

CITY OF PORTLAND

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July 10, 2013

NOTICE OF DECISION

RE CASE FILE: LU 13-109305 CP ZC

Consider the proposal of Back Bridge Lofts LLC and the recommendation from the Hearings Officer for approval with conditions, to change the Comprehensive Plan Map designation from Medium-Density Multi-Dwelling to Central Residential and the Zoning Map designation from R1, Multi-Dwelling Residential to RX Central Residential with a design overlay at the southeast corner of N Williams Ave and NE Fremont St (Hearing; LU 13-109305 CP ZC)

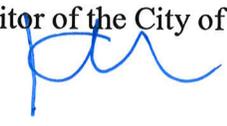
To Whom It May Concern:

On July 3, 2013, at approximately 9:45 a.m., at a regularly scheduled meeting in Council Chambers, the Council voted 3-1 and passed Ordinance No.186141.

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 submitted written testimony during the comment period for this land use review. The Board's address is: Public Utility Commission Building, 550 Capitol Street NE, Suite 235, Salem, OR 97310-2552. You may call the Land Use Board of Appeals at 1-503-373-1265 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. 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

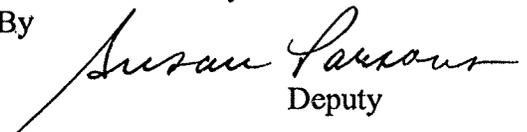
GFA= Gross Floor Area

- 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

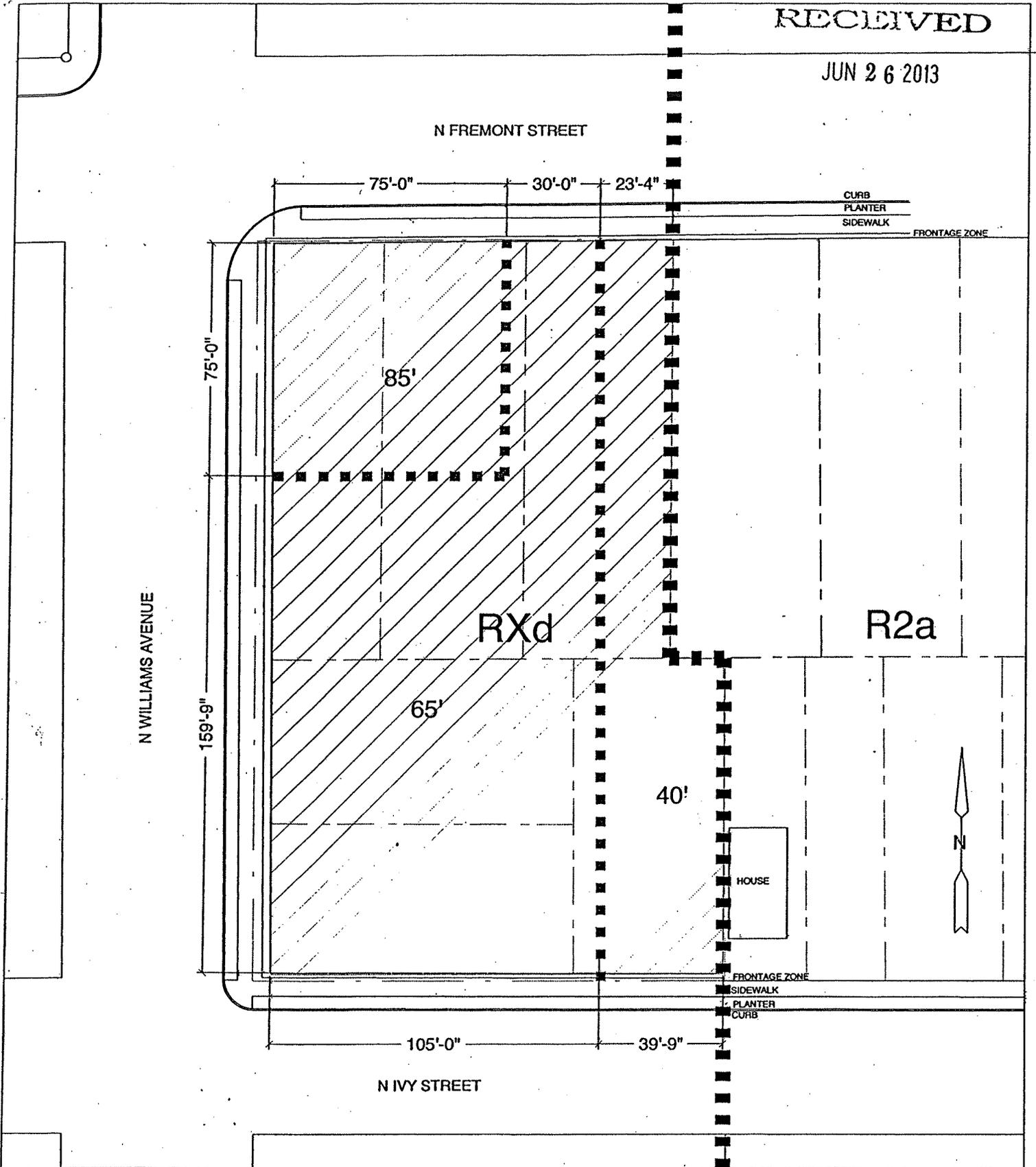
City Auditor LaVonne Griffin-Valade
 Prepared by: Douglas Hardy
 Date Prepared: July 2, 2013

LaVonne Griffin-Valade
 Auditor of the City of Portland
 By


 Deputy

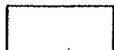
RECEIVED

JUN 26 2013



HEIGHT DIAGRAM



 SITE

This Site Lies Within The:
Albina Community Plan District

File No. LU 13-109305

1/4 Section 2730.3420

Scale 1 inch = 30 feet

State Id 1N1E27AA 2400

Exhibit _____

CASE NO. 13-109305

EXHIBIT I.30