

Multnomah County Official Records  
E Murray, Deputy Clerk

2018-105856



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**CITY OF PORTLAND**  
**Office of the City Auditor**  
**1221 SW Fourth Avenue, Room 130**  
**Portland, OR 97204-1900**

I hereby certify this Land Use Document No. LU 17-113086 CP ZC CU MS AD – Ordinance to be a complete and exact copy of the original as the same appears on file and of record in my office and in my care and custody on October 10, 2018.

**MARY HULL CABALLERO**  
**Auditor of the City Of Portland**  
By *Meghan Davis*  
**Deputy**

**RETURN TO CITY AUDITOR**  
**131/130/Auditor's Office**

## 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 108<sup>th</sup> Ave and properties at NE 106<sup>th</sup> 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 108<sup>th</sup> Avenue, 1918 NE 106<sup>th</sup> Avenue, 1910 NE 106<sup>th</sup> Avenue, 1824 NE 106<sup>th</sup> Avenue, 1820 NE 106<sup>th</sup> Avenue, and 1812 NE 106<sup>th</sup> 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 106<sup>th</sup> 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 106<sup>th</sup> 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:

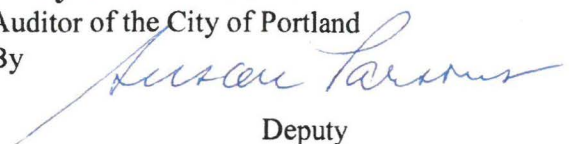
- G. As part of each building permit application submittal, each of the required site plans and additional drawings must reflect the information and design in LU 17-113086 CP ZC CU MS AD, Exhibits C-1 through C-5. The sheets on which this information appears must be labeled, "Proposal and design as approved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

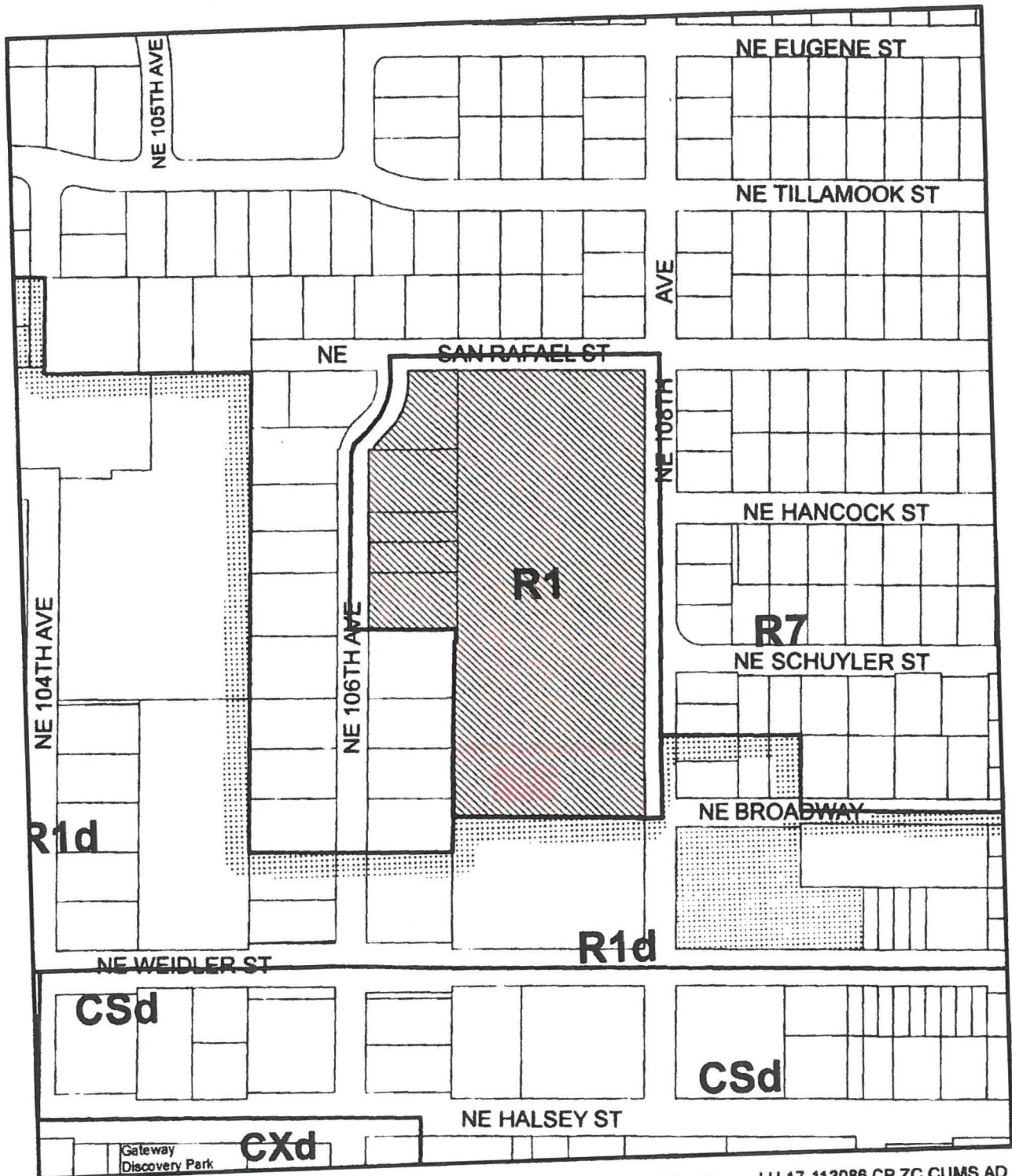
**Mary Hull Caballero**

Auditor of the City of Portland  
By



Deputy





# PROPOSED ZONING



- Site
- Also Owned Parcels

File No. LU 17-113086 CP ZC CUMS AD  
 1/4 Section 2841  
 Scale 1 inch = 200 feet  
 State\_Id 1N2E27CD 11100  
 Exhibit B (April 9, 2018)