 10.4 for additional discussion of this requirement.

GOAL 3 -- AGRICULTURAL LAND and GOAL 4 -- FOREST LANDS have been reviewed and are found to be unaffected by this proposal.

GOAL 5 -- OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES:

Comment: The site is currently paved and in use as a surface parking lot. The portion of the site that slopes steeply is currently covered with brush, vines and trees, and will be retained.

GOAL 6 -- AIR, WATER AND LAND RESOURCE QUALITY:

Comment: Portland has been working over the years to implement policies which will reduce the levels of air pollution and bring the City into

compliance with State and federal air quality standards. The proposed development, by being located in close proximity to a light rail station, can be seen as supportive of this aim. No new parking lots will be developed in conjunction with the theater complex.

GOAL 7 -- AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS has been reviewed and found to be not applicable to this request.

GOAL 8 -- RECREATIONAL NEEDS:

Comment: Residents of the Sullivan's Gulch neighborhood, during the course of a study done by Portland State University students in 1982, have identified movie theaters as a desirable addition to the area. The proposed theater complex will serve the recreational needs of not only the Sullivan's Gulch neighborhood, but also of residents of the entire metropolitan area.

GOAL 9 -- ECONOMY OF THE STATE:

Comment: The proposed development will provide part- and full-time employment opportunities in the area, particularly for young people. The operator of the theaters, Moyer Theaters, is a local company that will be expanding.

GOAL 10 -- HOUSING:

Comment: Although the site is zoned for multifamily development, it is currently developed with surface parking. The site was to be part of the C3 zoning associated with the light rail station planning, so was acknowledged by the Planning Commission to be more suitable for commercial than for residential development.

GOAL 11 -- PUBLIC FACILITIES AND SERVICES:

Comment: Public facilities are provided in this area and generally are adequate to serve the existing and proposed development. The adjacent streets are wide and generally adequate to serve the proposed development.

GOAL 12 -- TRANSPORTATION:

Comment: The Arterial Streets Classification Policy (ASCP) is part of the City's adopted Comprehensive Plan. As shown in the traffic analysis report prepared by the applicant, the majority of site-generated traffic will use neighborhood collectors, major city traffic streets and a regional trafficway. In addition, the site is within a few hundred feet of a light rail station.

GOAL 13 -- ENERGY CONSERVATION:

Comment: Guideline A (3) recommends that "Land use planning should, to the maximum extent possible, seek to recycle and re-use vacant land and those uses which are not energy efficient." Guideline A (4) recommends that "Land use planning should, to the maximum extent possible, combine increasing density gradients along high capacity transportation corridors to achieve greater energy efficiency." Guideline B (1) directs that implementation devices be used which have a material impact on energy efficiency. These devices should include density and compatibility of land uses.

The site is currently paved for surface parking, but is little used by Lloyd Center patrons. A large theater complex is an appropriate use in the vicinity of intense commercial activity and a light rail station.

GOAL 14 -- URBANIZATION, GOAL 15 -- WILLAMETTE RIVER GREENWAY, GOAL 16 -- ESTUARINE RESOURCES, GOAL 17 -- COASTAL SHORELINES, GOAL 18 -- BEACHES AND DUNES, and GOAL 19 -- OCEAN RESOURCES have been reviewed and were found inapplicable to this request.

C. Portland Comprehensive Plan Considerations

The City of Portland's Comprehensive Plan was adopted by City Council on October 16, 1980 and became effective January 1, 1981. The Plan was acknowledged by LCDC on May 1, 1981.

The Plan consists of a Comprehensive Plan Map, which designates the type, location and density of all land within the City, and a set of goals and policies providing the basis on which evaluations can be made as to whether proposals for land use decisions comply with the Plan.

Map Designation: The Comprehensive Plan Map designates this site as appropriate for Multifamily and General Commercial development.

Goals and Policies: All goals and policies of the Plan have been reviewed with regard to the present proposal, and the following are considered applicable.

GOAL 1 -- METROPOLITAN COORDINATION:

Comment: The coordination necessary to meet this Goal was part of the Plan adoption and update process and is not directly related to individual land use requests. LCDC acknowledgement of the Plan confirms that such coordination has taken place and that the Goal has been met.

GOAL 2 -- URBAN DEVELOPMENT:

Comment: Policy 2.1, Population Growth, provides for land use opportunities that will accommodate the projected increase in City households by the year 2000. The site, currently zoned RH, has a potential for residential development at a floor area ratio of 4:1. This site of approximately 20,000-square-foot RH zoning could be developed with a maximum of 80,000 square feet of residential development. The loss of this housing potential must be balanced by the benefit of the proposed commercial use if the request is to be approved.

Policy 2.2, Urban Diversity, promotes a range of living environments and employment opportunities for Portland residents. Although the proposal eliminates a large parcel of residentially zoned land, it will provide a variety of employment opportunities, particularly for young people. It is hoped that the operator of the theaters will offer employment preference to those residing within the inner northeast and southeast portions of Portland.

Policies 2.3, 2.4 and 2.5 have been reviewed with respect to this proposal and were found not to apply.

Policies 2.6 through 2.20 constitute the urban planning policies that have guided the preparation of the Comprehensive Plan Map. The policies address the general location and density of every aspect of urban development.

Policy 2.6, Open Space, Policy 2.7, Willamette River Greenway Plan, and Policy 2.8, Forest Lands, are not applicable to this request.

Policy 2.9, Residential Neighborhoods, allows for a range of housing types to accommodate increased population growth while improving and protecting the City's residential neighborhoods. The traffic analysis submitted by the applicant indicates that the majority of site-generated traffic will use neighborhood collectors and will avoid additional traffic on residential streets within the nearby neighborhoods.

Policy 2.10, Downtown Portland, references the downtown's position as the principal commercial, service, cultural and high-density housing center in the City and the region. The Lloyd Center area is an established commercial area that in many ways can be considered as an extension of the downtown, although the proposed theaters will be competitive with downtown theaters.

Policy 2.11, Commercial Centers, encourages expansion of the role of major established commercial centers which are well served by transit. The Policy also promotes strengthening these centers with retail, office, service and labor-intensive industrial activities which are compatible with the surrounding area.

As noted by the applicant (Exhibit 1a):

"...Lloyd Center is one of the major established centers within the inner City of Portland. It has been established for over 25 years and is well served by transit. The new light rail system will serve this area with a major station at Holladay Park."

Although the site is currently zoned for High-Density Multifamily development, the General Commercial designation on the northern 70 percent of the site indicates that the site is recognized as an area for commercial development. The site is immediately adjacent to the Lloyd Center area and is a logical extension of that area.

Policy 2.12, Transit Corridors, provides for a mix of activities along major transit routes to augment travel options.

The applicant's traffic study (Exhibit 1c, Section II-9, portions attached) states that:

"The street system in the vicinity of the proposed theater complex is well served by Tri-Met bus routes 8, 9, 18 (sic) and 70.... Existing service is expected to improve with the commencement of light rail operations in September 1986. ...Routes 8, 9 and 10 will pass immediately adjacent to the site of the proposed theater while Route 70 will pass within approximately two blocks."

The Holladay Park light rail station is located approximately three blocks from the site. This distance is well within normal walking range of the station. Landscaping required as a part of the super-block regulations will enhance the connection between the light rail station and the entrance to the theaters.

Policy 2.13, Auto-Oriented Commercial, allows auto-oriented commercial activities to locate along major traffic streets.

N.E. 15th, 16th and Multnomah are all neighborhood collectors. The Arterial Streets Classification Policy (ASCP) discourages new land uses and major expansions of existing land uses which attract a significant volume of traffic trips from outside the neighborhood along neighborhood collectors. Movie theaters tend to be high traffic

generators, but the peak operating hours of the theater are at 8:00 to 10:00 p.m. rather than the peak morning and afternoon work hours which brings the maximum number of vehicles to the street system. These neighborhood collectors connect to major city traffic streets and a regional trafficway without directing traffic through the nearby neighborhoods.

Policy 2.14, Industrial Sanctuaries, has been reviewed and found not to apply to this request.

Policy 2.15, Living Closer to Work, provides for the location of greater residential densities near major employment centers.

The Lloyd Center area, including the nearby office development, is a major employment center. The loss of high-density residentially zoned land for commercial development must be carefully weighed. More than half of the site has a commercial designation, so the loss of residential development on this portion of the site can be expected. The southern portion of the site has no such designation, but the location of this portion of the site, immediately adjacent to the Banfield Freeway, may make this isolated RH-zoned area unattractive and awkward for residential development. This is particularly true given the prohibition (by Ordinance No. 156681 relating to the vacation of N.E. Holladay Way) of new access points east of N.E. 15th along N.E. Multnomah.

Policy 2.16, Strip Commercial, discourages the development of new strip commercial areas and encourages focusing of future activity in existing strip commercial areas to create a more clustered pattern of commercial development.

This proposal represents a logical extension of an existing commercial node, not an expansion of strip commercial development.

Policy 2.17, Transit Stations, provides for increased commercial activity in the vicinity of new regional transit facilities and stations.

The proposed development is within walking distance of the Holladay Park light rail station. This type of commercial activity is supportive of the City's investment in the light rail system and the applicant's traffic study indicates that at least 2 percent of all trips to the proposed development are expected to be by transit.

Policy 2.18, Utilization of Vacant Land, provides for the full utilization of existing vacant land except in those areas designated

for open space. The site is currently paved for surface parking, but is little used. The redevelopment of the site, including landscaping and pedestrian amenities, is consistent with this Policy.

Policies 2.19, Existing Housing Stock; 2.20, Mixed Use; 2.21, Buffering; 2.22, Terwilliger Parkway Corridor Plan; and 2.23, Northwest Triangle District, have been reviewed and found not to apply to this request.

GOAL 3 -- NEIGHBORHOODS:

Comment: The preservation of neighborhood stability is accomplished, in part, by diverting commercial traffic off neighborhood streets. According to the applicant's traffic analysis, the majority of site-generated traffic will not be funneled through the Sullivan's Gulch neighborhood, but some diverter system may be necessary on N.E. Multnomah to prevent the use of that west-to-east route. The request is generally consistent with the Neighborhoods Goal.

GOAL 4 -- HOUSING:

Comment: Policy 4.4, Housing Choice and Neighborhood Stability, requires support of private and public actions which increase housing choices including the improvement of the physical and environmental conditions of all neighborhoods.

The loss of high-density residentially zoned land must be balanced by the provision of a commercial activity that will benefit the residents of the area. Approximately 70 percent of the site has been designated for commercial use by the Comprehensive Plan, so that portion of the site can be expected to develop commercially. The remaining 30 percent of the site consists partially of steeply sloped land immediately adjacent to the freeway, and would be difficult to develop for residential use.

GOAL 5 -- ECONOMIC DEVELOPMENT:

Comment: Theaters are not high employment generators, but the proposed development does represent an increase over the current parking lot development. The proposed developer, Tom Moyer Theaters, a local firm, would be given an opportunity to expand within the City. Approval of the request is consistent with Policy 5.2, Jobs and Income, and Policy 5.3, Business and Industry.

Policies 5.9 through 5.12 relate specifically to existing commercial areas.

Policy 5.9, Area Character and Identity, promotes and enhances the special character and identity of Portland's commercial districts and strips. The proposed development is consistent with the existing Lloyd Center development, both in scale and appearance. In addition, the development will break up an area that is unattractive to pedestrians and will reconnect the area to the neighborhood.

Policy 5.10, Land Use, encourages and strengthens the vitality of the City by ensuring that there is an adequate supply of commercially zoned land so that business may expand in a manner consistent with the City's historic commercial development pattern.

The request is particularly supportive of objectives A and B which relate to enhancing and sustaining established commercial areas. The site is a logical extension of the Lloyd Center area and the proposed theater complex will reinforce and strengthen Lloyd Center's position as a regional shopping center.

Policy 5.11, Transportation, promotes a transportation system which provides or improves access to and circulation within commercial districts and strips.

This site has excellent access to the freeway via several neighborhood collector streets. Adequate parking is provided west and north of the site in existing parking areas. The addition of movie theaters in the Lloyd Center area will enhance it as a shopping center by providing a variety of commercial opportunities and so reduce the number of trips. Pedestrian areas and bicycle parking will be provided adjacent to the theater complex out of the flow of automobile traffic.

Policy 5.12, Business Environment, promotes a business environment within commercial districts and strips that is conducive to the formation, retention and expansion of commercial businesses.

The proposed development will generate a modest number of jobs and will reinforce the vitality and stability of the Lloyd Center area by converting underutilized land into active use.

Since the site is immediately adjacent to an established commercial area and transportation impacts can be mitigated, the proposal is supportive of the Economic Development Goal.

GOAL 6 -- TRANSPORTATION:

Comment: Policy 6.2, Regional and City Traffic Patterns, provides for the creation and maintenance of regional and City traffic patterns

that protect the livability of established neighborhoods. The traffic generated by this proposal is expected to be primarily on neighborhood collectors or higher traffic arterials, rather than on local service streets, consistent with the intent of this Policy.

Policy 6.3, Land Use/Streets Relationship, institutes the ASCP which is used to guide project development. The majority of traffic will be directed to the streets that are designed to funnel traffic into and out of this district. The proposal is consistent with the policies of the ASCP for both the northeast and southeast districts if appropriate mitigation measures are imposed.

Policy 6.4, Public Transportation, encourages a safe, efficient metropolitan public transportation system to serve Portland as an alternative to the automobile. Existing and planned bus service, as well as the light rail line nearing completion, will provide the area with excellent access to public transportation. The proposal is supportive of these transportation alternatives to the automobile.

Policy 6.5, Transit Related Density, reinforces the link between public transportation and land use. This request represents a loss of high-density residential land that would be supportive of this Policy, but the northern portion, due to its commercial designation, would not be expected to develop with residences.

Policies 6.1, 6.6, 6.7 and 6.8 have been reviewed and found not to apply to this request.

Policy 6.10, Transit Station Area Planning, ensures that public investments in light rail and private investments near light rail stations are mutually supportive and coordinated by implementing the Banfield Light Rail Transit Station Area Planning Program. Policy 6.10 is divided into segments for the various transit station areas. The Holladay Park Segment goals and policies include: (1) strengthening the Holladay Street area as an office, retail and residential area; (2) encouraging the formation of new superblocs; (3) reducing parking requirements; (4) providing convenient pedestrian and open space systems; (5) providing safe pedestrian linkages throughout the district and the light rail station; and (6) improving auto, transit, pedestrian and bicycle access and access in the Holladay street area. This proposal, because it is immediately adjacent to the Holladay Park station planning area, should be consistent with these objectives. The proposal will be supportive of the light rail system and the site is a logical extension of the station area. "All pedestrian connections required as a part of the superbloc regulations should be assured good access between the theater

and the station," (Exhibit 6j, response from Bureaus of Traffic Management and Transportation Planning and Finance). There are no inherent conflicts between the proposal for a theater complex or the C3 zoning and the adopted Holladay Segment goals.

GOAL 7 -- ENERGY:

Comment: The proposal is consistent with the Energy Goal by reinforcing an energy-efficient pattern of development. The development would be near a light rail station and adjacent to several bus lines. The loss of residential potential in an inner-city location must be balanced with the increase in convenience.

GOAL 8 -- ENVIRONMENT:

Comment: The request will not significantly impact the air or water resources, no designated open space is affected, and the proposed use will not increase noise levels in the area; therefore, the request is not in conflict with this Goal and associated policies.

GOAL 9 -- CITIZEN INVOLVEMENT:

Comment: There has been public notification to the property owners within 400 feet of this request. In addition, the Sullivan's Gulch Neighborhood Association, Kerns Neighborhood Association, the Southeast Uplift Office and the Central Northeast Neighborhoods Area Office have been notified. All written and oral testimony is taken into consideration by the Hearings Officer, Planning Commission and/or City Council in the decision making process. Copies of planning reports are available to the public without charge. This Goal and related policies are met.

