



DEPARTMENT OF ENVIRONMENTAL SERVICES  
TRANSPORTATION AND LAND USE PLANNING DIVISION  
1600 SE 190th Avenue  
Portland, OR 97233 (503) 248-3043

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## DECISION OF THE PLANNING DIRECTOR

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### Design Review For Flagpole Private Estates Lincoln Memorial Park

**Case File:** DR 9-98

**Date Issued:** Monday, July 26, 1999

**Proposal:** Construction of 288 double deep columbarium wall niches, 8 mausoleums, 226 double deep lawn crypts, and a 24' x 24' outdoor pavilion within the Lincoln Memorial Park cemetery.

**Related Cases:** Grading and Erosion Control Permit (GEC 49-98)

**Location:** 10504 SE Mount Scott Boulevard  
Tax Lot 101, Section 22, T1S, R2E, W.M. (R-99222-0630)

**Applicant:** Scott Davidson  
Lincoln Memorial Park, Inc.  
11801 SE Mount Scott Boulevard  
Portland, Oregon 97266

**Owner:** Lincoln Memorial Park, Inc.  
11801 SE Mount Scott Boulevard  
Portland, Oregon 97266

**Site Size:** 36.01 acres

**Present Zoning:** Single Family Residential (R-10)  
Community Service (CS)

**Approval Criteria:** Multnomah County Code (MCC) 11.15.780, Design Review.  
Comprehensive Plan Policies 11, 13, 14, 22, 31, 37, 38, & 40.

**Decision:** **Approve, subject to compliance with specific conditions, Design Review to construct columbarium wall niches, mausoleums, lawn crypts, and an outdoor pavilion within the Lincoln Memorial Park cemetery.**

## **Conditions of Approval**

1. This approval is based on the applicants' written narrative(s), site plan, and other submitted materials along with the findings contained in this Decision. No development is to occur under this permit other than that which is specified within these documents. It shall be the responsibility of the applicant and/or property owner to comply with these documents as presented and approved.
2. Drainage of stormwater run-off attributed to this development shall be managed with a detention system, consistent with recommendations contained in the drainage computations report prepared by Christine J. Higgins, P.E., dated November 16, 1998.
3. Application for building permits may be made with the City of Portland after the close of the appeal period for this decision. When ready to have building permits signed off, the applicant shall call the Staff Planner, Derrick I. Tokos, AICP, at (503)-248-3043, for an appointment for review and approval of the conditions and to sign the building permit plans. Multnomah County must review and sign off the building permits before they are submitted to the City of Portland. Five (5) sets each of the site plan and building plan are needed for building permit sign off.
4. Design review approval shall expire eighteen (18) months from the date of this decision. Upon application a six (6) month extension may be granted by the Planning Director upon written findings that the applicable provisions of this ordinance are satisfied. Failure to apply for an extension shall result in expiration of the approval.
5. No additional land use action and/or permit requests shall be accepted, relating to the subject application, until such time as all required fees for said application have been paid in full.

## **Findings of Fact**

(Formatting Note: Staff as necessary to address Multnomah County ordinance requirements provides Findings referenced herein. Headings for each finding are underlined. Multnomah County Code requirements are referenced using a **bold** font. Written responses by the applicant, demonstrating compliance with code criteria, are *italicized*. Planning staff comments and analysis may follow applicant responses. Where this occurs, the notation "Staff" precedes such comments.)

### **1. Project Description:**

*The applicant is requesting a Site Design review for Flagpole Private Estates Phases 1 and 2. These phases would contain 226 lawn crypts (452 double-depth crypts) separated by 3½ foot-high brick walls and lawn, 288 columbarium wall niches (576 double-depth niches), 8 mausoleums, and a 24 foot by 24 foot pavilion (Please refer to the Site Plan, Sheet 2). The crypts, niches and mausoleums will be plotted and recorded with the Multnomah County Surveyor after the Design Review approval. The subject site is approximately 20,000 square feet.*

## 2. Site and Vicinity Characteristics:

*The site is part of Lincoln Memorial Park, which has been a cemetery since 1905. Currently there are 30,000 lawn crypts within the portion of the property in Multnomah County. Additional lawn crypts are located in the Clackamas County portion of the site. A sales office and large mausoleum containing 5,000 graves are located on the portion of the property within Multnomah County; a funeral home and general office are located on the portion of the property within Clackamas County.*

