



**OFFICE OF CITY AUDITOR
CITY OF PORTLAND**

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July 7, 2014

NOTICE OF DECISION

RE CASE FILE: LU 14-104931 CP ZC

Consider the proposal of Rich Attridge with the City of Portland Office of Management and Finance and the recommendation from the Hearings Officer for approval, to change the Comprehensive Plan Map designation from Medium Density Multi-Dwelling Residential to Mixed Employment and the Zoning Map designation from R1 (Residential 1,000) to EG2 (General Employment 2) at 2730 SW Multnomah Boulevard (Hearing; LU 14-104931 CP ZC)

To Whom It May Concern:

On July 2, 2014, at approximately 9:30 a.m., at a regularly scheduled meeting in Council Chambers, the Council voted 5-0 and passed Ordinance No.186711.

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. The Board's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call the Land Use Board of Appeals at 1-503-373-1265 or visit LUBA's website (www.oregon.gov/LUBA) for further information on filing an appeal.

Yours sincerely,

LaVonne Griffin-Valade
Auditor of the City of Portland

By: 

Karla Moore-Love, Council Clerk

Enc.

ORDINANCE No. 186711 As Amended

Amend the Comprehensive Plan Map designation and amend the Zoning Map for property at 2730 SW Multnomah Boulevard at the request of City of Portland Office of Management and Finance, Rich Attridge (Ordinance; LU 14-104931 CP ZC)

The City of Portland ordains:

Section 1. Council finds:

1. The Applicant seeks, for property at 2730 SW Multnomah Boulevard, the following:
 - a. a Comprehensive Plan Map Amendment from Medium Density Multi-Dwelling Residential to Mixed Employment for the property identified as State ID No. 1S1E20DA 6900, legally described as “ Ryan Place, Block 6, 7, and 9, TL 6900” in Multnomah County (hereinafter referred to as the “Property”); and
 - b. a Zoning Map Amendment from Residential 1,000 to General Employment 2 (EG2) for the Property; and
2. 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 has been received with the proper fee for filing paid.
3. The Hearings Officer held a duly noticed public hearing on March 31, 2014, and a Recommendation was issued on April 28, 2014, (BDS File No. LU 14-104931 CP ZC). The Hearings Officer recommended approval of the requested Comprehensive Map Amendment and Zoning Map Amendment, with conditions.
4. The requested Comprehensive Plan Amendment and Zoning Map Amendment, based on the findings contained in the Recommendation of the Hearings Officer, are found to be 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 14-104931 CP ZC except as Condition D is added by this ordinance. City Council also adopts supplemental findings to address Policy 12.6 Preserve Neighborhoods and Criterion 33.855.050.A.1 Zoning Map Amendment as follows:

City Council received a letter from the Multnomah Neighborhood Association dated May 19, 2014. The letter expressed concern with the application of EG2 zoning for the site, specifically related to the allowed *unlimited* height in the zone.

The City Council has considered the concerns raised by the Multnomah Neighborhood Association as well as information submitted by the applicant's representative. To address the concerns expressed related to the allowed height in the EG2 zone and in order to ensure that future long-term development of the site respects the fabric and height allowances in surrounding zones, Council finds that a height limit of 45 feet is appropriate for this site. Council finds that the 25-foot front building setback and 15-foot setback required when a site abuts the rear lot line of an R zoned lot along with the 45-foot height limit, contribute to an allowed building envelope that respects the fabric of the established neighborhood and preserves and supports the qualities that make the neighborhood an attractive place. If future operational and/or emergency response needs show compelling justification for height adjustments exceeding 45 feet, Council also finds that any such request to increase building height beyond 45 feet shall be subject to a Type II Adjustment Review. Council also finds that the 45 foot height limit should not apply to the development of emergency communications structures (i.e. free-standing communications towers) as installation of such a structure may be a result of an urgent need that should not be subject to the land use review process.

- b. The Comprehensive Plan Map Amendment and Zoning Map Amendment for the Property legally described as "Ryan Place, Block 6, 7 and 9, TL 6900" in Multnomah County, are approved as follows:
 1. A Comprehensive Plan Map Amendment from Medium Density Multi-Dwelling Residential to Mixed Employment for the Property.
 2. Zoning Map Amendment from Residential 1,000 (R1) to General Employment 2 (EG2) for the Property.
 3. The Comprehensive Plan Map and Zoning Map Amendments are subject to the conditions below. Any violation of these conditions shall 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 the construction of proposed fuel station, the applicant will meet with a representative of the Police Bureau on the AEOC site to discuss potential safety and security measures, and based on this consultation and input from other City bureaus using the facility, the applicant will design appropriate security features and submit this security plan at time of Building Permit review for the facility for review by the Police Bureau.
 - B. Retail Sales and Services uses are prohibited.
 - C. No more than 80% of the site may be impervious. Any request to exceed 80% impervious surface area will be reviewed through a Type II Adjustment Review so that the Bureau of Environmental Services may review the proposal to ensure that the public storm sewer has capacity to handle the additional flows.