GOAL 10 -- PLAN REVIEW AND ADMINISTRATION:

Comment: Since this request is for a Comprehensive Plan Map Amendment and Zone Change, both Policies 10.4, Comprehensive Plan Map Amendments, and 10.8, Zoning Upon Plan Adoption must be considered.

Policy 10.4 states the criteria for Comprehensive Plan Map Amendments as follows:

"The burden of proof for such a change is placed upon the petitioner seeking such an action. The applicant must show that the requested change is (1) consistent and supportive of the appropriate Comprehensive Plan goals and policies, (2) compatible with land use pattern established by the Comprehensive Plan Map,

(3) in the public interest to grant the petition; the greater the departure from the Comprehensive Plan Map designation, the greater the burden of the applicant, and (4) that the public interest is best served by granting the petition at this time and at the requested locations. Rezoning may be considered concurrently with the request for modification of the Comprehensive Plan Map designation."

Any Plan Map Amendment proposal must be consistent with the appropriate Comprehensive Plan goals and policies. The applicant has submitted several letters and a traffic study to show compliance with this requirement. The proposal is generally consistent with the Urban Development, Neighborhoods, Economic Development and Energy Goals. The conflict with the Housing Goal is minimal as the southern portion of the site is not particularly suited to residential development.

The request is consistent with the Transportation Goal if adequate mitigation measures are provided to lessen congestion and divert traffic away from neighborhood streets. On balance, the proposal is consistent with the appropriate goals and policies.

The existing Map designation contains an anomaly with this site. The Lloyd Center area was designated for Local Commercial development and this designation was reinforced during the light rail station planning project. The blocks north of the site are also designated for Local Commercial development. The site was originally included in the transit project but was not part of the final action by Council. C2 zoning would perpetuate this anomaly, but designation as Local Commercial would eliminate it and make the site's designation consistent with the Map pattern for the area. A change to a C3 Plan designation may be considered a correction to the land use pattern consistent with the existing designation of the Lloyd Center area.

The public interest is served by granting this request since the site is currently underdeveloped and unlikely to be developed for residential use. The proposed development will benefit the neighborhood by providing employment opportunities and by providing a more diverse and interesting range of commercial activities within easy reach by foot, bus, light rail or car.

The four criteria for granting a Plan Map Amendment can be met with a Local Commercial (C3) designation, but not with a General Commercial (C2) designation since the latter designation will create an anomaly in the Map pattern and is less consistent with the appropriate goals and policies. The Local Commercial designation is consistent with the relevant goals and policies, particularly the commercial district

policies and the policies relating to transit station planning. The Map pattern is logically Local Commercial at this location since the rest of Lloyd Center is currently C3 and the blocks north of the site are designated Local Commercial.

The public interest is best served by granting the request at this time and at this location. The streets are adequate to handle the increase in traffic with some mitigation measures, and the development proposal will enhance the Lloyd Center area. In addition, the light rail system is nearing completion and the habit of using the system will be established just as the proposed development is nearing completion.

Policy 10.8 states that "three major sets of conditions must be met before upzoning may be approved. If all conditions are met, the rezoning request will be approved." The conditions are:

1. The proposed rezoning must be to the maximum Comprehensive Plan Map designation unless:
 - a. Less intense residential densities in existing R10, R20 or FF zones are planned and platted to allow for future redivision at full densities of R5, R7 or R10 zones if so designated by the Plan, or
 - b. Proof is provided that development at full intensity is not possible within five (5) years due to physical conditions (such as topography, street patterns, public service, existing lot arrangement, etc.).
2. It must be found that services, adequate to support the proposed industrial or commercial use or the maximum residential density allowed by the proposed rezoning are presently available or can be reasonably made available, (consistent with the Comprehensive Plan public facilities policies) by the time the proposed use qualifies for a Certificate of Occupancy or Completion from the Bureau of Buildings. For the purposes of this requirement, services include (a) water supply; (b) sanitary sewage disposal; (c) stormwater disposal; (d) transportation capabilities; and (e) police and fire protection.

Where public utilities are required to be installed or improved by the applicant, a performance contract or bond assuring their installation to specific standards is required.

3. Findings shall be provided by the Hearings Officer that the proposed upzoning:
 - a. Should be approved if consistent with 1(a) and 2 above; or
 - b. Should be approved if consistent with 1(b) and 2 above with the condition that development be specifically limited consistent with the adequacy of available service until such time as existing service deficiencies are corrected; or
 - c. Is premature and should be denied because the land use designation on the Comprehensive Plan is related to, or dependent upon, completion of major public projects or other off-site improvements.

Comment:

1. Plan Designation: The applicant originally requested C2 zoning since the northern portion of the site was designated for General Commercial development. The applicant has agreed to the C3 zoning which would be the maximum permitted under the Local Commercial designation.
2. Services: The adequacy of services has been reviewed and the following findings are made:

Water Supply: There is a 16-inch water line in N.E. Multnomah west of N.E. 16th, and an 8-inch line in Multnomah east of 16th. The Water Bureau has reviewed the request and states that existing water facilities are adequate to serve the vicinity, although if there are additional requirements for fire protection, improvements will be at the owner's or developer's expense (Exhibit 6c).

Sanitary Sewage and Stormwater Disposal: There is a 14-inch sewer line in N.E. Multnomah adjacent to the site and a 30-inch sewer line in the vacated portion of N.E. Holladay Way. The response from Environmental Services (Exhibit 6h) indicates that the combined sewers adjacent to the site are adequate to provide sanitary sewer service. The response also notes,

"Adequate sewers are available adjacent to the site to provide storm sewer service for the proposed use; however, the sewer located in N.E. Multnomah Street is not adequate to accept additional stormwater discharges. To insure that stormwater discharges from the site are properly

disposed of it is requested that the Hearings Officer's decision include the following condition: Building Permits shall not be approved for this site until the applicants have provided a stormwater disposal plan that has been reviewed and approved by the Bureau of Environmental Services, Engineering Services Division."

Transportation Capabilities: N.E. Multnomah, adjacent to the site, is an 80-foot right-of-way with a 60-foot-wide paved street, improved with curbs and sidewalks. It narrows to a 40-foot paved street east of N.E. 17th. N.E. 16th Drive is a 28-foot paved right-of-way. N.E. 15th (north of Multnomah) is a 60-foot paved street in an 80-foot right-of-way, and N.E. 16th (north of Multnomah) is a 48-foot paved street in an 80-foot right-of-way. The Transportation Planning and Traffic Management response indicates that the streets are adequate to serve development permitted under C2 or C3 zoning.

Police and Fire Protection: Police services are provided through the East Precinct at N.E. 47th and Burnside. Fire protection is provided through the station at N.E. Weidler and N.E. 10th. Both the Fire and Police Bureaus have indicated that the proposed development under C3 zoning can be provided with their services.

3. Recommendation on Findings: Based on these findings, the criteria for the proposed rezoning have been met.

GOAL 11-A -- PUBLIC FACILITIES (General Goal):

Comment: Urban services have been established in this area, including streets, sewers, solid waste disposal, water, parks, schools and fire and police protection. There is no conflict with the Public Facilities Goal or related policies.

D. Planning Bureau Comments

The Land Use Planning Section has reviewed the proposal and recommends that the zoning and Comprehensive Plan designation on the site be changed to C3, Local Commercial, rather than C2, General Commercial (Exhibit 6a). The response notes that the "TSAPP study recommended C3 zoning for this site as well as the area to the west around the light rail line and Lloyd Center. Continuing the C3 zoning pattern to include this site would be supportive of Policy 2.11 (Commercial Centers) by allowing development which is compatible with the surrounding uses. It would be supportive of Policy 2.18 (Utilization of Vacant Land) by providing for full utilization

of the parcel and it would be in compliance with Policy 10.4 (Comprehensive Plan Map Amendments) because it would provide for a logical land use pattern in the area."

The Housing Section does not support a change to commercial designation on this site because

"...the loss of residentially zoned land, especially vacant land, affects the ability of the City to meet both its housing goals and the State Housing Goal."

The Housing Section response goes on to say, however, that:

"...the proposed site is partially designated for commercial uses, adjacent on three sides to large areas designated for commercial uses, was suggested for commercial designation as part of the TSAPP study in this area, and that only the southern one-third of the parcel has an RH designation." (Exhibit 6e.)

The Urban Design Section response reminds the applicant that prior to the issuance of a Building Permit, application must be made for superblock review (Exhibit 6i).

E. Agency Responses

The Bureau of Environmental Services response has been discussed under Policy 10.8 of this Report.

The Bureau of Traffic Management and The Transportation Planning Section of the Bureau of Transportation Planning and Finance (Exhibit 6j) have reviewed the proposal and the traffic study submitted by the applicant. Both Bureaus support the C3 zoning and Local Commercial designation for the site. They note that the:

"...C3 zone is supportive of the public investment made in transit in the Holladay Street corridor. Allowing this site to be zoned C2 could attract automobile-oriented types of land uses in the future which would not take advantage of the mass transportation system in this area."

The response indicates that the intersection of N.E. 16th and Irving is now under a ramp metering system. A new p.m. peak traffic generator could negatively affect the capacity of this intersection. The majority of the site-generated traffic for movie theaters is during later evening hours, with the peak time being 8:00 to 9:00 p.m. on Saturday. The Bureau

response recommends approval of the change to C3 for a theater use only with several conditions (Exhibit 6j and Staff Recommendation).

The Water Bureau, Fire Bureau and Police Bureau responses have been discussed under Policy 10.8 of this Report.

The Park Bureau, Forestry Division, indicates that adequate street trees exist at this time (Exhibit 6b).

F. Response to Applicant's Statement

The applicant submitted two written statements (Exhibits 1a and 1b), and a traffic study (Exhibit 1c) to justify the request for a Zone Change and Comprehensive Plan Map Amendment. The applicant has addressed the appropriate criteria and has submitted the requested information needed to evaluate the proposed development.

III. TRANSPORTATION CONCERNS

The Bureaus of Traffic Management and Transportation Planning have recommended approval of the change to the Local Commercial designation and C3 zoning for this site. However, they have based their approval on the assumption that the development of the site will consist of a theater complex.

According to the applicant's traffic study, the intersection of N.E. Irving and 16th will be negatively impacted during the p.m. peak hour by cars exiting the parking areas adjacent to the site. These Bureaus have therefore recommended conditions be imposed on the approval of this request:

IV. CONCLUSIONS

This request is for a Zone Change and Comprehensive Plan Map Amendment for an approximately 1.5-acre parcel south of N.E. Multnomah between N.E. 15th and N.E. 16th from the current RH zoning to C2 and from the Comprehensive Plan Map designation of High-Density Multifamily and General Commercial to Local Commercial. Based on discussions with the applicants and the existing Plan Map pattern, Staff finds that the C3 zoning and Local Commercial designation is more appropriate for this site.