*The subject property, Tax Lot 101, Map 1S2 22C, is a 36.01-acre parcel located southwest of Mount Scott Boulevard. Areas to the east and north of the park are separated from the subject property by Mount Scott Boulevard. To the (east) of the memorial park is Willamette National Cemetery. To the north and northeast are residential areas. To the west are residential properties and vacant land. The southern portion of the parcel extends south into Clackamas County.*

*The topography of Phases 1 and 2 ranges from five percent slope to sixteen percent slope.*

Staff: The subject property is a pocket of unincorporated land surrounded by the City of Portland. County zoning on the property is Single Family Residential (R-10). A Community Service stamp was placed on the property in recognition of its historic and present use as a cemetery. On August 19, 1998 Multnomah County approved a Community Service Use Permit allowing additional cemetery and related uses as described herein (Permit #CS 2-98). Existing topography slopes down gradient from the southeast to the northwest toward Mount Scott Boulevard. The area to be developed is approximately ½ acre in size and, as illustrated on the site plan, is located towards the interior of the larger 36.01 acre parcel.

## 3. Uses Allowed in the Single Family Residential (R-10) Zone District:

### 11.15.2862 Use

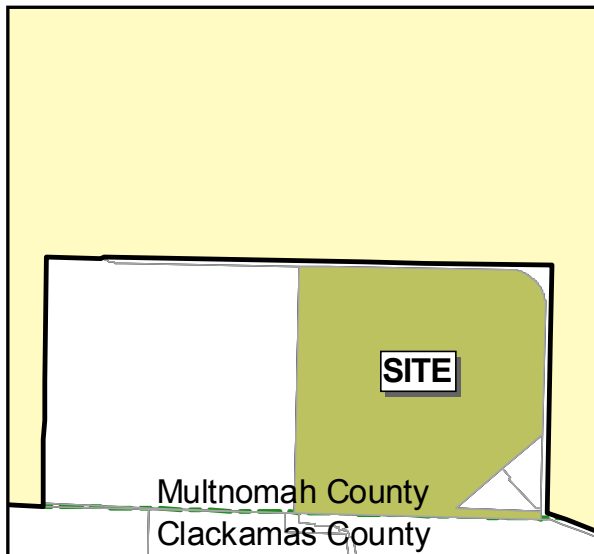
**No buildings, structure or land shall be used and no building or structure shall be hereafter erected, altered, or enlarged in this district except for the following uses:**

\* \* \*

- (D) Special uses, such as parks, playgrounds, or community centers, churches, schools, golf courses and uses of similar nature, as provided in MCC .7005 through .7041, when approved by the Hearings Officer.**

### Vicinity Map

Scale: 1" = 1000'



*MCC .7020(A)(3) provides for a "cemetery, crematory, mausoleum, mortuary, or funeral home" as a permitted use in a district when approved at a public hearing. The subject property is a cemetery. The Multnomah County Hearings Officer approved a Community Service Use Permit (CS-2-98) on August 19, 1998 for Lincoln Memorial Park. Phases 1 and 2 would be a continuation of this approved use.*

Staff: We concur. The mix of uses and intensity of cemetery development proposed with this application is consistent with Community Service Use Permit #CS 2-98.

4. Design Review Required:

Staff: As described under MCC 11.15.7825 and .8205 a Hearings Officer may require design review approval as a condition of approval of Community Service Use Permit (CS) applications. Such a requirement was adopted as Condition #2 of the Hearings Officer conditional approval of CS #2-98, a Community Service Use Permit authorizing the proposed cemetery development on the subject property. This design review application by Lincoln Memorial Park, Inc. (applicant) satisfies Condition #2 of the Community Service Use Permit.

