

## ORDINANCE No. 186141 As Amended

Amend the Comprehensive Plan Map designation and change zoning of property at the southeast corner of N Williams Ave and N Fremont St at the request of Back Bridge Lofts LLC (Ordinance; LU 13-109305 CP ZC).

The City of Portland ordains:

Section 1. Council finds:

1. The Applicant seeks, for property at the southeast corner of N. Williams Avenue and N. Fremont Street, the following:
  - a. a Comprehensive Plan Map Amendment from Medium Density Multi-Dwelling to Central Residential for the property identified as State ID Nos. 1N1E27AA 02300, 1N1E27AA 02400, 1N1E27AA 02600, and 1N1E27AA 02500, legally described as Lot 11, Albina Hmstd Add; Lot 12, Lot 13 Exc Pt in St, Albina Hmstd Add; Block 6, Lot 3, Williams Ave Add; and Block 6, Lot 4&5, Williams Ave Add, in Multnomah County, comprising approximately 33,568 square feet (hereinafter referred to as the "Property"); and
  - b. a Zoning Map Amendment from Multi-Dwelling Residential 1,000 (R1) with a Design overlay zone to Central Residential (RX) with a Design overlay zone for the Property.
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 April 3, 2013, and a Recommendation was issued on May 16, 2013, (BDS File No. LU 13-109305 CP ZC). The Hearings Officer recommended approval of the requested Comprehensive Map Amendment and Zoning Map Amendment, with conditions.
4. City Council held a duly noticed public hearing on June 13, 2013, with a continued hearing on June 27, 2013.
5. The requested Comprehensive Plan Amendment and Zoning Map Amendment, based on City Council's Findings Conclusions and Decision for LU 13-109305 CP ZC, 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 Findings, Conclusions and Decision for BDS Case File No. LU 13-109305 CP ZC.

- b. The Comprehensive Plan Map Amendment and Zoning Map Amendment for the Property legally described as Lot 11, Albina Hmstd Add; Lot 12, Lot 13 Exc Pt in St, Albina Hmstd Add; Block 6, Lot 3, Williams Ave Add; and Block 6, Lot 4&5, Williams Ave Add, in Multnomah County, are approved as follows:
1. A Comprehensive Plan Map Amendment from Medium Density Multi-Dwelling to Central Residential for the Property.
  2. Zoning Map Amendment from Multi-Dwelling Residential 1,000 (R1) with a Design overlay zone to Central Residential (RX) with a Design overlay zone 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. As part of the building permit application submittal, the following development-related condition (B) must be noted on each of the four required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 13-109305 CP ZC." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
    - B. Development on the site is subject to a Type II Design Review, except when exempt per Zoning Code Section 33.420.045. The use of Community Design Standards is not allowed.
    - C. A Design Advice Request must be submitted and completed prior to the submittal of the Type II Design Review application for new development on the site.
    - D. Until traffic signals at the intersections of N. Williams Avenue/N. Cook Street and N. Vancouver Avenue/N. Cook Street have been funded, uses on the site under the RX zone are limited to a total of 25 new weekday p.m. peak hour trips. Square footage equivalencies are to be applied per Table 1 below. The applicant must submit a written verification at the time of building permit review that demonstrates per Table 1, below, that all uses on the site, both existing and proposed, do not exceed a maximum net new weekday p.m. peak hour trip generation rate of 25 trips.

Land Use Category	ITE Code	Building Size	ITE Trip Rate	Weekday PM Peak Hour Net New Trip Rate*
Daycare	565	1,000 sq. ft. GFA	12.46	12.46 trips/1,000 sq. ft.
Office	710	1,000 sq. ft. GFA	1.49	1.49 trips/1,000 sq. ft.
Specialty retail	814	1,000 sq. ft. GLA	2.71	2.71 trips/1,000 sq. ft.

Land Use Category	ITE Code	Building Size	ITE Trip Rate	Weekday PM Peak Hour Net New Trip Rate*
Hardware/paint store	816	1,000 sq. ft. GFA	4.84	4.84 trips/1,000 sq. ft.
Nursery/garden center	817	1,000 sq. ft. GFA	3.80	3.80 trips/1,000 sq. ft.
Multi-Dwelling	223	NA	0.44	0.44 trips/Per Dwelling Unit.
Drive-in bank	912	1,000 sq. ft. GFA	25.82	25.82 trips/1,000 sq. ft.
High-turnover sit-down restaurant	932	1,000 sq. ft. GFA	11.15	11.15 trips/1,000 sq. ft.
Fast food restaurant with drive-through	934	1,000 sq. ft. GFA	33.84	33.84 trips/1,000 sq. ft.

\*Based on *Trip Generation, 9th Edition*, published by the Institute of Transportation Engineers (ITE).

GLA=Gross Leasable Area

GFA= Gross Floor Area

- E. Once the traffic signals required under Condition D, above, are funded, the cap on maximum trip generation shall no longer apply to development on the site. However, neither a Temporary nor Final Certificate of Occupancy for development allowed under the RX zone will be issued until these traffic signals are installed and operational.
- F. The maximum height of development on the site shall be limited to that identified in Exhibit I.30.
- G. The minimum required side building setbacks of the RH zone will apply between development on the site and abutting R2 zoned properties. No minimum building setback will be required from a zone line internal to the development site.

Passed by the Council: JUL 03 2013

City Auditor LaVonne Griffin-Valade

Prepared by: Douglas Hardy

Date Prepared: July 2, 2013

**LaVonne Griffin-Valade**

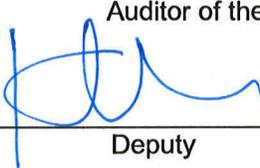
Auditor of the City of Portland

By

  
Deputy

Agenda No.  
**ORDINANCE NO. 186141** As Amended  
Title

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<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>LaVonne Griffin-Valade</b></p>	<p>CLERK USE: DATE FILED <u>JUN 07 2013</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  _____ Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Auditor's Office Bureau Head: LaVonne Griffin-Valade </p> <p>Prepared by: Linly Rees Date Prepared: June 5, 2013</p> <p>Financial Impact &amp; Public Involvement 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><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date</p>	<p><b>ACTION TAKEN:</b></p> <p>JUN 13 2013 <b>CONTINUED TO</b> JUN 27 2013 <b>2 P.M.</b> <i>TIME CERTAIN</i> <b>As Amended</b></p> <p>JUN 27 2013 <b>PASSED TO SECOND READING</b> JUL 03 2013 <b>9:30 A.M.</b> <b>As Amended</b></p>

**AGENDA**

**TIME CERTAIN**  2 of 2  
Start time: 2:00

**Total amount of time needed:** \_\_\_\_\_  
(for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
**Total amount of time needed:** \_\_\_\_\_  
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz,	1. Fritz		✓
2. Fish	2. Fish	_____	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	