

Motion Record

September 12, 2018

973 **TIME CERTAIN: 3:00 PM** – Consider the proposal of Andrew Tull, 3J Consulting, Inc., and the recommendation from the Hearings Officer for approval of a Comprehensive Plan Map Amendment, Zoning Map Amendment, Conditional Use Master Plan, and Adjustment Review for Parkview Christian Retirement Community at 1825 NE 108th Ave and properties at NE 106th Ave (Hearing introduced by Mayor Wheeler; LU 17-113086 CP ZC CU MS AD) 45 minutes requested for items 973-974

Motion to tentatively adopt Hearings Officer recommendation of approval with conditions: Moved by Fritz and seconded by Eudaly.

Commissioners voted as follows:

YEAS: Eudaly, Fritz, Fish and Saltzman.
Wheeler absent

**TENTATIVELY ADOPT
HEARINGS OFFICER'S
RECOMMENDATION;
CONTINUED TO
SEPTEMBER 19, 2018
AT 10:45 AM
TIME CERTAIN**

September 19, 2018

982 **TIME CERTAIN: 10:45 AM** – Consider the proposal of Andrew Tull, 3J Consulting, Inc., and the recommendation from the Hearings Officer for approval of a Comprehensive Plan Map Amendment, Zoning Map Amendment, Conditional Use Master Plan, and Adjustment Review for Parkview Christian Retirement Community at 1825 NE 108th Ave and properties at NE 106th Ave (Previous Agenda 973; Adopt Hearings Officer's Recommendation; introduced by Mayor Wheeler; LU 17-113086 CP ZC CU MS AD) 5 minutes requested for items 982 and 983

Motion to adopt Hearings Officer's recommendation: Moved by Wheeler and seconded by Fish.

Commissioners voted as follows:

YEAS: Eudaly, Fritz, Fish and Wheeler.
Saltzman absent

**HEARINGS OFFICER
RECOMMENDATION
ADOPTED**



City of Portland, Oregon
Bureau of Development Services
Office of the Director
FROM CONCEPT TO CONSTRUCTION

Ted Wheeler, Mayor
Rebecca Esau, Director
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MEMORANDUM

September 12, 2018

TO: Mayor Ted Wheeler
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Chloe Eudaly
Commissioner Dan Saltzman

FROM: Rebecca Esau, Director *Re*
Bureau of Development Services

RE: City Council hearing on LU 17-113086 CP ZC CU MS AD (Parkview Christian Retirement Community)

The purpose of this memorandum is to transmit the adopting ordinance, report and ordinance backing sheets, impact statement, and a brief description of the land use review that will be presented to you in the public hearing on September 12, 2018 at 3:00 pm.

Site Address: 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

BDS Representatives: Andrew Gulizia, City Planner

1. Land Use Reviews Requested: The applicant requests approval of the following:

- A Comprehensive Plan Map Amendment from Single-Dwelling 7,000 and Multi-Dwelling 2,000 to Multi-Dwelling 1,000.
- 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).
- A Conditional Use Master Plan for the 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.

- 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. Key Elements of Proposal:

- The applicant is Andrew Tull with 3J Consulting Inc., representing Oregon Baptist Retirement Homes, the property owner.
- The site is approximately 5.3 acres in size and is located adjacent to (but not within) the Gateway plan district.
- The property owner plans to retain the existing, 117-unit retirement apartment complex on the site and construct two new buildings and an addition to one of the existing buildings. Five single-dwelling houses would be demolished.
- A condition of approval recommended by PBOT and the Hearings Officer would impose a limit of 70 dwelling units if the existing retirement community is ever demolished and complete redevelopment of the site is proposed. A proposal for more than 70 dwelling units in a redevelopment scenario would require approval of a Type III Zoning Map Amendment Review for approval criterion 33.855.050.B.2.c. This approval criterion is for the adequacy of the transportation system. PBOT considers retirement apartments to have less impact per dwelling unit on the transportation system than other residential uses.

3. Staff and Hearings Officer Recommendation:

The Staff Report to the Hearings Officer and the Hearings Officer's recommendation to City Council is to approve the requests with conditions.

4. Alternatives Facing Council

- Accept the Hearings Officer's recommendation, with no changes.
- Accept the Hearings Officer's recommendation with modified conditions and findings.
- Reject the Hearings Officer's recommendation and deny the proposal.

IMPACT STATEMENT

Legislation title:

Consider the proposal of Andrew Tull of 3J Consulting, Inc. and the recommendation from the Hearings Officer for approval of a Comprehensive Plan Map Amendment, Zoning Map Amendment, Conditional Use Master Plan, and Adjustment Review 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 (Hearing: LU 17-113086 CP ZC CU MS AD)

Contact name: Andrew Gulizia, BDS City Planner

Contact phone: (503) 823-7010

Presenter name: Andrew Gulizia

Purpose of proposed legislation and background information:

The request is not for a legislative action, but rather for approval of a Type III quasi-judicial land use review. The proposal would apply the Multi-Dwelling 1,000 Comprehensive Plan Map designation and the corresponding R1 zoning designation to the site. The proposal also includes a Conditional Use Master Plan and Adjustment Review for the following development 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.

Quasi-judicial procedures described in Zoning Code Chapter 33.730, commonly known as land use reviews, are handled by the Bureau of Development Services. Quasi-judicial procedures specifically describe the City Council as the decision-maker for Type III Comprehensive Plan Map Amendments and concurrent review requests, per 33.730.030.E.3.a(2).

In this case, the Hearings Officer has recommended of approval of the land use review with conditions. Staff will be presenting the Hearings Officer's recommendation at the hearing.

Financial and budgetary impacts:

This is not a legislative action. There are no costs to the City associated with this quasi-judicial land use review. The City resources necessary to review the application are covered by the land use review fees already paid by the applicant.

Community impacts and community involvement:

The standard public involvement procedures of a Type III land use review have been followed. One person who lives near the subject site testified before the Hearings Officer with concerns about on-street parking impacts and the height of the proposed two-story apartment building. The Hearings Officer also received letters from neighbors with concerns about traffic and parking impacts. The Hearings Officer addressed neighbors' concerns in his written recommendation to City Council.

Budgetary Impact Worksheet

Does this action change appropriations?

☐ **YES:** Please complete the information below.

☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount