R. Conditional Use

The following outline is made in accordance with the City of Portland Code of Ordinances, Chapter 14 Land Use, Article V Section 14-474 and Zone Related Criteria.

c) Conditions for conditional uses

1) Authorized uses
   a. *"A conditional use permit may be issued for any use denominated as a conditional use in the regulations applicable to the zone in which it is proposed to be located"*

      i. The lot is undergoing Level II Site Plan Review with no surface parking spaces, parking aisles, or vehicle lanes within thirty-five feet of any street, except for the existing driveway located perpendicular to the street and providing access to the site, which is indicated as a conditional use in the B-3 zone, per *Section 14-218(a)(5)(a).*

2) Standards
   a. *"The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and*

      i. Per *Sec. 14-216: Purpose* of the B-3 zone, the existing visitor parking fosters the role of downtown as the business and commercial center of the region as well as the presence and integration of the arts and cultural activities downtown. The proposed visitor lot expansion aims to enhance these roles as well as provide adequate parking and transportation facilities which promote accessibility, enhance and encourage development opportunity and enhance and protect the pedestrian environment where previously unavailable.

      ii. The required number of parking spaces for a museum is undefined, per Sec 14-332. The proposed parking lot expansion increases the parking spaces from the existing 47 to 69 (including 3 ADA accessible spaces). The proposed number of parking spaces resides within the "Peak Period Demand Range" of 49-104 spaces based upon the gross floor area of the adjacent Portland Museum of Art buildings (0.63 – 1.34 vehicles/1,000 SF of gross floor area from the *4th Edition Parking Generation from the Institute of Transportation Engineers*).

         1. The number of spaces is not substantially greater than would normally occur at surrounding uses or other allowable uses in the B-3, Downtown Business Zone.
         2. The type of traffic to be generated and hours of operation is anticipated to remain the same as existing conditions with a

minimal increase in volume.

b. *"The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and"*

   i. Acorn does not anticipate the creation of unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter. Stormwater quality treatment will be provided through the development of the vegetated underdrain soil filter best management practice.

c. *"The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone."*

   i. Screening will be provided through the relocation of existing site landscaping features, as shown on the Site and Landscape Plan, Sheet C-10 of Civil Plan Set. The client intends to reuse existing landscaping thereby increasing the density of the vegetated area, which will create a more substantial screening buffer along Spring Street and Oak Street.

   ii. The existing private parking sign indicated on Construction Management Plan, Sheet C-03, is to be relocated as indicated on Site and Landscape Plan, Sheet C-10. The existing Portland Museum of Art sign at the intersection of Oak and Spring Street is to remain undisturbed. Acorn anticipates additional signage to consist of Barrier Free Parking Signs for the ADA parking spaces, as displayed on Site Details, Sheet C-40.

   iii. The existing loading docks at the adjacent Portland Museum of Art parcel will remain unchanged.

   iv. Deliveries will continue to use the existing driveway at Spring Street. The parking lot access point will be shifted slightly towards Spring Street to allow for vehicles to exit the parking lot when a tractor-trailer (WB-67) is parked at the existing loading dock, which is not feasible with the existing driveway location and width.

   v. The existing conditions concerning solid waste disposal is to remain unchanged and will continue to be stored at the adjacent Portland Museum of Art parcel.

   vi. Based on the information above, Acorn does not anticipate a greater effect/impact on surrounding properties than the existing conditions, surrounding uses or other allowable uses in the zone.