

Bureau of Development Services - Land Use Services Division
Refund Request Form for Void/Withdrawn/Cancelled Application/Case/Appointments

PLANNER: Complete Upper Section of this form. Submit form to Section or Division Manager for authorization.

Today's Date: 11/27/17

Intake Date: 05/23/17

To: BDS Administration Section, A/P

From: Marguerite Feuersanger

(Required if case 6+ months old)

Approved by Manager: Douglas Hardy

Digitally signed by Douglas Hardy
Date: 2017.11.21 13:50:39 -08'00'

Division Manager: Kimberly Tallant

Digitally signed by Kimberly Tallant
Date: 2017.11.27 09:38:58 -08'00'

Case Number: 17-176117 AD

Refund of Service Bureau Fees:

- Reviewed by Service Bureaus ☐ No (100% refund) ☐ Yes (No Refund)

* If over \$1,000 dollars has been paid to PBOT, Section Manager check with PBOT for possible partial refund.

Refund of Hearings Officer Fee

- Did hearing occur? ☐ No (100% refund) ☐ Yes (No Refund)

Write an explanation on the lines provided below. Your explanation will go into TRACS. If there are concurrent reviews, and one or more are withdrawn, identify which reviews are withdrawn. **Special Refund Instructions.**

Application was deemed incomplete on June 6, 2017. November 20, 2017 was the deadline (180th day) to provide the missing information. A reminder letter was sent to the applicant on October 25, 2017, but the applicant did not respond and did not provide the required information. The case is voided and there is no refund of any fees.

Is the case now considered inactive? ☐ No ☒ Yes If yes, please attach the case file.

Please check the appropriate situation.

☐ (A) **Unnecessary fees/Review** When a fee is accepted for a land use review that is later found to not be required, a full refund of all land use review fees for the unnecessary review will be given. If there are concurrent reviews, identify on reverse page which review is being withdrawn.

☐ (B) **Errors** - When an error is made in calculating a fee, overpayment will be refunded.

☒ (C) **Void Land Use Review or Final Plat** (Zoning Code Section 33.730.060.A.2.d) - The fee is non-refundable.

☐ (D) **Withdrawn Application**

Application Withdrawn:	Percent Refund of LUS Fee
1. Early Assistance Appointment	
<input type="checkbox"/> At least 7 days prior to the appointment.	50% of LUS fee
2. Final Plat	
<input type="checkbox"/> After staff sends the first redlines or plat comments to the customer.	50% of LUS fee
<input type="checkbox"/> After staff sends the second redlines or plat comments to the customer.	25% of LUS fee
3. Land Use Review - Type I, II or IIX	
<input type="checkbox"/> Before the Notice of Proposal is sent to P&D.	75% of LUS fee (amount retained should not be less than \$200 or more than \$1,500)
<input type="checkbox"/> After the Notice of Proposal is sent to P&D, but before staff sends the Notice of Decision to P&D.	25% of LUS fee (amount retained should not be less than \$300 or more than \$4,000)
4. Land Use Review - Type III or IV	
<input type="checkbox"/> Before the Request for Response is sent to the infrastructure bureaus.	75% of LUS fee (amount retained should not be less than \$400 or more than \$2,000)
<input type="checkbox"/> After the Request for Response is sent to the infrastructure bureaus, but before the Notice of Public Hearing is sent to P&D.	50% of LUS fee (amount retained should not exceed \$7,000)
<input type="checkbox"/> After the Notice of Public Hearing is sent to P&D, but before the staff recommendation is published.	30% of LUS fee (amount retained should not exceed \$10,000)

5. Pre-application Conference	
<input type="checkbox"/> Before the staff sends the conference information to the infrastructure bureaus.	75% of LUS fee
<input type="checkbox"/> After staff sends the conference information to the infrastructure bureaus, but at least 7 days prior to the conference.	50% of LUS fee
<input type="checkbox"/> Within 6 days prior to the conference.	25% of LUS fee

☐ **(E) Appeal Fees**

Full refund if the following are met:

1. Type III – Appellant prevailed, and no new evidence presented at appeal hearing.
2. Type II, IIx and III – Appellant prevailed by:
 - a. overturning the lower decision-maker's decision; or
 - b. persuading the appellate decision-maker to modify the lower decision-maker's decision in the appellant's favor for one or more of the reasons identified in the appeal.

It is not necessary for the appellant to prevail on all of the issues raised. Prevailing on just one issue is sufficient.

☐ **(F) No refund** (They do not qualify for any of the partial refunds provided for in D above)

1. Appeal fees are nonrefundable, except as provided for in Subsection E.

☐ **(G) Letter waiving LUS Fee (fees waived by Director)** Amount reduced \$_____/_____% Attached waiver letter.

☐ **(H) Special Circumstances/Refund arrangements per Division Manager or Section Manager.**

☐ **(I) Public Registry (PR)**

- ☐ LUS 100% Refund -Unnecessary fees or review
- ☐ LUS 75% Refund - Completeness check only, check sheet NOT sent or completed
- ☐ LUS 50% Refund - First checksheet sent, minimal staff time spent, bureau comments returned
- ☐ LUS 25% Refund- Second checksheet sent, comprehensive staff review

FORWARD THIS FORM TO LUS TECHS AFTER ALL FIELDS ABOVE FILLED IN AS NEEDED

LUS TECH STAFF: Initial and date after data entry ejd Date: 11/27/17

Refunds:	Fee Code <input type="text"/>	<input type="checkbox"/> Full	<input type="checkbox"/> Partial	% <input type="text"/>	Refund of \$ <input type="text"/>
	Fee Code <input type="text"/>	<input type="checkbox"/> Full	<input type="checkbox"/> Partial	% <input type="text"/>	Refund of \$ <input type="text"/>
	Fee Code <input type="text"/>	<input type="checkbox"/> Full	<input type="checkbox"/> Partial	% <input type="text"/>	Refund of \$ <input type="text"/>
	Fee Code <input type="text"/>	<input type="checkbox"/> Full	<input type="checkbox"/> Partial	% <input type="text"/>	Refund of \$ <input type="text"/>
	Fee Code <input type="text"/>	<input type="checkbox"/> Full	<input type="checkbox"/> Partial	% <input type="text"/>	Refund of \$ <input type="text"/>
	Fee Code <input type="text"/>	<input type="checkbox"/> Full	<input type="checkbox"/> Partial	% <input type="text"/>	Refund of \$ <input type="text"/>
	Fee Code <input type="text"/>	<input type="checkbox"/> Full	<input type="checkbox"/> Partial	% <input type="text"/>	Refund of \$ <input type="text"/>
	Fee Code <input type="text"/>	<input type="checkbox"/> Full	<input type="checkbox"/> Partial	% <input type="text"/>	Refund of \$ <input type="text"/>
	Fee Code <input type="text"/>	<input type="checkbox"/> Full	<input type="checkbox"/> Partial	% <input type="text"/>	Refund of \$ <input type="text"/>
	Fee Code <input type="text"/>	<input type="checkbox"/> Full	<input type="checkbox"/> Partial	% <input type="text"/>	Refund of \$ <input type="text"/>

Please process a refund in the amount of \$ no refund granted to:

Company Name

Contact Person

Mailing Address

City/State/Zip

Original Payment Type

- ☐ Check
- ☐ Cash
- ☐ Card

Email to Cashiers

Vendor # Authorization #



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

October 25, 2017

David Mullens
UDG 17th & Tenino LLC
735 SW 158th Avenue
Beaverton, OR 97006

RE: Case Number LU 17-176117 AD

Dear David,

This letter serves to notify you that your application will be voided if the requested missing information is not provided before 5 pm on Monday, November 20, 2017. There is no refund of the application fees.

City records indicate that you applied for a land use review on May 23, 2017, for property at 1717 SE Tenino Street. On June 6, 2017, the enclosed letter was sent to you requesting information needed in order to deem the application complete. To date, no additional information has been submitted for this land use review application.

State law (ORS 227.178) allows you up to 180 days from the date your application was submitted to provide some or all of the requested missing information, or to provide a written statement indicating that none of the requested missing information will be provided. If none of the requested information is provided within 180 days, or if a written statement is not submitted within 180 days indicating none of the requested information will be provided, ORS 227.178 states the application is voided on the 181st day. Without this time limit, it is difficult to process applications because regulations and other circumstances may be considerably different from when the application was first submitted.

If you remain interested in pursuing this Adjustment application, please contact me immediately to make arrangements for submitting the necessary information.

Sincerely,

Marguerite Feuersanger, City Planner
mfeuersanger@portlandoregon.gov
(503)823-7619

cc: Case File



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Ted Wheeler, Mayor
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

June 6, 2017

David Mullens
UDG 17th & Tenino, LLC
735 SW 158th Avenue
Beaverton OR 97006

Re: Land Use Review LU 17-176117 AD

Dear David Mullens:

The Bureau of Development Services received your application for an Adjustment located at 1717 SE Tenino Street on May 23, 2017. Your case has been assigned to me, Marguerite Feuersanger. In order to continue to review your application, additional information is needed. Once you submit this information, your application will be considered complete, and I will proceed with a full review of your proposal. Up to this point, your application has been reviewed only to determine if all required information has been submitted. The application has not been fully reviewed to determine if it meets the relevant approval criteria, however some issues you may want to consider are identified in Section II below.

I. Information Necessary to Complete Application

The following information must be submitted before your proposal can be evaluated:

1. **Parking study**, prepared by a professional traffic engineer. The traffic engineer should complete the attached Transportation scoping form for review and approval of the study scope by PBOT staff, prior to starting work. The completed scoping form can be submitted to: PBOTDevRevTrafficScopes@portlandoregon.gov
2. **Approval Criteria**. Please provide a written response to the following Adjustment Approval Criteria of Section 33.815.0040:
 - A. Address how your proposal meets or exceeds the following purpose of the minimum parking space requirement of Section 33.266.110:

Purpose. The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. Sites that are located in close proximity to transit, have good street connectivity, and good pedestrian facilities may need little or no off-street parking. Parking requirements should be balanced with an active pedestrian network to minimize pedestrian, bicycle and vehicle conflicts as much as possible. Transit-supportive plazas and bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to broad use categories, not specific uses, in response to this long term emphasis. Provision of carpool parking, and locating it close to the building entrance, will encourage carpool use.
 - B. Address how your proposal is consistent with the desired character of the area. In Commercial zones, the desired character is defined as the purpose of the site's base zone, CS, found in Section 33.130.030:

F. Storefront Commercial zone. The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominantly built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.

II. Issues to Consider

While not necessary to determine the application complete, additional information may be needed to show that your proposal meets the applicable approval criteria. You are encouraged to address the following issues regarding the approvability of your proposal:

The proposal to waive all 26 required on-site parking spaces may not be supportable. Factors include the current and planned level of transit service for the #70 and #99, the availability of on-street parking near the site, and the amount of on-street parking needed by residents of the future development. These considerations will be partially addressed through the parking study. It is also recommended that you provide a thorough written response to approval criteria A and B as noted above.

III. Time to Complete Application

The Portland Zoning Code allows you up to 180 days to complete your application. Since the 180-day period began on the day we received the application, the deadline to make your application complete is **Monday, November 20, 2017**.

IV. Determination of a Complete Application

The application will be determined complete when you have submitted:

1. All of the requested information included in Section I, above. If you cannot provide all of the requested information at one time and intend to submit additional information, please include a written statement with each separate submittal indicating that you still intend to provide the additional missing information by the **Monday, November 20, 2017** deadline, or
2. Some of the requested information included in Section I, above, and a written statement that no additional information will be provided; or
3. A written statement that none of the requested information included in Section I, above, will be provided.

Please be aware that not submitting the requested information may result in your application being denied. The information is needed to demonstrate the approval criteria are met. Once the application is deemed complete, review of your application can proceed using the information you have provided.

Your application will be approved if it meets the relevant land use review approval criteria. It is your responsibility to document how the approval criteria are met. The items listed above will help provide that documentation.

Voiding of Application

If your application is not complete by **Monday, November 20, 2017**, it will be voided, and the application fee will not be refunded. The City's land use review procedures are outlined in Chapter 33.730 of the Portland Zoning Code.

Please contact me if you have any questions about this letter. My telephone number is **503-823-7619**, and my e-mail address is Marguerite.Feuersanger@portlandoregon.gov. You may mail correspondence to me at the Bureau of Development Services, Suite 5000, 1900 SW Fourth Avenue, Portland, OR 97201. If you deliver the requested material in person, please bring it to the **fifth** floor receptionist at 1900 SW Fourth Avenue. Please label all correspondence and materials you submit with the case number LU 17-176117.

Sincerely,



Marguerite Feuersanger, City Planner
Land Use Services Division

cc: Application Case File



City of Portland, Oregon - Bureau of Development Services

1900 SW Fourth Avenue • Portland, Oregon 97201 | 503-823-7300 | www.portlandoregon.gov/bds



Land Use Review Application

File Number: 17-176117 AD

FOR INTAKE, STAFF USE ONLY

Date Rec 5/23/2017 by I. DAVILLO

☐ Type I ☐ Type IX ☐ Type II ☐ Type IIX ☐ Type III ☐ Type IV

LU Reviews AD

[Y] ☒ [N] Unincorporated MC

[Y] ☐ [N] Flood Hazard Area (LD & PD only)

[Y] ☐ [N] Potential Landslide Hazard Area (LD & PD only)

N DUGAN NO 100 yr flood

Qtr Sec Map(s) 3832 Zoning CS

Plan District none

Historic and/or Design District Sellwood-Moreland

Neighborhood Sellwood Moreland

District Coalition SEU

Business Assoc Sellwood / Westmoreland

Related File EA 17-124307 APPT

APPLICANT: Complete all sections below that apply to the proposal. Please print legibly.

Development Site
Address or Location 1717 SE Tenino Street

Cross Street SE Tenino St & SE 17th Ave Sq. ft./Acreage +/- 15,000 sf

Site tax account number(s)

R 752715130 =

R 267791

R

R 752715120 =

R 267790

R

Adjacent property (in same ownership) tax account number(s)

R

R

R

Describe project (attach additional page if necessary)

New 4 story apartment building with 98 units (20 affordable units @ 60% AMI to be sent to neighboring site) and no parking proposed - as discussed during Early Assistance meetings EA-17-124307 and EA-17-12497.?

Need adjustment to 33.266.110.D.1 to allow site to count for affordable housing exception and provide no on-site parking. On-site loading would be provided. Note that this site does have an existing permit application (17-112446-CO) that was vested under old code. This would be abandoned if adjustment is approved.

Describe proposed stormwater disposal methods

Drywells

Identify requested land use reviews

Adjustment Review

• Design & Historic Reviews - For new development, provide project valuation.

\$ _____

For renovation, provide exterior alteration value.

\$ _____

AND provide total project valuation.

\$ _____

• Land Divisions - Identify number of lots (include lots for existing development).

