

ORDINANCE No. 188376

Amend the Comprehensive Plan Map designation and amend the Zoning Map for property 2815 SW Barbur Blvd (Ordinance; LU 16-186417 CP ZC)

The City of Portland ordains:

Section 1. Council finds:

1. The Applicant seeks, for property 2815 SW Barbur Boulevard, the following:
 - a. a Comprehensive Plan Map Amendment from Neighborhood Commercial and Medium Density Multi-Dwelling to Urban Commercial for the property identified as State ID No. 1S1E09ASA 02300, described as Tax Lot 2300 of Blocks 74 & 75, Caruthers Addition, a recorded plat in Multnomah County (hereinafter referred to as the "Property"); and
 - b. a Zoning Map Amendment from Neighborhood Commercial 2 (CN2) and Residential 1,000 (R1) to Storefront Commercial (CS) for the Property; and
 - c. No change to the existing Design overlay (d) zone.
2. The City received an application complying with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland seeking amendment of the Comprehensive Plan Map and Zoning Map with the proper fee for filing paid.
3. The Hearings Officer held a duly noticed public hearing on February 2, 2017, and a Recommendation was mailed on March 17, 2017, (BDS File No. LU 16-186417 CP ZC). The Hearings Officer recommended approval of the requested Comprehensive Map Amendment and Zoning Map Amendment with conditions.
4. Based on the findings contained in the Recommendation of the Hearings Officer, the City Council finds the requested Comprehensive Plan Amendment and Zoning Map Amendment, are in conformance with the Comprehensive Plan and relevant Title 33 approval criteria.

NOW THEREFORE, the Council directs:

- a. City Council adopts the facts, findings, conclusions and recommendations of the Hearings Officer in BDS File No. LU 16-186417 CP ZC.
- b. The Comprehensive Plan Map Amendment and Zoning Map Amendment for the Property described as Tax Lot 2300 of Blocks 74 & 75, Caruthers Addition, a recorded plat in Multnomah County, are approved as follows:
 1. A Comprehensive Plan Map Amendment from Neighborhood Commercial and Medium

Density Multi-Dwelling to Urban Commercial for the Property.

2. A Zoning Map Amendment from Neighborhood Commercial 2 with design overlay (CN2d) and Residential 1,000 with design overlay (R1d) to Storefront Commercial with design overlay (CSd) for the Property.
3. The Comprehensive Plan Map and Zoning Map Amendments are subject to the conditions below. Any violation of these conditions will be subject to the enforcement procedures in the City code, but will not void the Comprehensive Plan Map and Zoning Map Amendments:
 - A. Prior to any changes being made to the Zoning Map and Comprehensive Plan Map designations, the applicant must:
 1. Submit a letter from Central City Concern documenting owner permission for the use of an existing restrictive covenant on two units at the site of the Richard L. Harris Building (8 NW 8th Avenue), with the covenant having been previously documented as Exhibit G.5 of LU 140104931; or
 2. Submit documentation of property owner permission and a restrictive covenant of at least 25 years for two units at the site of another commercial or employment zone project with non-required housing.
 - B. The following conditions are applicable to development on the site:
 1. Development shall be limited to the land use and trip rate allocations per Table 1, below. Total vehicle trips shall not exceed 401 AM peak hour trips. The applicant shall be responsible for providing an accounting of all square footages for each proposed use, as well as existing uses, and the conversion to vehicle trips for each building permit application.

Zoning Land Use Category	Building Square Footage (GLA/Other)	AM Peak Hour Trip Rate 2
Office (Medical/Dental Office, ITE 720)	1,000 square feet	2.39
Retail Sales and Service (High-Turnover Sit-Down Restaurant)	1,000 square feet	10,81
Household Living (Apartment, ITE 220)	1 dwelling unit	0.51
Vehicle Repair (Automobile Care Center, ITE 942)	1,000 square feet	2.25
Industrial Use Categories (Manufacturing, ITE 14)	1,000 square feet	0.73
Institutional Use Categories (Day Care, ITE 565)	1,000 square feet	12.18
1 The building square footage or dwelling units shall be converted to trips and compared to the maximum established. The established trip rates for these land use categories shall not be altered.		
2 All trip rates in this table are based on the ITE trip generation, 9 th Edition rates for reasonable worst case uses as shown in the Land Use Column for the AM peak hour.		

2. In addition to documenting compliance with applicable Zoning Code requirements, all building permit applications submitted for new development/redevelopment shall include:
 - a. A description of the proposed development, with floor area or dwelling unit calculations by land use category;

- b. The resulting new vehicle trips generated by the proposed development, using Table 1;
- c. The calculated number of vehicle trips generated by any existing development, using Table 1; and
- d. Confirmation that the proposed use vehicle trips plus existing use vehicle trips do not exceed 401 AM peak hour trips.

Passed by the Council: MAY 17 2017

Commissioner Chloe Eudaly
Prepared by: Mark Moffett, BDS
Date Prepared: May 3, 2017

Mary Hull Caballero
Auditor of the City of Portland

By 
Deputy

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<p>INTRODUCED BY Commissioner/Auditor: <i>Eudaly</i></p>	CLERK USE: DATE FILED <u>APR 25 2017</u>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly <i>CDE</i></p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Bureau of Development Services Bureau Head: <i>[Signature]</i> Rebecca Esau, Interim Director</p> <p>Prepared by: Leanne Torgerson Date Prepared: 4/24/17</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p> <p>Council Meeting Date May 3, 2017. 3:00 TC</p>	<p>ACTION TAKEN:</p> <p>MAY 03 2017 PASSED TO SECOND READING MAY 17 2017 9:30 A.M.</p>

AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/></p> <p>Start time: <u>3:00 TC</u></p> <p>Total amount of time needed: 1.5 hours (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Eudaly	✓	
Wheeler	✓	