The request meets the four criteria for a Plan Map Amendment and the criteria for granting a Zone Change. It is in the public interest to grant the request so long as traffic impacts are mitigated as much as possible.

The applicant and prospective developer are reminded that superblock review will be required prior to the issuance of any Building Permits.

Because some uses, such as offices, that are permitted under the C3 zoning could add substantial amounts of traffic to the street system at the peak hour, particularly at the N.E. 16th/Irving intersection, Transportation Planning and Traffic Management further recommends that if, for some reason, a theater is not developed on this site, the applicant shall submit any new proposals for review to Staff of the Bureaus of Planning, Traffic Management, and Transportation Planning and Finance.

In addition, Transportation Planning and Traffic Management initially recommended conditions concerning transit subsidy, limiting hours (designed to avoid normal peak hour impact) and applicant's assumption of certain capital improvements. While applicant objected strongly to these initial conditions at the hearing, it is the Hearings Officer's conclusion that the dialog at the hearing resulted in general agreement on alternative conditions. The Hearings Officer intends to impose such conditions which still reflect Staff concern but which have been modified to respond to some of the applicant's objections.

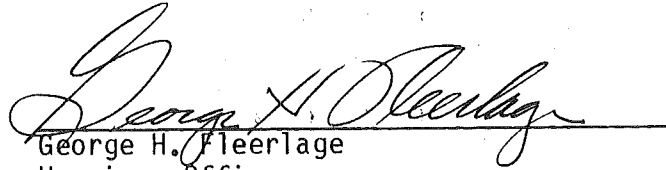
V. RECOMMENDATION

It is therefore the recommendation of the Hearings Officer to deny the requested C2 zoning and Comprehensive Plan Map designation of General Commercial, but to approve a Comprehensive Plan Map designation of Local Commercial and a Zone Change to C3S for Tax Lot 1 of Blocks 172 and 173 (consisting of approximately 46,000 square feet) and for Lots 1-8 (including 1/2 of vacated streets west and south of and adjacent to and except part in street per Ordinance No. 94296, consisting of approximately 20,000 square feet), Block 173, Holladays Addition, subject to the following conditions:

- A. A "pass plus" system shall be instituted whereby holders of Tri-Met passes can receive discounts on theater tickets.
- B. During the p.m. peak traffic hour of 4:00 to 6:00 p.m., conclusions of presentations in the various viewing rooms of the theater complex shall not all occur at the same time.
- C. Applicant shall participate in the facilitation of the operation of the N.E. 16th Avenue and N.E. Irving Street intersection and of the freeway ramp with the City and other public and private agencies if traffic impact is deemed by the City Bureau of Traffic Management to require such facilitation.
- D. Applicant shall participate in the identification of traffic impact to local service streets in the Sullivan's Gulch neighborhood, and in addressing those problems if such study and implementation measures are deemed necessary by the City Bureau of Traffic Management, when such impact is created by implementation of this proposal.

- E. If a theater is not developed on this site, applicant must submit any new proposals for review to Staff of the Bureaus of Planning, Traffic Management and Transportation Planning and Finance.

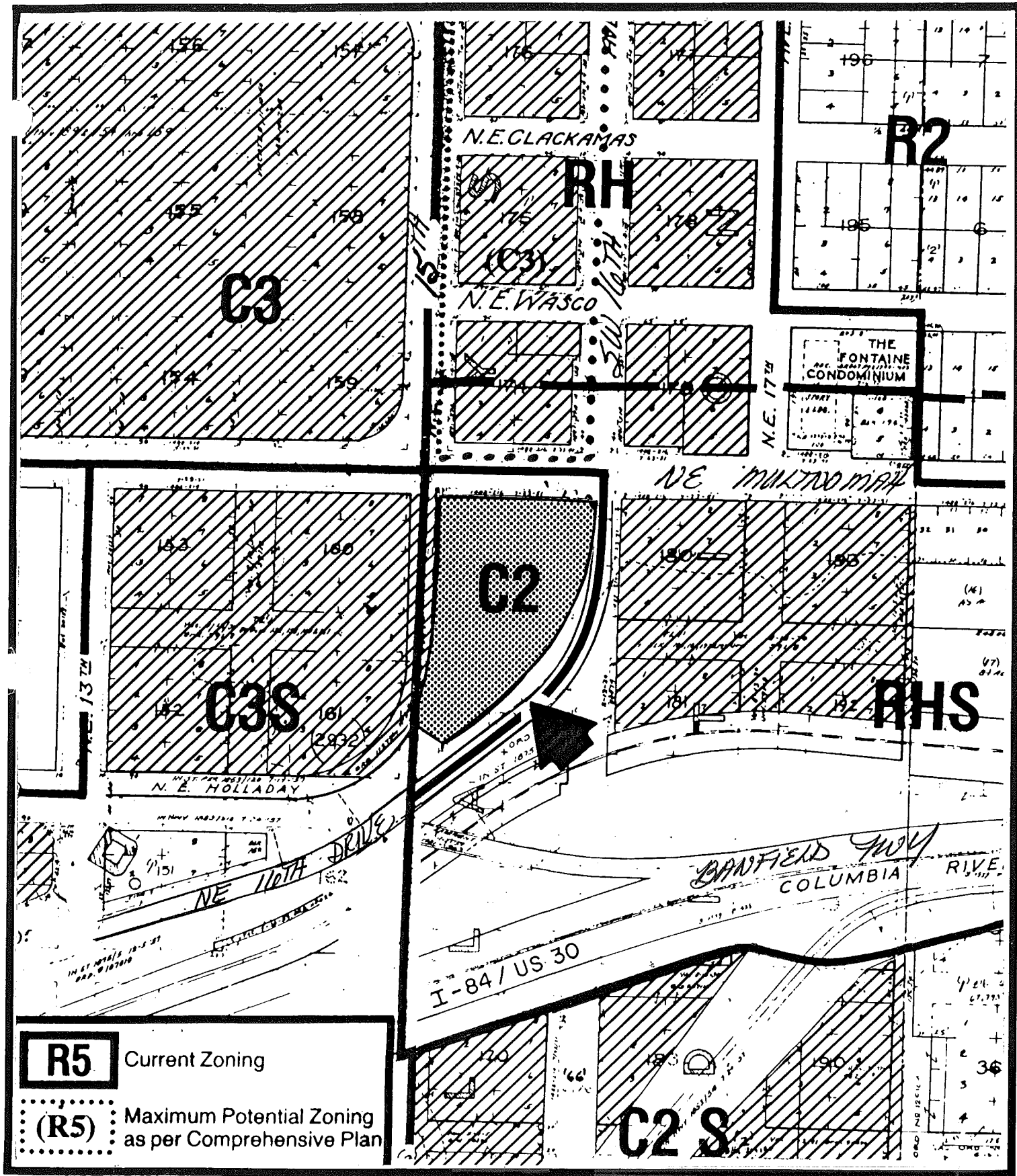
Recommendation rendered this 29th day of January, 1986.