New street (public or private)?

☐ yes ☐ no

continued / over

1

Applicant Information

- Identify the primary contact person, applicant, property owner and contract purchaser. Include any person that has an interest in your property or anyone you want to be notified. Information provided, including telephone numbers and e-mail addresses, will be included in public notices.
- For all reviews, the applicant must sign the Responsibility Statement.
- For land divisions, all property owners must sign the application.

What contact below do you want recording documents sent to: David Mullens

PRIMARY CONTACT:

Name David Mullens Signature _____

Company/Organization Urban Development Group, LLC

Mailing Address 735 SW 158th Ave

City Beaverton State OR Zip Code 97006

Day Phone 360-518-6985 FAX 503-726-7240 email davidmullens@gmail.com

Check all that apply ☒ Applicant ☐ Owner ☐ Other _____

Name _____ Signature _____

Company/Organization UDG 17th & Tenino, LLC

Mailing Address 735 SW 158th Ave

City Beaverton State OR Zip Code 97006

Day Phone _____ FAX _____ email _____

Check all that apply ☐ Applicant ☒ Owner ☐ Other _____

Name _____ Signature _____

Company/Organization _____

Mailing Address _____

City _____ State _____ Zip Code _____

Day Phone _____ FAX _____ email _____

Check all that apply ☐ Applicant ☐ Owner ☐ Other _____

Name _____ Signature _____

Company/Organization _____

Mailing Address _____

City _____ State _____ Zip Code _____

Day Phone _____ FAX _____ email _____

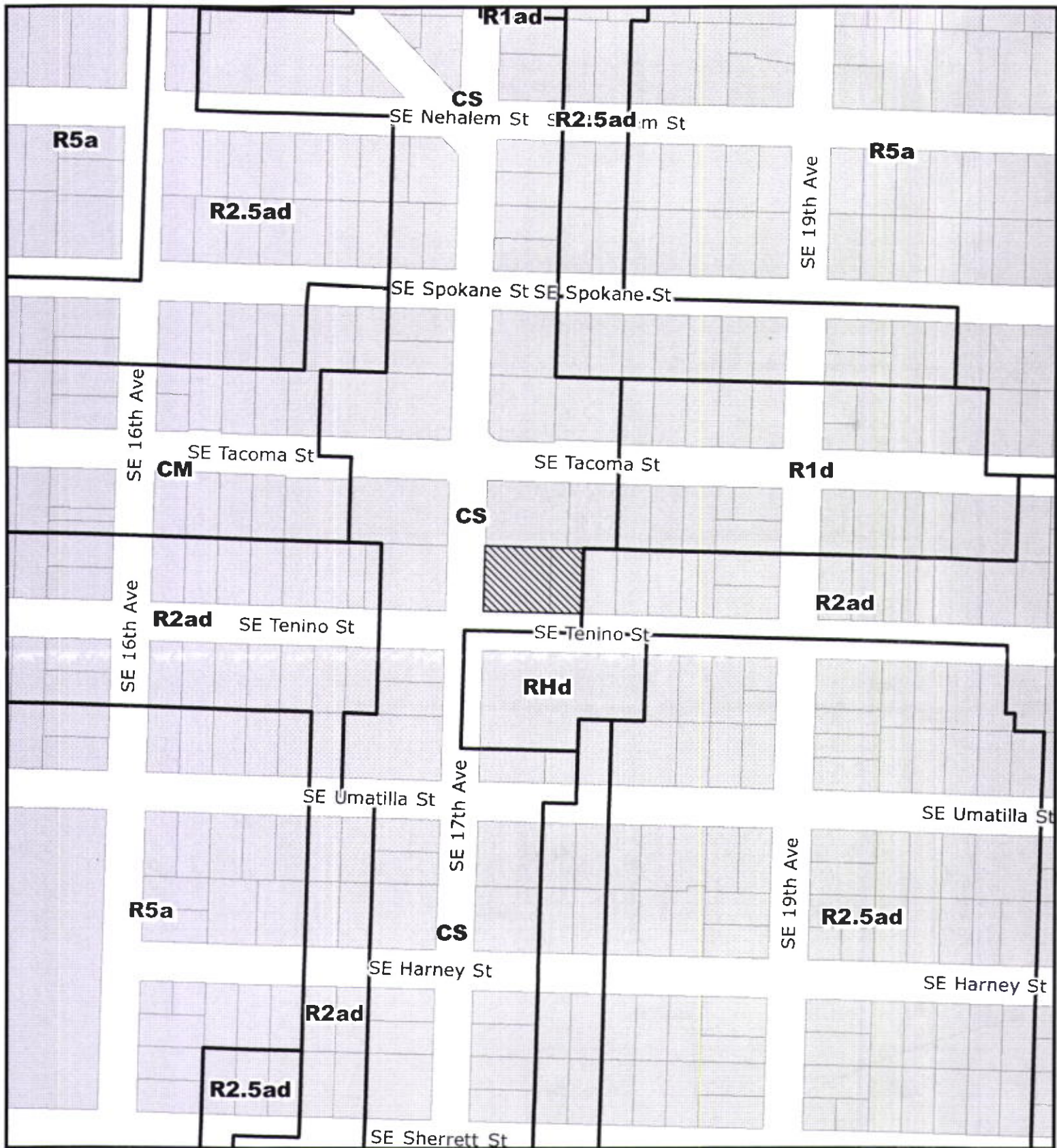
Check all that apply ☐ Applicant ☐ Owner ☐ Other _____

Responsibility Statement As the applicant submitting this application for a land use review, I am responsible for the accuracy of the information submitted. The information being submitted includes a description of the site conditions. I am also responsible for gaining the permission of the owner(s) of the property listed above in order to apply for this review and for reviewing the responsibility statement with them. If the proposal is approved, the decision and any conditions of the approval must be recorded in the County Deed Records for the property. The City of Portland is not liable if any of these actions are taken without the consent of the owner(s) of the property. In order to process this review, City staff may visit the site, photograph the property, or otherwise document the site as part of the review. I understand that the completeness of this application is determined by the Director. By my signature, I indicate my understanding and agreement to the Responsibility Statement.

Print name of person submitting this application David Mullens

Signature 

Phone number 360-518-6985 Date _____



ZONING



File No.	LU 17-176117 AD
1/4 Section	3832
Scale	1 inch = 200 feet
State ID	1S1E23DC 1200
Exhibit	B May 30, 2017



PORTLAND BUREAU OF TRANSPORTATION

1900 SW Fourth Avenue, Suite 5000, Portland, OR 97201 503.823.5185
Fax 503.823.7576 TTY 503.823.6868 www.portlandoregon.gov/transportation

Dan Saltzman Commissioner Leah Treat Director

Attachment A.2 PARKING IMPACT STUDY

STUDY PARAMETERS

PARKING GENERATION RATES – ATTACH PARKING GENERATION TABLE

☐ FROM ITE ☐ OTHER: _____

PARKING OCCUPANCY OBSERVATIONS

LOCATIONS (GENERALLY WITHIN 500FT OR 2 BLOCKS OF THE SITE)

- _____
- _____
- _____
- _____
- _____

OBSERVATION DAYS AND TIMES

- _____
- _____
- _____

ADJACENT LAND USE(S)

- _____

PARKING IMPACT AREA – ATTACH FIGURE

DELIVERABLES

- FINAL STUDY (WITH LAND USE APPLICATION, PROVIDED IN HARD COPY, WORD, AND ADOBE FORMATS)
- REVISED FINAL STUDY (ADDRESSING ANY PBOT COMMENTS TO INITIAL STUDY, PROVIDED IN HARD COPY, WORD, AND ADOBE FORMATS)



The Portland Bureau of Transportation fully complies with Title VI of the Civil Rights Act of 1964, the ADA Title II, and related statutes and regulations in all programs and activities. For accommodations, complaints and information, call (503) 823-5185, City TTY (503) 823-6868, or use Oregon Relay Service: 711.