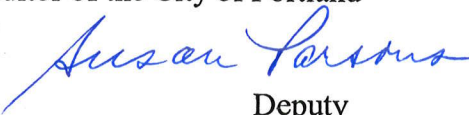
- D. New buildings are limited to a maximum of 45'. The Applicant may request to increase the maximum height by means of a Type II Adjustment. This maximum height does not apply to free-standing communication towers that are regulated by Chapter 33.274, Radio Frequency Transmission Facilities.

Passed by the Council: JUL 02 2014

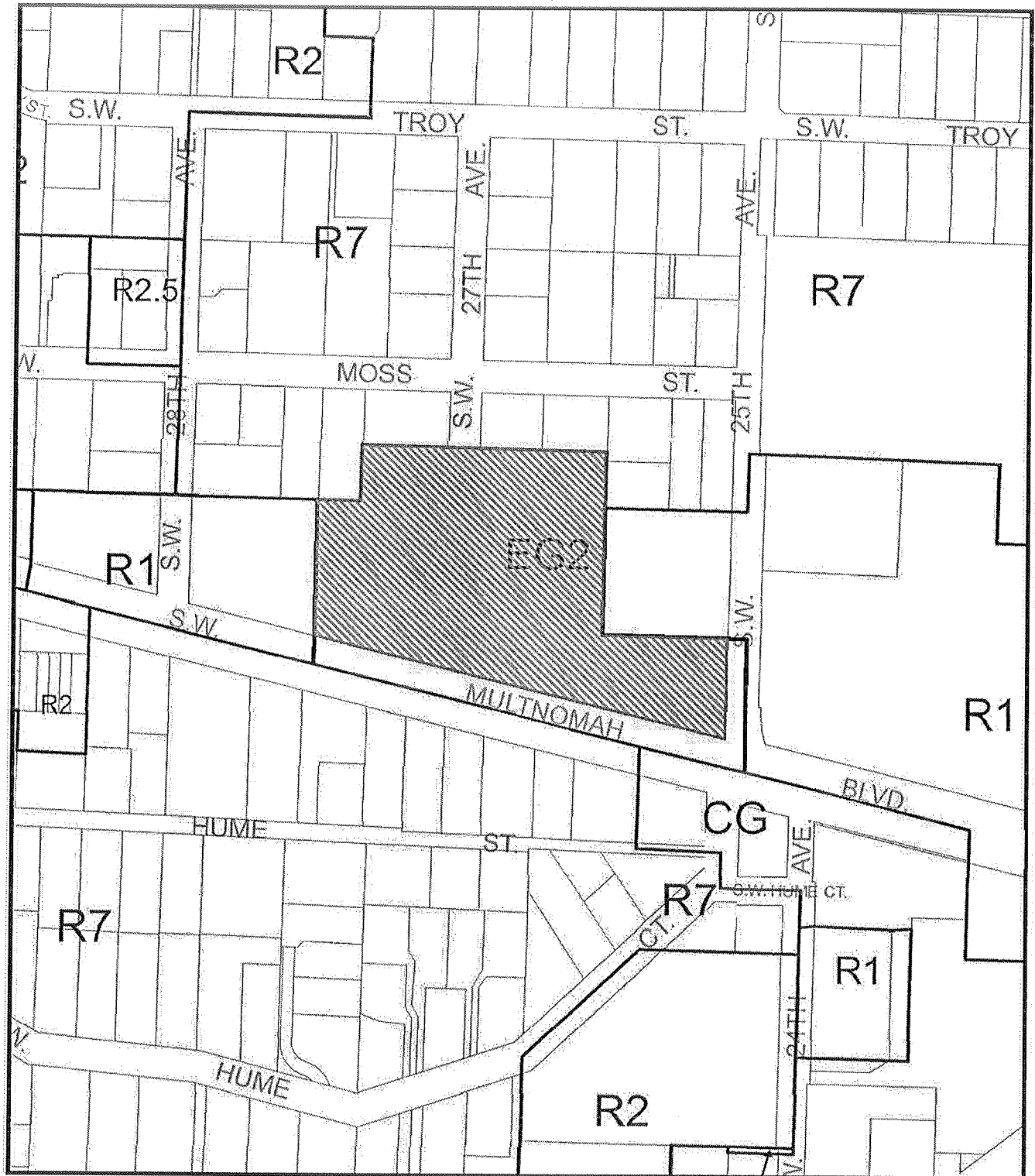
Commissioner Amanda Fritz
Prepared by: Matt Wickstrom, City Planner II
Date Prepared: May 5, 2014

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy



ZONING PROPOSED

 Site



File No. LU 14-104931 CP,ZC
 1/4 Section 3826
 Scale 1 inch = 200 feet
 State Id 1S1E20DA 6900
 Exhibit B.2 (Jan 15, 2014)