

ORDINANCE No. 189170

Amend the Comprehensive Plan Map and Zoning Map and approve a Conditional Use Master Plan and Adjustment for Parkview Christian Retirement Community at 1825 NE 108th Ave and properties at NE 106th Ave, at the request of Andrew Tull, 3J Consulting Inc. (Ordinance; LU 17-113086 CP ZC CU MS AD)

The City of Portland ordains:

Section 1. Council finds:

1. The Applicant seeks, for property at 1825 NE 108th Avenue, 1918 NE 106th Avenue, 1910 NE 106th Avenue, 1824 NE 106th Avenue, 1820 NE 106th Avenue, and 1812 NE 106th Avenue, the following:
 - a. A Comprehensive Plan Map Amendment from Single-Dwelling 7,000 and Multi-Dwelling 2,000 to Multi-Dwelling 1,000 for the property legally described as:

BLOCK 21&22 TL 11100, CASMUR; BLOCK 3, PLANTATION; TL 2700 0.29 ACRES, SECTION 27 1N 2E; TL 2900 0.33 ACRES, SECTION 27 1N 2E; LOT 1, PARTITION PLAT 2003-109; LOT 2, PARTITION PLAT 2003-109;
 - b. A Zoning Map Amendment from Single-Dwelling Residential 7,000 (R7) and Multi-Dwelling Residential 2,000 (R2) to Multi-Dwelling Residential 1,000 (R1) for the property described above;
 - c. A Conditional Use Master Plan for the following improvements on the site:
 1. New 1-story, approximately 15,500-square-foot, 26-bed memory care building adjacent to NE 106th Avenue (classified as Group Living use);
 2. New 2-story, approximately 20,300-square-foot, 22-unit independent living apartment building adjacent to NE San Rafael Street (classified as Household Living use); and
 3. Approximately 1,500-square-foot, 1-story addition to an existing building in the interior of the site for use as common area for residents; and
 - d. An Adjustment to reduce the minimum number of long-term bike parking spaces for the Household Living use on the site from 153 to 18.
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 a Comprehensive Plan Map Amendment, Zoning Map Amendment, Conditional Use Master Plan, and Adjustment Review with the proper fee for filing paid.
3. The Hearings Officer held a duly noticed public hearing on July 16, 2018 and issued a Recommendation on August 13, 2018 (BDS File No. LU 17-113086 CP ZC CU MS AD).

The Hearings Officer recommended approval of the requested Comprehensive Plan Map Amendment, Zoning Map Amendment, Conditional Use Master Plan, and Adjustment Review with conditions.

4. Based on the findings contained in the Recommendation of the Hearings Officer, the City Council finds the requested Comprehensive Plan Map Amendment is in conformance with the Comprehensive Plan and relevant Title 33 approval criteria, that with conditions of approval, the requested Zoning Map Amendment is in conformance with Comprehensive Plan and the relevant Title 33 approval criteria, and that with conditions of approval, the Conditional Use Master Plan and Adjustment Review are in conformance with the 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 17-113086 CP ZC CU MS AD.
- b. The Comprehensive Plan Map Amendment, Zoning Map Amendment, Conditional Use Master Plan, and Adjustment Review for the site are approved as follows:
 1. A Comprehensive Plan Map Amendment is approved to remove the Single-Dwelling 7,000 and Multi-Dwelling 2,000 designations and apply the Multi-Dwelling 1,000 designation to the property legally described as:

BLOCK 21&22 TL 11100, CASMUR; BLOCK 3, PLANTATION; TL 2700 0.29 ACRES, SECTION 27 1N 2E; TL 2900 0.33 ACRES, SECTION 27 1N 2E; LOT 1, PARTITION PLAT 2003-109; LOT 2, PARTITION PLAT 2003-109;

2. A Zoning Map Amendment is approved to remove the Single-Dwelling Residential 7,000 (R7) and Multi-Dwelling Residential 2,000 (R2) designations and apply the Multi-Dwelling Residential 1,000 (R1) designation to the property described in Directive b.1 above;
3. A Conditional Use Master Plan is approved for following improvements on the site:
 - a. New 1-story, approximately 15,500-square-foot, 26-bed memory care building adjacent to NE 106th Avenue (classified as Group Living use);
 - b. New 2-story, approximately 20,300-square-foot, 22-unit independent living apartment building adjacent to NE San Rafael Street (classified as Household Living use); and
 - c. Approximately 1,500-square-foot, 1-story addition to an existing building in the interior of the site for use as common area for residents;
4. An Adjustment Review is approved to reduce the minimum number of long-term bike parking spaces for the Household Living use on the site from 153 to 18.
5. Approval is subject to the following conditions:

The Zoning Map Amendment shall be subject to the following conditions of approval:

- A. If the Parkview Christian Retirement Community is ever demolished and the site is proposed to be completely redeveloped, development on the site must be limited to a maximum of 70 dwelling units. Reconsideration of this condition of approval would require a new Type III Zoning Map Amendment review subject only to approval criterion 33.855.050.B.2.c. (This condition of approval does not apply to the Conditional Use Master Plan developments approved in this Ordinance.)
- B. Prior to any future building permit approval, a stormwater management plan must be submitted which shows no infiltration of stormwater within the area of contamination, or which includes soil testing information showing that contamination will not be further mobilized on or off site, to the satisfaction of the Bureau of Environmental Services.

The Conditional Use Master Plan shall be subject to the following conditions of approval:

- C. The Conditional Use Master Plan expires 10 years from the date this Ordinance becomes effective.
- D. Prior to approval of the first building permit under the Conditional Use Master Plan, the applicant must either revise the proposed stormwater management plan so that infiltration of stormwater is not proposed within the area of contamination, or provide soil testing information showing that contamination will not be further mobilized on or off site, to the satisfaction of the Bureau of Environmental Services.
- E. The new parking lot in the northeast corner of the site must be constructed before the final occupancy approval for the new 22-unit, independent living apartment building.
- F. The new parking lot in the northwest corner of the site must be constructed before the final occupancy approval for the new 26-bed memory care building.

Both the Conditional Use Master Plan and the Adjustment Review shall be subject to the following condition of approval:

- G. As part of each building permit application submittal, each of the required site plans and additional drawings must reflect the information and design in LU 17-113086 CP ZC CU MS AD, Exhibits C-1 through C-5. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 17-113086."

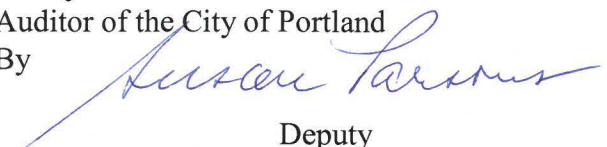
Passed by the Council: SEP 19 2018

Mayor Ted Wheeler
Prepared by: Andrew Gulizia, BDS
Date Prepared: September 12, 2018

Mary Hull Caballero

Auditor of the City of Portland

By



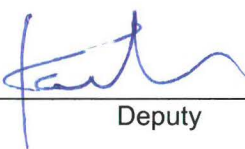
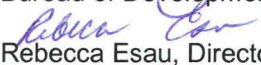

Deputy

974 983
Agenda No.
ORDINANCE

189170

Title

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INTRODUCED BY Commissioner/Auditor: Mayor Ted Wheeler	CLERK USE: DATE FILED <u>SEP 04 2018</u>
COMMISSIONER APPROVAL	Mary Hull Caballero Auditor of the City of Portland
Mayor—Finance & Administration - Wheeler	By:  Deputy
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Eudaly	
BUREAU APPROVAL	ACTION TAKEN:
Bureau of Development Services  Rebecca Esau, Director	SEP 12 2018 CONTINUED TO SEP 19 2018 10:45 AM Time Certain
Prepared by: Leanne Torgerson Date Prepared: 8/30/18	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter 	
Council Meeting Date 9/12/18, 3:00 TC	

AGENDA 2 of 2
TIME CERTAIN <input checked="" type="checkbox"/> Start time: <u>3:00 pm</u> Total amount of time needed: <u>45 minutes</u> (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input type="checkbox"/>	
4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	Wheeler	<input checked="" type="checkbox"/>	