May 17th, 2017

Applicant: David Mullens
Urban Development Group, LLC
735 SW 158th Ave
Beaverton, OR 97006

*Application for Adjustment to provide no onsite parking on a site not within 500' of high transit street.
(33.266.110.D.1)*

Proposal:

We propose a new 4-story apartment building containing up to 98 units. The team is using the option of sending the affordable units to another site which is allowed by code, known as the off-site option. Using this option requires that there is a larger percentage, 20% versus 15%, of affordable units and at a lower average median income, 60% versus 80%. Based on the proposed 98 units, 20 units at 60% AMI would be provided.

The site is situated at the intersection of SE 17th Ave and SE Tenino Street. The site is served by two bus lines – the 70 which runs North/South along SE 17th Ave and the 99 which runs East/West along SE Tacoma St. SE Tacoma St is approximately 235 feet from the site. Based on the zoning code by providing affordable housing, there is an exception for sites close to transit and the minimum number of required parking can be reduced to zero.

²⁶⁶
33.222.110.D.1.a(1) states that if "The site is located 1,500 feet or less from a transit station, or 500 feet or less from a transit street with 20-minute peak hour service" then there would be no minimum required parking.

Peak Hour Service is defined as:

"Service provided by public transit to a site, measured on weekdays between 7:00 AM and 8:30 AM and between 4:00 PM and 6:00 PM. The service is measured in one direction of travel, and counts bus lines, streetcars, and light rail lines."

After reviewing the two bus lines that provide service it was determined that the lines do not have 20-minute peak hour service. Even though they are not on a 20-minute schedule during peak hours they still provide service during the times defined in the peak hour service definition. The closet MAX station is 0.6 mi away, which is over 1,500 feet, but being only 0.6 miles away that is about a 3 minute bike ride, in a dedicated bike lane, or 12 minute walk (see attached map). Also, SE Umatilla St is one block to the South and is a bike boulevard with a direct connection to the Springwater Multi-Use Trail.

We believe with the proximity to two bus lines, very near a MAX station, and excellent bike access the site and the project would meet the City's sustainability goals. These goals being the encouraging of more types of travel, rather than singular autos, increased density, and adding more affordability.

Providing vehicle parking would lower the number of units, and therefore the number of affordable units provided, and increase construction costs. This would likely lead to higher market-rate prices. Lower construction costs allows for the opportunity for the market-rate units to be more affordable as well.

LU 17-176117 AD

98 DUs - 20 DUs = 78
(or 95?) DUs

.77 x 78 = 26
spaces
req'd

- AD is to reduce
parking from 26 to 0.
(confirm)

• For approval
criterion A,
needs to address
77.266.110.A

• confirm w/
Kurt re: need
to provide parking
study.

Lastly, there is also a chance TriMet will increase service along SE Tacoma Ave based upon the amount of recent and proposed development in the area.

Enclosed with the application is an exhibit showing a site plan with proposed building data and map showing proximity to MAX stop.

Approval Criteria:

- A. Granting the adjustment will equally or better meet the purpose of the regulations to be modified; and*

Granting the adjustment would allow the city to add more needed affordable units in a larger range of median incomes (60% and 80%). It also follows the City's sustainability goals and desire to push more residents to explore other forms of transportation.

- B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and*

Site is located within a CS zone with no overlays. SE 17th Ave is classified as a Neighborhood Collector and SE Tenino St is classified as a Local Service Traffic Street. The building design is proposed to be consistent in materials, massing, and scale, as allowed by the zoning code, with recent buildings and proposed buildings that are being built nearby on SE Tacoma St and on SE 17th Ave.

- C. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and*

Not Applicable – Only one adjustment is being requested.

- D. City-designated scenic resources and historic resources are preserved; and*

Not Applicable – Site is not part of or near any historic resources or city-designated scenic resources.

- E. Any impacts resulting from the adjustment are mitigated to the extent practical; and*

Proposed adjustment is mitigated based on the site's ability to be well served by the following alternate modes of travel other than vehicular:

- The site has immediate proximity to two bus lines (bus lines 70 and 99).
- Site is also one block away from SE Umatilla Ave which is designated a bike boulevard that has a direct connection to Springwater Multi-Use trail.
- The site is under one mile to a TriMet MAX station (Orange Line – SE Tacoma/Johnson Creek Station).

LU 17-176117 AD

May 17th, 2017

Page 3 of 3

These options along, with multiple car & ride-sharing businesses mitigate not providing on-site vehicular parking. Therefore, based on the available options any impacts from the adjustment are mitigated.

F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable

Not Applicable – Site is not within any environmental overlay zones.

End of Document

LU 17-176117 AD



CITY OF
PORTLAND, OREGON
PORTLAND HOUSING BUREAU

Mayor Ted Wheeler
Kurt Creager, Director
421 SW 6th Avenue, Suite 500
Portland OR 97204
(503) 823-2375
Fax (503) 823-2387
portlandoregon.gov/PHB

PHB- Housing Program Specialist Response
Early Assistance Conference

Date: April 4, 2017

To: David Mullens (Urban Development Group)

From: Cassie Graves, Housing Program Specialist cassie.graves@portlandoregon.gov

Case File: 17-124307

Location: 1717 SE Tenino Street

Property ID: R267790

Proposal: New 4-story apartment building (89 units total). Please note - there is already an existing building permit for the project, but he wants to add the affordable housing aspect to forgo the parking requirement. See CO 17-112446. If he finds he can proceed with the project as proposed for this EA, he will cancel the previously applied-for CO permit and get a new one, with the parking removed.

Section I: Inclusionary Housing Code Overview

Pursuant to Inclusionary Housing Code Section 30.01.120 and Code Chapter 33.245, effective February 1, 2017, all residential buildings proposing 20 or more units must provide a percentage of the new units at rents affordable to households at 80% of the Area Median Income (AMI). The City has defined four different options for meeting the Inclusionary Housing (IH) requirements. All permit applications must include one of these options in their proposal or pay a fee-in-lieu.

The IH affordability period is 99 years and the property owner must enter into a Regulatory Agreement with Portland Housing Bureau (PHB), the details of which are specific to the IH option chosen, and must submit to annual monitoring by PHB Asset Management team, including the submission of annual rents and tenant income.

PHB has reviewed the materials submitted as well as the input from the meeting to determine the minimum requirements of the proposed building and provide the following comments.

Section II: Property Specifics

A. Subjectivity to Inclusionary Housing

The applicant was informed that this project, in its current configuration, triggers the IH requirements.

The applicant's development proposal includes 98 housing units with the following designations:

- 18 studio unit(s)
- 80 one-bedroom unit(s)

The options discussed below specifically correlate to the information provided. PHB asks the applicant to be aware that any change in the building plans detailing the number of units, types, and sizes will require additional PHB review.

B. IH Options Discussed in Early Assistance Meeting

Option 3: Build Off-Site

The applicant noted that they are considering Option 3 which would require that the applicant designate Inclusionary Housing Units ("IH Units") from the project (sending site) off-site in another new development (receiving site). The receiving site would have two options to fulfill the sending site's responsibility:

- At least 20% of the total number of residential units in the sending site affordable at 60% AMI in a building to be constructed; or
- At least 10% of the total number of residential units in the sending site affordable at 30% AMI in a building to be constructed.