5. Compliance With MCC 11.15.7850, Design Review Criteria:

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| A. | <p><b>MCC .7850(A)(1)(a), The elements of the design review plan shall relate harmoniously to the natural environment and existing buildings and structures having a visual relationship with the site.</b></p> <p><i>The development proposes to create lawn crypts and landscaped areas surrounded by low brick walls. The surrounding areas also consist of lawn crypts and landscaping, therefore the Flagpole Private Estates will fit well with the setting. The site is within view of the main mausoleum, the only structure within close proximity (500 feet) of the subject area.</i></p>   |
| B. | <p><b>MCC .7850(A)(1)(b), The elements of the design review plan should promote energy conservation and provide protection from adverse climatic conditions, noise, and air pollution.</b></p> <p><i>No structures intended for occupancy are proposed. The pavilion would provide visitors some shelter from weather conditions. Landscape maintenance vehicles and visitors' automobiles would produce negligible noise and air pollution. The only energy needed for the proposal is electricity for pathway and pavilion illumination, as shown on the Site Plan (Sheet 2). The current electricity service to the memorial park is adequate for these needs.</i></p> |
| C. | <p><b>MCC .7850(A)(1)(c), Each element of the design review plan shall effectively, efficiently, and attractively serve its function. The elements shall be on a human scale, inter-related, and shall provide spatial variety and order.</b></p> <p><i>The three-foot and four-and-a-half-foot brick walls enclosing groups of lawn crypts are designed to afford some privacy to visitors, yet not obstruct views between areas. The proposed development will provide a symmetric layout. The</i></p>  |

*flagpole walkway bisects Phases 1 and 2, which would be nearly mirror images of each other.*

- D. **MCC .7850(A)(2), Safety and Privacy – The design review plan shall be designed to provide a safe environment, while offering appropriate opportunities for privacy and transitions from public to private spaces.**

*The three-foot and four-and-a-half-foot brick walls enclosing groups of lawn crypts are designed to afford some privacy to visitors, yet not obstruct views between areas.*

Staff: No safety issues appear to exist, provided the pavilion and walls comply with uniform building code. Development is internal to the site, therefore, the need for a transition from public to private space is not applicable.

- E. **MCC .7850(A)(3), Special Needs of Handicapped – Where appropriate, the design review plan shall provide for the special needs of handicapped persons, such as ramps for wheelchairs and braille signs.**

*The proposed design includes a concrete paved ramp at five percent grade that allows wheelchair access from the paved road at the southern end to the lawn crypts and private mausoleums throughout the site. The columbarium niche wall at the northern edge would be accessible from the paved road to the north.*

- F. **MCC .7850(A)(4), Preservation of Natural Landscape – The landscape and existing grade shall be preserved to the maximum practical degree, considering development constraints and suitability of the landscape or grade to serve their functions. Preserved trees and shrubs shall be protected during construction.**

*Some grading is proposed, however, the natural slope of the site would be preserved. Please refer to the Grading & Erosion Control Plan (Sheet 4). The four big leaf maples on the site would be preserved, and protected during construction. The two groups of approximately five rhododendrons would be removed, as well as some existing boxwood and other shrubs. Please refer to the Planting Plan, Sheet 6.*

- G. **MCC .7850(A)(5), Pedestrian and Vehicular circulation and Parking – The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and the arrangement of parking areas in relation to buildings and structures, shall be designed to maximize safety and convenience and shall be harmonious with proposed and neighboring buildings and structures.**

*There is paved vehicle access both to the north and to the south of the site. The roads are wide enough to accommodate parking (14 to 25 feet) while allowing other vehicles to pass. Additional parking areas are provided around the main mausoleum and at the sales office. The paved roads provide access from the memorial park entrance gates and other areas of the park. No changes to the roads are proposed.*