George H. Fleerlage
Hearings Officer

Unless appealed, this recommendation of the Hearings Officer shall be final 14 days after it is filed with the Office of the City Auditor and Planning Commission in accordance with City Code Section 33.114.060(e).

THEREFORE, ANY APPEAL OF THIS ACTION BY THE HEARINGS OFFICER MUST BE FILED NO LATER THAN FEBRUARY 14, 1986. After that, the City Council will consider whether to enact the ordinance necessary to finalize this recommendation.

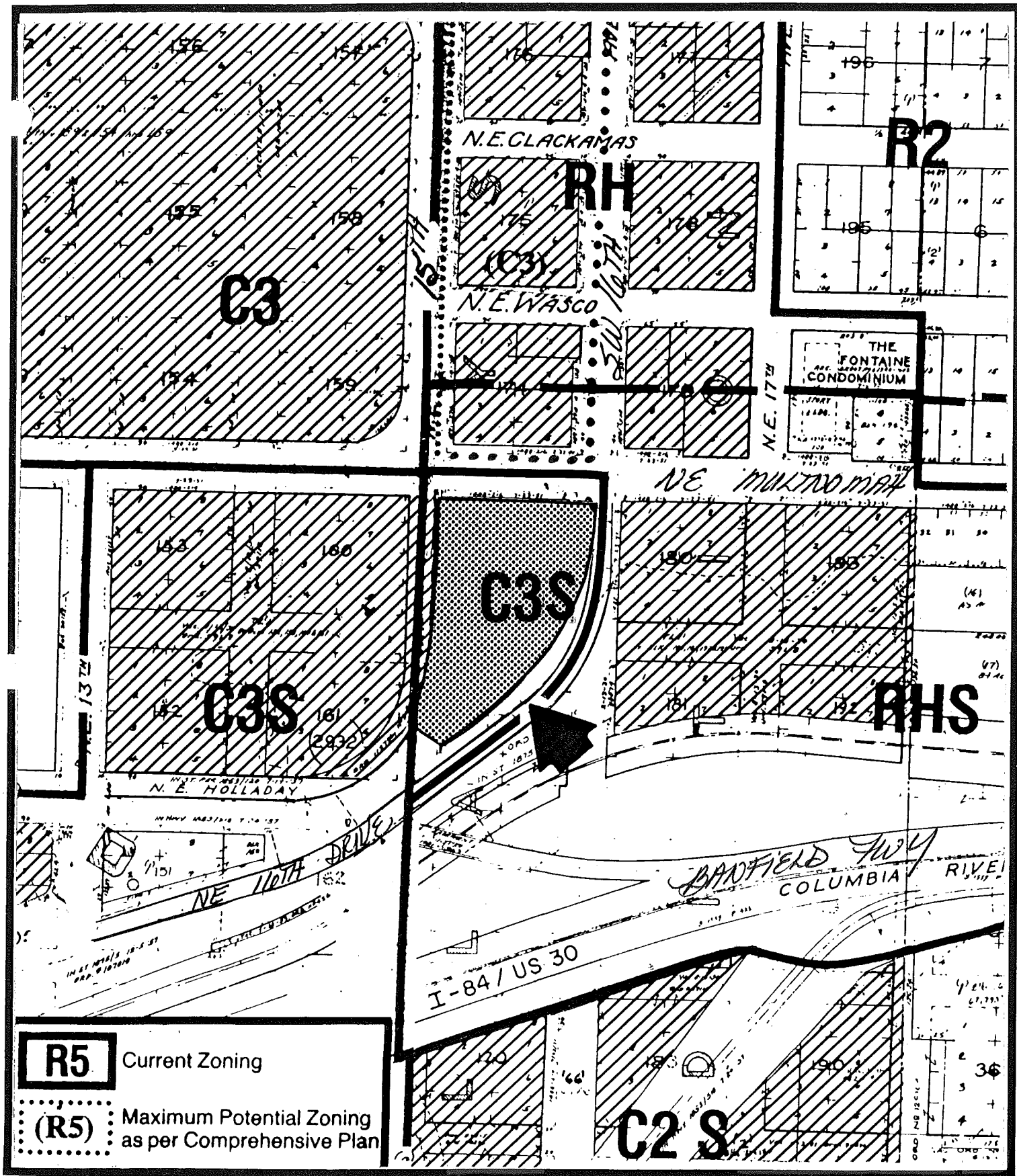
Information and assistance in filing an appeal can be obtained from the Bureau of Planning at the Central Permit Center on the first floor of The Portland Building, 1120 S.W. 5th Avenue, 97204, 796-7310.