Reasonable Equivalency:

As per Inclusionary Housing Administrative Rules, applicants are required to make IH Units reasonably equivalent to market rate units. PHB will assess reasonable equivalency using the following criteria:

- **Bedroom Distribution and Unit Count:** IH Units must be provided at the same ratio within the development as market rate units
- **Unit Sizes:** IH Units must be at least 90% the size of the average of the total units with the same bedroom count, as measured in square feet.
- **Unit Distribution:** No more than 25% of the total units on any floor shall be designated as IH Units, excluding the top floor of a development.
- **Unit Amenities:** IH Units must have like or equal performing finishes and appliances as far as durability and sustainability to the market rate units, which will be certified by a development's architect prior to receiving its final certificate of occupancy.

To meet the Reasonable Equivalency standard of Bedroom Distribution and Unit Count, the building must provide 20% of each unit type as IH Units. With the currently proposed plans, this equates to a total of 20 IH Units, distributed as follows:

- 4 studio unit(s)
- 16 one-bedroom unit(s)

Additional Receiving Site Requirements:

- The IH Units built on the receiving site must be reasonably equivalent to the market rate units in the sending site.
- The receiving site remains subject to any additional IH Program requirements.
- The receiving site must be identified and approved by PHB prior to building permit issuance for the sending site, specifying the following information:
 - Location;
 - Number of IH Units and total units proposed; and
 - Development schedule
- The receiving site must be located within a ½ mile radius of the sending site, unless the receiving site is in an area with an equal or higher Combined Opportunity Map Score.
- The general contractor for the receiving site will enter into agreement with third party technical assistance provider (approved by PHB prior to opening bids for construction).
- At least 5% of the affordable units must be built to Type A as defined by the Oregon Structural Specialty Code.

The eligibility of the receiving site, its own regulatory obligations, and the impact of the proposed sending site's unit obligations will be further discussed in the response for the proposed receiving site.

Incentives:

As proposed above, the project would be eligible to receive:

- FAR density bonus (sending site only) as detailed in Portland Zoning Code, administered by Bureau of Development Services, Planning and Zoning.
- SDC exemptions for receiving site's IH Units
 - *System Development Charge Exemption Program website:*
<https://www.portlandoregon.gov/bds/article/166412>
- Full or partial exemption (sending site only) from parking requirements as detailed in Portland Zoning Code, administered by Bureau of Development Services, Planning and Zoning.
- Construction Excise Tax exemption for the receiving site's IH Units
 - *Construction Excise Tax FAQ: Construction Excise Tax FAQ:*
<https://www.portlandoregon.gov/bds/article/584417>
 - *Affordable Housing Construction Excise Tax Exemption application:*
<https://www.portlandoregon.gov/bds/article/584608>

For more information, you may refer to the Inclusionary Housing Program Administrative Rules: <https://www.portlandoregon.gov/citycode/article/626683> or visit the Inclusionary Housing website at <https://www.portlandoregon.gov/phb/72291>. To reach PHB's Inclusionary Housing staff, please call 503-823-9042 or email Inclusionary-Housing@portlandoregon.gov.



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

Ted Wheeler, Mayor
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

BDS – Early Assistance Land Use Planner Response

Date: April 10, 2017
To: DAVID MULLENS,
URBAN DEVELOPMENT GROUP
735 SW 158TH AVENUE
BEAVERTON, OR 97006
From: Tyler Mann, City Planner
503-823-5062, Tyler.Mann@portlandoregon.gov
Case File: EA 17-124307
Location: 1717 SE TENINO ST
Property ID: R267790, R267791
Proposal: New 4-story apartment building (98 units total).

Limitation

This letter serves as a summary of the information we discussed at the Early Assistance appointment on March 30, 2017, and is intended to highlight preliminary requirements and next steps. This summary is advisory and preliminary in nature, and is neither a complete land use review nor a final decision regarding the project. This summary is based on the preliminary information you provided BDS staff. I have not supplemented or independently verified this information. Additionally, no site visit was conducted, notice was not provided to neighbors, and a full plan check of applicable development standards was not completed. Any future land use review application for your proposed project must include the necessary plans, elevations, detail drawings, a narrative addressing the approval criteria, and fees.

The information provided at your appointment was based on the current Zoning Code. It is possible that the code could change before you apply and those changes could affect your proposal. Your land use review application will be reviewed based on the Zoning Code in effect when you submit your application.

Summary of Proposal: The proposed project is a new four-story apartment building on a 15,000 square-foot site located on the northeast corner of SE 17th Avenue and SE Tenino Street within the Storefront Commercial (CS) zone. The project includes 98 units located in the basement and four above grade levels.

Zoning: CS Storefront Commercial

Relevant Land Use History: There is no relevant land use history related to this project, but there is an active building permit (17-112446 CO) for a 79-unit apartment building that is currently vested in the zoning regulations prior to the effective date of the inclusionary housing requirements.

Key Issues Applicable to this Project/Site:

- **Note:** The following is not a full review of the project against all applicable development standards, but is a summary of instances identified in my review where, based on the level of detail provided, the project did not meet a standard, or where clarification is needed to confirm compliance with a standard. Compliance with all applicable development standards will be determined at the time of permit or land use review. **Unless noted below, variations from each standard discussed could be considered through an Adjustment Review, which is a Type II land use review process.** See [Adjustment Review](#).

- **Development Standards**

The project is located in the CS (Storefront Commercial) zone. The development standards that will apply to the potential project include, but are not necessarily limited to, those from the following chapters of the Portland Zoning Code (PCC):

- [33.130 Commercial Zones](#)
- [33.266. Parking and Loading](#)
- [33.245 Inclusionary Housing](#)
- Zoning code chapters are available online at <http://www.portlandoregon.gov/zoningcode>.

- **Inclusionary Housing (§33.245)**

New buildings with 20 or more dwelling units are required to provide affordable housing units. The affordable units may be provided onsite, off-site, or by fee in lieu payment pursuant to 33.245.040. The current proposal is for 98 dwelling units. Therefore, the project is subject to 33.245.

In this case, you propose to provide affordable units off-site at 1645 SE Nehalem St. When the required affordable dwelling units are new units to be provided off-site, affordable dwelling units must be provided at one of the following rates:

- 10 percent of the total number of dwelling units in the new building or the alteration must be affordable to those earning no more than 30 percent of the area median family income (AMI); or
- 20 percent of the total number of dwelling units in the new building or the alteration must be affordable to those earning no more than 60 percent of the AMI.

Your proposal is to provide 20 units off-site, to be affordable to those earning no more than 60 percent of the AMI. This meets the requirement above to provide 20 percent of the total number of units.

This is part of a larger proposal that includes three sites, two of which would send affordable housing units to the third site at 1645 SE Nehalem St, where the affordable housing requirements for all three sites would be met in one building. Each of the sites involved in this proposal will receive its own early assistance memo summarizing zoning standards for each location, but because the three sites are all part of a larger proposal to meet inclusionary housing requirements, it's appropriate to include a summary of the overall proposal here.

- **5965 SE Milwaukie:** 54 total units proposed. 11 off-site units affordable to those earning no more than 60 percent of the AMI are proposed to be provided at the SE Nehalem site.
- **1717 SE Tenino:** 98 total units proposed. 20 off-site units affordable to those earning no more than 60 percent of the AMI are proposed to be provided at the SE Nehalem site.
- **1645 SE Nehalem:** 58 total units proposed. 4 on-site units affordable to those earning no more than 80 percent of the AMI are proposed in addition to the 31 units proposed to be affordable to those earning no more than 60 percent of the AMI (sent from SE Milwaukie and SE Tenino sites).