- H. **MCC .7850(A)(6), Drainage – Surface drainage systems shall be designed so as not to adversely affect neighboring properties or streets.**
- The proposed improvements will add little impervious surface. The proposed concrete path and stairs would be in the same location as the existing path and stairs. The lawn crypts are designed with stormwater systems (please refer to the Construction and Erosion Control Details, Sheet 9, and the separate Grading and Erosion Control Permit Application). The proposed improvements would be surrounded by other areas of the memorial park, and would have negligible impact on water quality and drainage on adjoining lands.*
- Staff: Evidence submitted by Christine J. Higgins, P.E., dated November 16, 1998, demonstrates that proposed drainage improvements should be adequate to detain, on-site, increased stormwater runoff attributed to this project.
- I. **MCC .7850(A)(7), Buffering and Screening – Areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed, located, buffered or screened to minimize adverse impacts on the site and neighboring properties.**
- The only structures proposed are the pavilion, the brick walls around the lawn crypts, the columbarium niche walls, a retaining wall, and the flagpole. There would be no areas, structures, or facilities that would require screening.*
- J. **MCC .7850(A)(8), Utilities – All utility installations above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.**
- The only utility installation above ground would be the lights, which would be located as indicated on the Site Plan (Sheet 2). Wiring for lighting and the irrigation system would be located underground.*
- K. **MCC .7850(A)(9), Signs and Graphics – The location, texture, lighting, movement, and materials of all exterior signs, graphics or other informational or directional features shall be compatible with the other elements of the design review plan and surrounding properties.**
- No signs or graphics are proposed.*

6. Compliance With Minimum Standards Provisions Of MCC 11.15.7855:

- A. **MCC.7855(C)(1), A minimum of 15% of the lot area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subpart 3 of this subsection.**
- The proposed development would occur on a portion of a lot. As defined in 11.15.7855(C)(7), almost the entire site would be landscaped, including the lawns, shrubs and trees, pathways, and pavilion.*
- Staff: As is evidenced by the aerial photograph and Planting Plan (Site Plan Sheet 6) submitted with this application, existing and proposed landscaping within the

cemetery exceeds the 15% minimum threshold established by this criterion.

- B. **MCC.7855(C)(2), All areas subject to the final design review plan and not otherwise improved shall be landscaped.**

Staff: The Planting Plan illustrates that all areas adjacent to proposed development are to be landscaped.

- C. **MCC .7855(C)(3), The following landscape requirements shall apply to parking and loading areas...**

*No parking or loading areas are proposed, therefore this subsection does not apply.*

- H. **MCC .7855(C)(4), Provision shall be made for watering planting areas where such care is required.**

*The site would be irrigated.*

Staff: As indicated on the Planting Plan, landscaped areas are to be watered by an automatic, in-ground, irrigation system.

- I. **MCC .7855(C)(5), Required landscaping shall be continuously maintained.**

The new and existing landscaping on the subject site will be sustained as part of the memorial park's maintenance plan.

- J. **MCC .7855(C)(6), Maximum height of tree species shall be considered when planting under overhead utility lines.**

*There are no existing or proposed overhead utility lines on the subject site, therefore this subsection does not apply.*

- H. **MCC .7855(C)(7), Landscaped means the improvement of land by means such as contouring, planting, and the location of outdoor structures, furniture, walkways and similar features.**

*The site design includes terraced areas that work with the slope of the site. Benches and walkways complement the landscaped areas, providing function for visitors*

Staff: This definition has been utilized in the review of this application.

## 7. Compliance With Applicable Comprehensive Plan Policies:

Compliance with Comprehensive Framework Plan policies 11, 13, 14, 22, 31, 37, 38, and 40 has been demonstrated with the approval of Community Service Use Permit 2-98, with which this design review application is consistent.

## **Conclusion**

Considering the findings and other information provided herein, this application to construct columbarium wall niches, mausoleums, lawn crypts, and a outdoor pavilion within the Lincoln Memorial Park cemetery, as conditioned, satisfies applicable Comprehensive Framework Plan policies and Multnomah County Zoning Ordinance requirements.

## **Exhibits**

All materials submitted by the applicant, prepared by county staff, or provided by public agencies or members of the general public relating to this request are hereby adopted as exhibits hereto and may be found as part of the permanent record for this application.

In the matter of: DR 9-98

Multnomah County Department of Environmental Services  
Transportation and Land Use Planning Division

By: \_\_\_\_\_  
Derrick I. Tokos, AICP – Planner

For: Kathy Busse - Planning Director

This decision filed with the Director of the Department of  
Environmental Services on Monday, July 26, 1999

## **NOTICE**

This decision may be appealed within 10 days of the above date, pursuant to the provisions of MCC 11.15.8290. An appeal requires a \$100.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning offices at 1600 SE 190th Avenue (Phone: 248-3043).

**The appeal period ends Thursday, August 5, 1999 at 4:30 p.m.**