Zoning proposed

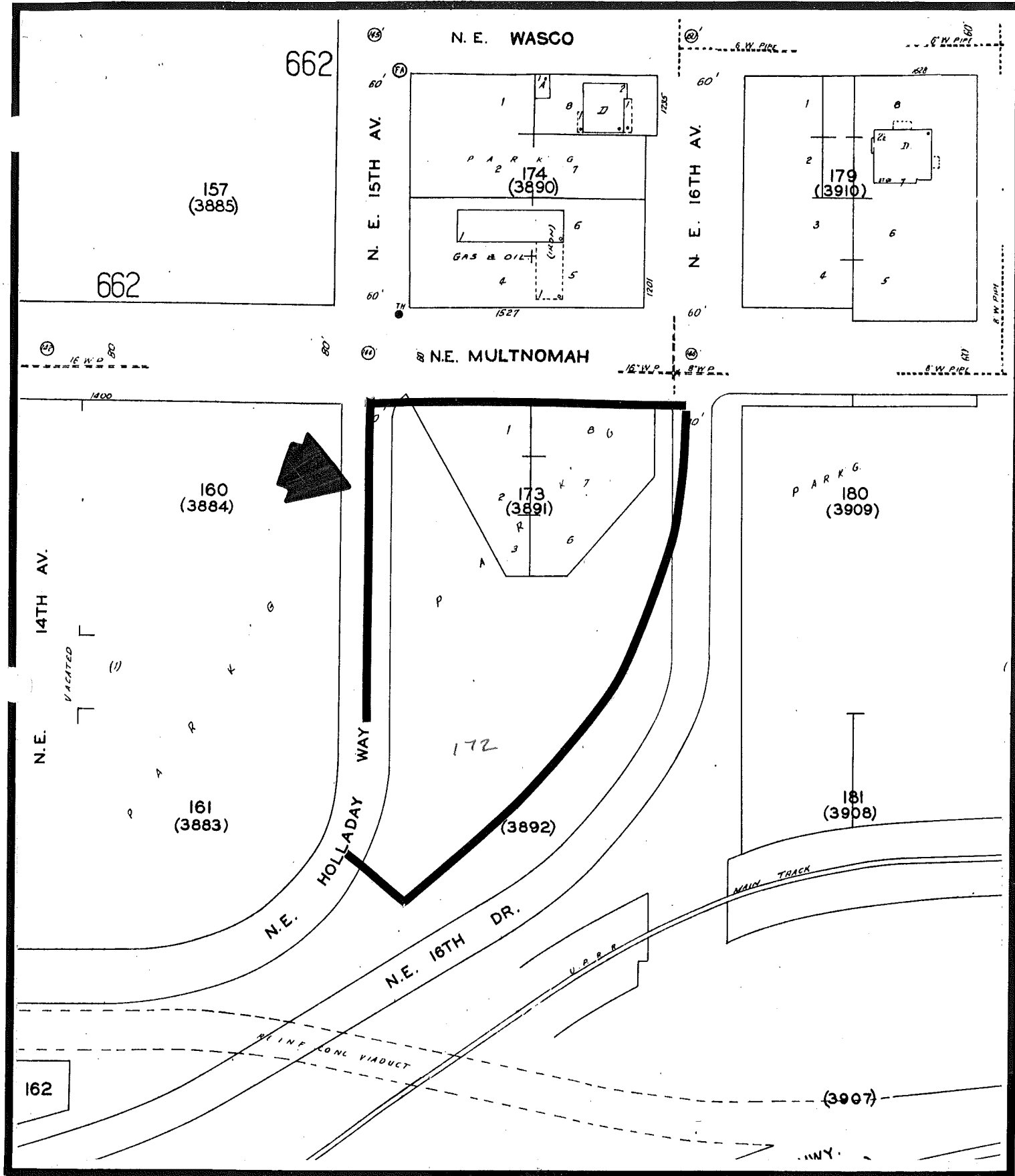


File No. 7557-PA
 1/4 Section 2932
 Scale 1" = 200'
 Request Zone Change and
 Exhibit Comprehensive Plan Amendment
 3b



AS PROPOSED BY STAFF

File No. 7557-PA
1/4 Section 2932
Scale 1" = 200'
Request Zone Change and
Comprehensive Plan Amendment
Exhibit 3c



Land Use



File No. 7557-PA
 1/4 Section 2932
 Scale 1" = 100'
 Request Zone Change and
 Exhibit Comprehensive Plan Amendment 4