The inclusionary housing requirements appear to be met for the SE Milwaukie and SE Tenino sites. At the SE Nehalem site, the inclusionary housing requirement applies to all units being built on the site – the 31 units being sent from the other sites are not exempt from this requirement. Therefore, 9 units

affordable to those earning no more than 80 percent of the AMI are required to meet the on-site inclusionary housing requirement for the SE Nehalem site. In summary, to meet the inclusionary housing requirements for all three sites, based on the 58 units proposed at the SE Nehalem site, 31 units would be affordable to those earning no more than 60 percent of the AMI, 9 units would be affordable to those earning no more than 80 percent of the AMI, and the remaining 18 units would be market-rate.

Prior to permit approval, you must provide a letter from the Portland Housing Bureau certifying that the development meets the standards stated in 33.245 and any administrative requirements. If affordable dwelling units will be provided, the property owner must execute a covenant with the City that complies with the requirements of 33.700.060. The covenant must ensure that the affordable dwelling units will remain affordable to households meeting the income restriction, and meet the administrative requirements of the Portland Housing Bureau.

For more information about income restrictions, unit comparability requirements, calculation of the applicable fee-in-lieu, or the administrative requirements of the Portland Housing Bureau, contact Dory Van Bockel at the Portland Housing Bureau at 503-823-4469, or the Housing Bureau reviewer assigned to your project (Cassie Graves, 503-823-9042). Note that the covenant must be completed and recorded prior to approval of your building permit. Additional information regarding the City's Inclusionary Housing program is available online at the following link: <https://www.portlandoregon.gov/phb/72291>.

- **Floor Area Ratio (§33.140.205 and Table 140-3)**

The maximum floor area ratio is 4:1. For this site, the maximum floor area is 60,000 square feet. Floor area is measured to the exterior faces of a building. Floor area does not include areas where the floor elevation is 4 feet or more below grade, and does not include roofed porches or balconies unless they are enclosed by walls more than 42 inches in height for more than 50 percent of their perimeter.

Staff Note: *It appears that the FAR limitation will be met, but additional information is requested as part of the building permit application. Only areas 4-feet or more below grade are not counted towards FAR. This means there may be portions of the basement that count towards FAR but I was unable to verify without additional section drawings. Please include section drawings and a diagram to show how much of the area basement floor is 4 feet or more below grade, in order to verify the maximum FAR is met.*

- **Height (§33.130.210 and Table 130-3)**

The height limit in this zone is 45 feet. Height measurements are taken from a base point on the ground surface that varies depending on the slope of the site. This site appears to qualify for the "base point 1," measurement technique described in the Measurements chapter of the Zoning Code: [33.930 Measurements](#).

Staff Note: *The drawings did not include building corner elevations or site elevation contours and I was unable to verify if the height limit is met. Please be sure to include the base point elevation on the site plan and use this elevation point as the basis for measuring the height of the building. Please note that certain exceptions to height are allowed for rooftop mechanical equipment, stairwell enclosures but that safety railings are not included in the height exceptions listed in Chapter 33.130.210.*

- **Exceptions to Maximum Height (§33.130.210.B.2)**

All rooftop mechanical equipment and enclosures of stairwells that provide access must be setback at least 15-feet from all roof edges that are parallel to street lot lines. Rooftop elevator mechanical equipment may extend up to 16-feet above the height limit. Stairwell enclosures and other rooftop mechanical equipment, which cumulatively covers no more than 10 percent of the roof area, may not extend 10-feet above the height limit.

Staff Note: *Rooftop mechanical equipment or enclosures were not shown on the provided building section drawings. As part of the building permit application, please include all rooftop mechanical equipment and enclosures on the building elevations and roof plan. Please ensure that the equipment and enclosures comply with the height limitation or meet this exception. In addition, screening from*

adjacent residential zones is required for rooftop mechanical equipment as required in PCC §33.130.235, Screening.

- **Setbacks (§33.130.215 and Table 130-3 & 130-4)**

There are no minimum building setbacks in commercial zones from the street lot line. However, there is maximum building setback along both street lot lines. At least 50 percent of the length of the ground level street-facing façade of buildings must be within 10-feet of the street lot line.

In Commercial, Industrial, and Employment Zones, there are special setbacks required from adjacent residential zones, which are based on the height of the building wall that faces the adjacent zone. See Table 130-4 or Table 140-4. From the plans submitted, it appears that the building height adjacent to the east property line will require a setback of 11'.

In addition to the setback distances, a landscaping buffer that is 5' deep is required in the setbacks from adjacent residential lots. The landscaping required must meet the L3 standard (see below).

Staff Note: Without scaled building elevations I am unable to determine if the setback is met along the east property line. Please include a detailed landscape plan that shows the required 5-foot deep L3 landscaping within the required 11-foot building setback.

- **Building Coverage (§33.130.220 and Table 130-3)**

The minimum building coverage for this site is 50% of the site area or 7,500 square feet.

Staff Note: The building coverage proposed for this project is 14,029 square feet, which meets the minimum building coverage for the site.

- **Ground Floor Windows (§33.130.230)**

This standard requires that the "ground floor," (measured from grade to 9' above grade) of street-facing facades that are within 20' of the street have a minimum amount of glazed area, which can be windows and main entry doors. The windows must provide views into lobbies, working areas, pedestrian areas, or must be display cases set into the wall. The walls of residential units are exempt from the requirement, and the walls of parking structures that are setback 5' from the street and landscaped to the L2 standard are also exempt. However, openings or doors into structured parking are not exempt from the area that will be required to meet the overall percentage of required glazing.

The general standard requires glazing on at least 50% of the length and 25% of the area of the ground floor. The general standard must be met on the façade of the building that faces the street with the highest transit classification.

Half the general standard requires glazing on at least 25% of the length and 12.5% of the area of the ground floor. Half the general standard must be met on the street facing facades that do not meet the general standard.

Staff Note: This site must meet the general standard along SE 17th Avenue frontage because this street has the highest transit street classification. Half the general standard must be met on SE Tenino. I am unable to determine if this standard is met without scaled building elevations. **It appears that both street frontages may not meet this standard because of the active ground floor window requirement.** Please note, that the views into the building must be active ground floor areas or pedestrian entrances or lobbies. Views into mechanical rooms, fire riser rooms, or other storage or service rooms cannot be used to meet this standard. Only the portions of the building that are the walls of individual residential units are exempt from this standard.

- **Screening (§33.130.235)**

Garbage and recycling collection areas. All exterior garbage cans, garbage collection areas, and recycling collection areas must be screened from the street and any adjacent properties. Trash

receptacles for pedestrian use are exempt. Screening must comply with at least the L3 or F2 standards of Chapter 33.248, Landscaping and Screening (see below).

Mechanical equipment. Mechanical equipment placed on roofs must be screened in one of the following ways, if the equipment is within 50 feet of an R zone:

1. A parapet along facades facing the R zone that is as tall as the tallest part of the equipment;
2. A screen around the equipment that is as tall as the tallest part of the equipment; or
3. The equipment is set back from roof edges facing the R zone 3 feet for each foot of height of the equipment.

