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## **[Permit question stalls UO building](http://www.registerguard.com/csp/cms/sites/web/news/sevendays/23625909-35/story.csp)**

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## **Uncertainty about the 20-year expiration date leads the university to seek an extension for the research park**

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The University of Oregon has had to delay construction on the first new building in 10 years at its Riverfront Research Park while it seeks an extension of the permit allowing construction at the 67-acre site across the Willamette River from Alton Baker Park.

A private developer planned to begin in August to build a \$17 million, 80,000-square-foot building north of the railroad tracks and just east of the Eugene Water & Electric Board site. But some uncertainty over whether the conditional use permit for the park had passed its 20-year expiration date led the university to delay work while it seeks a three-year extension.

Diane Wiley, the research park director, said it's not clear that the university needs the extension. The way the permit and master plan for the park have been interpreted in the past, the expiration date doesn't come until October 2012, she said.

That's because the 1989 master plan and permit were appealed up to the state Land Use Board of Appeals, and the city didn't enter into a final conditional use permit agreement until 1992, Wiley said. Starting from that date, the permit expires in 2012.

But Wiley said some have suggested that the 20-year clock started with the city's original approval of the plan in 1989, which would mean the permit expired last month. Wiley and the university don't believe that's correct, but she said that even though no one had formally challenged the permit, they couldn't take even a remote chance that it could be pulled out from under the project after construction had begun.

"In trying to make sure our bases were covered we proactively submitted for an extension," she said. "Had there been a challenge, we didn't want an interpretation that

it could have expired.”

She also said the university will agree to build only two buildings during the three-year extension and will submit a new master plan before any other buildings are proposed. The other building that would be included in the extension would be on a now-vacant lot between the two main existing research buildings on Millrace Drive south of the railroad tracks at the east end of the park.

But opponents want the university to revise the master plan first, before any new buildings are built.

The master plan has been controversial from the start, not least because it would allow several new buildings in what is now open space between the railroad tracks and the river.

Two UO graduate students have tried to rally support for an immediate plan revision. Student body president Emma Kallaway also was among those who successfully brought a resolution to the student senate opposing new development in the park until a new plan is written, and with significant student involvement.

Graduate student Rena Schlachter helped organize opposition to the extension, but she said that doesn't mean she's opposed to construction in the research park. Things have changed since the master plan was approved — construction of the new U.S. Courthouse and EWEB's plans to sell its neighboring property for development are two examples she cited — and it should be updated before moving ahead with more buildings.

“It's just a very different world and a different place,” she said. “Before we jump into something, we're saying we should take some time and step back.”

The deadline for public comments on the extension request was Nov. 20. City planner Steve Nystrom said a significant number of comments were received.

Permit extensions are typically routine matters. Decisions are made by the city planning director without a public hearing, but that decision can be appealed to a hearings officer, who does hold a hearing.

Only two criteria can be used in deciding an extension request, Nystrom said. Those are whether the request is consistent with the terms of the original permit and whether it will result in significant changes to the appearance of the development, the use of the site or its effect on surrounding properties.

The university argues that a time extension doesn't change anything about the project; it's exactly the same as it has been for 20 years.

Opponents say allowing the extension would permit the construction of a building that alters the current appearance of the park and its effect on neighboring property.

City planning director Lisa Gardner is expected to issue a decision around mid-December. Opponents would have 12 days to file an appeal, something Schlachter said they will do if the extension is granted.

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