Staff Note: *It appears that garbage and recycling collection will occur within the building and no notes for ground mounted equipment were indicated on the floor plan or site plan. Please provide a cross section detail and roof plan that indicates the location of roof mounted equipment and their height.*

- **Pedestrian Standards (§33.130.240)**

This standard requires pedestrian connections from main entrances of buildings to adjacent street, and between buildings on sites and other areas such as parking and amenities. Specifically, a straight-line pedestrian connection is required from the main entrance of the building to the adjacent street. The pedestrian system must be 6' wide and hard-surfaced. The pedestrian standard also requires that the area between the building and the street be hard-surfaced for pedestrian use or be landscaped to the L1 standard.

Staff Note: *Window wells between the building and the street can be approved if these window wells do not extend further toward the street than the building wall above. Based on the provided building elevations and floor plan it appears the window wells extend closer towards the street than the building wall above and would not meet this standard. Please revise the building plans so that the building wall above the window wells is no further from the street than the window well below.*

- **Vehicle Parking (§33.266.220)**

Vehicle parking is required at this site, per tables 266-1 and 266-2. The parking requirements for residential units within the CS zone is based on Table 266-1, which requires 0.33 spaces per unit when there are 51 or more units on site. The unit ratio also does not include the amount of required affordable housing units, whether provided on-site or sent off site. Your proposal will require to park a total of 78-units after removing the required amount of inclusionary housing units (20 units). Per Table 266-1 a minimum of 26 parking spaces will be required.

Staff Note: *The proposal did not include any on-site vehicle parking. Because the site is not located within 500-feet of a transit street with "Peak Hour Service" the site is required to provide at least 26 parking spaces on site or receive an Adjustment to the parking requirements. Peak Hour Service is defined in Chapter 33.910 as, "Service provided by public transit to a site, measured on weekdays between 7:00 AM and 8:30 AM and between 4:00 PM and 6:00 PM. The service is measured in one direction of travel, and counts bus lines, streetcars and light rail lines. Please revise the building plans to provide a minimum of 26 vehicle parking spaces or apply for and receive an approved Adjustment to the parking requirement. You may also reduce the required on-site parking by up to 50% through the use of exceptions listed in subsection 33.266.110.D. TriMet can change their schedules at any time, there is the possibility that the TriMet timetables for bus routes within 500-feet of the site may change to meet the definition of "Peak Hour Service" above. If TriMet does change the schedules near this site to meet the definition of "Peak Hour Service", you will be required to provide a timetable for the route or routes used to meet the parking exemption at the time of building permit submittal in order for the parking exemption to be granted.*

- **Bike Parking (§33.266.220)**

This section requires both long-term and short-term bicycle parking, calculated per the number of dwelling units on site. Short-term spaces must meet the standards of 33.266.220.A and C. Long-term

spaces must meet the standards of 33.266.220.B and C. In this case, based on the primary use of 98 units, 108 long-term and 5 short-term spaces are required.

Staff Note: The propose drawings included two (2) bicycle locker rooms with a total of 61 bicycle parking spaces. **Please include an additional 47 bicycle parking racks within other bicycle storage rooms or within the individual units to count towards the required long-term bicycle parking requirement.** Please also note that for wall-hung bicycle racks, the 2' x 6' dimensional requirement for each space is on the wall. In plan view, your clear space for required maneuvering aisle behind the bicycle parking space will need to allow 44" for the height of bike (average bike height), plus the 5' maneuvering room behind the 44". No short-term bicycle parking racks were indicated. **Only sites that are designed in a manner that does not allow for the installation of bicycle parking racks that meet the standards for short-term bicycle parking in PCC §33.266.220.A.2.b, may elect to pay into the short-term bicycle parking fund.** Sites that have plazas, exterior courtyards, or other open areas on site and where those open areas are large enough, separately or in combination, to accommodate all required short-term bicycle parking that meets the standards of PCC §33.266.220.A.2.b, may not elect to pay into the short-term bicycle parking fund.

- **Loading (§33.266.310)**

One loading space meeting Standard B (9 feet wide by 18 feet long, with 10-foot vertical clearance) is required for this site. At the time of the early assistance meeting, all loading spaces outside of the Central City were required to enter and leave the site in a forward motion, and the submitted plans show a turntable system to meet this standard. The RICAP 8 code improvement package went into effect on April 1, however, and removed this requirement for loading spaces meeting Standard B and accessed from a local service street.

Staff Note: Please label the loading space on the floor plans. The proposed loading space must meet Standard B and if proposed off of SE Tenino Street, a local service street, the loading space does not have to provide entering and exiting in a forward motion. Please include the loading space on the floor plan or site plan that meets the dimension requirement. Please also provide a section drawing to demonstrate that the proposed loading space meets the 10-foot vertical clearance requirement.

- **Landscaped Areas (§33.248.020)**

Portland's Tree and Landscaping Manual contains plant lists that have trees, shrubs, and groundcover that can fulfill these standards already organized into sizes at maturity. This resource can be found online at: [Plant Materials and Suggested Plant Lists](#). All landscaping must meet the requirements of 33.248.030 Plant Materials, and 33.248.040 Installation and Maintenance.

The following landscaping standards were specified above and apply to this proposal:

L3: The L3 standard is a landscape treatment which uses screening to provide the physical and visual separation between uses or development. The L3 standard requires enough high shrubs to form a continuous screen 6 feet high at maturity. The shrubs must be evergreen. In addition, one large tree is required per 30 linear feet of landscaped area, one medium tree per 22 linear feet of landscaped area, or one small tree per 15 linear feet of landscaped area. Trees of different sizes may be combined to meet the standard. Ground cover plants must fully cover the remainder of the landscaped area.

F2: The F2 fence standard provides a tall and complete visual separation. Fences must be 6 feet high and 100 percent sight-obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials. See [Figure 248-2](#).

B. Responses to Additional Questions You Asked:

- You asked questions about the window wells in relation to the pedestrian standard requirement. Please see the pedestrian standard section of this summary above, for a detailed description of those requirements.

When you are ready to submit an application you may do so in the Development Service Center. Please see the BDS Website at <http://www.portlandoregon.gov/bds/37988> for hours of operation.

Please contact me with questions regarding this letter, or if I can be of further assistance as you move forward with your proposal.

Sincerely,



Tyler Mann (503) 823-5062

Handouts and Additional Information:

- Zone Map
- Zoning Code (found at www.portlandonline.com/zoningcode)
- Additional information and application forms are also available on-line at <http://www.portlandoregon.gov/bds/35881>.
- Land Use Services Fee Schedule (found at <http://www.portlandoregon.gov/bds/article/67127>)
- Electric Service Requirements. Information on electric service requirements for properties served by PGE can be found at the following link: http://www.portlandgeneral.com/business/builders_developers/electrical_service_requirements.aspx; and information on electric service requirements for properties served by Pacific Power can be found at the following link: <http://www.pacificpower.net/con/esr.html>.

Please note that the service requirements included in these links may not cover all requirements associated with your project. Applicants should contact the PGE Service Coordinator at 503-736-5450 or the Pacific Power Business Center at 888-221-7070 to identify issues that are specific to your project and to coordinate electric service requirements.

PGE requires minimum clearances from electric wires, conductors and cables. Please be aware of these clearances by calling PGE at 503-736-5450. For more information, go to the following link: [PGE Minimum Clearance Requirements](#).



**City of
Portland, Oregon**
Bureau of Development Services
FROM CONCEPT TO CONSTRUCTION

Ted Wheeler, Mayor
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-6983
TTY: (503) 823-6868
www.portlandoregon.gov/bds

ZONING PLAN EXAMINATION CHECKSHEET

Application # **17-112446-000-00-CO**

Review Date **February 27, 2017**

To:	APPLICANT	DAVID MULLENS UDG 735 SW 158TH AVE BEAVERTON, OR 97006	Work	360-518-6985
			Home Email	davidmullens@gmail.com
From:	PLANNING & ZONING	TYLER MANN	Phone Fax Email	503-823-5062 503-823-7915 Tyler.Mann@portlandoregon.gov
cc:	OWNER	UDG 17TH & TENINO LLC 1707 SE TENINO ST PORTLAND, OR 97202		

PROJECT INFORMATION

Street Address:	1707 SE TENINO ST
Description of Work:	NEW 4 STORY MULTI FAMILY 79 UNIT APARTMENT BUILDING WITH SUBGRADE PARKING; ASSOCIATE SITE WORK

PLAN REVIEW

Based on the plans and specifications submitted, the following items appear to be missing or not in conformance with the zoning code requirements.

#	Item	Clarification/Correction Required
1.	Demolition Permit	Please apply for and obtain an issued demolition permit for the existing commercial building and single-family residence on both tax account numbers. The permit will need to be in "issued" status prior to approval of the building permit. Please alert me through the Checksheet Response once the permit has been issued.
2.	Property Lines	Please delineate the location property lines on all architectural elevations.
3.	Tax Lot Consolidation	Please apply for a tax lot consolidation with the Multnomah County Tax Assessor Office. Please provide documentation that the tax account numbers have been consolidated with the checksheet response. This is required prior to approval of the building permit.
4.	§33.130.215.B.2. a Landscape Buffer	<p>This standard requires a 5-foot deep landscape buffer, planted to the L3 standard along the rear property line of an abutting R zone.</p> <p>Please include a detailed landscape plan that demonstrates compliance with the L3 landscape buffer requirement. The L3 landscape buffer requires the following:</p> <ul style="list-style-type: none"> • (1) large tree per 30 linear feet, (1) medium tree per 22 linear feet and/or (1) small tree per 15 linear feet. • Enough 6-foot tall evergreen shrubs to form a continuous screen, spaced at the minimum requirement as listed in the Portland Tree & Landscape Manual or other nursery publication (a 6-foot high masonry wall may be substituted for the shrubs but not the trees or ground cover) and; • Ground cover plants covering the remainder area. <p>The Portland Tree & Landscape Manual - Plant Materials List has a list of trees categorized by small medium and large sizes as well as a list of shrubs and ground cover material. As part of the landscape plan please include the following details:</p>

NOT DONE

		<ul style="list-style-type: none"> • Please show the type, size, number and placement of materials. • Please identify materials by their common and scientific name. • Indicate the required irrigation system proposed (if any). <p>Please note the following when indicating the size of material at the time of planting:</p> <ul style="list-style-type: none"> • Conifer trees must be a minimum of 5-feet in height and fully branched at the time of planting. • Broadleaf trees must be a minimum of 1.5 caliper inches and fully branched at the time of planting. • Shrubs must be at least the one-gallon size at time of planting and must be a species that will grow to 6-feet in height within 3 years. • Ground cover plants, other than grasses, must be a minimum 4-inch pot size and must be planted in a triangular pattern at the spacing indicated in the Portland Tree & Landscape Manual. • If there are more than 8 required trees, no more than 40% may be the same species. <p>Please include the information as a separate landscape plan sheet with the building plan set.</p>
5.	§33.130.215.B.3 Extensions into required building setbacks	<p>This exception to required building setbacks allows decks, stairways, wheelchair ramps, and uncovered balconies that do not meet the exception of subparagraph B.3.b to extend up to 20% of the depth of the setback.</p> <p>There is a balcony proposed for the southeast second floor units that extends within the required 11-foot setback beyond this 20% exception. These uncovered balconies are located where the building wall is more than 15-feet above grade and may extend no further than 2.2-feet into the required 11-foot setback.</p> <p>Please remove the balconies, reduce the encroachment into the required 11-foot setback to meet the exception or apply for and obtain an approved Adjustment to the minimum building setback. Information on Adjustment's can be found here: https://www.portlandoregon.gov/bds/article/72422</p>
6.	§33.130.230 Ground floor window standard	<p>This standard requires that at least 50% of the length and 25% of the ground level wall area meet the active ground floor window requirement on the building façade facing the highest transit street classification.</p> <p>Ground level wall areas include all exterior wall areas up to 9-feet above the finished grade. The requirement does not apply to the walls of residential units, and does not apply to the walls of parking structures when set back at least 5-feet and landscaped to at least the L2 standard. The bottom of the windows must be no more than 4-feet above the adjacent exterior grade.</p> <p>Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows set into the wall. Display cases attached to the outside of the wall do not qualify.</p> <p>SE 17th Avenue is the highest transit street classification and this street facing façade must meet the general standard.</p> <p>Only the pedestrian entrance and stairway will be counted toward this requirement because the remaining ground floor area is residential units. 50% of the length of the pedestrian entrance/stairwell will be required to meet this standard as well as 25% of the ground floor wall area.</p> <p>Please revise the ground floor window program so that 50% of the length of the ground floor area provides windows into active areas. This may require a significant</p>

		redesign, as stairwells do not meet the active ground floor window requirement.
7.	§33.130.235 Roof-top mechanical equipment screening	<p>Please provide the location and height of the roof top mechanical equipment and vents and air handler units on the building section drawings to determine if the rooftop screening standard is met, or to demonstrate that these features are more than 50-feet from the adjacent R zone.</p> <p>The screening standard requires the following:</p> <ol style="list-style-type: none"> 1. A parapet along facades facing the R zone that is as tall as the tallest part of the equipment; 2. A screen around the equipment that is as tall as the tallest part of the equipment. 3. The equipment is set back from roof edges facing the R zone 3-feet for each foot of height of the equipment. <p>Please demonstrate on the building elevation or section drawings that this screening standard is met.</p>
8.	§33.130.240.B.4 Area between building and a street lot line	<p>This standard requires the land between a building and a street lot line to be landscaped to the L1 standard and/or hard-surfaced for use by pedestrians. Vehicle areas are exempt from this standard. Bicycle parking may be located in the area between the building and the street lot line when the area is hard surfaced.</p> <p>The proposed window wells located on both street frontages conflicts with this standard because the window well prevents the area between the street lot line and building wall to be hard-surfaced for use by pedestrians.</p> <p>Please revise the basement program so that no window wells are between the building and the street lot line and a hard surface extension of the sidewalk extends to the building wall. Alternatively, you may apply for an Adjustment to this standard. Information on Adjustments can be found here: https://www.portlandoregon.gov/bds/article/72422</p>
9.	§33.266.130.F Parking area layouts	<p>This standard requires all parking areas to be designed so that a vehicle may enter and exit the roadway in a forward motion.</p> <p>To demonstrate that this can be met, please provide a car-turning diagram that demonstrates a standard car can enter and exit each parking space and leave the parking garage in a forward motion.</p> <p>Secondly, Table 266-4 requires parking spaces that are at a 90-degree angle have a space that is a minimum of 8-feet 6-inches wide by 16-feet long.</p> <p>All of the required parking spaces have a curb stop that reduces the length by 2-feet. Please revise these spaces to meet the minimum standard by removing the curb stop.</p>
10.	§33.266.220. B & .C Long-term bicycle parking	<p>The standard for long-term bicycle parking requires that each rack provides a minimum 2-foot wide by 6-foot long space with a 5-foot wide maneuvering area.</p> <p>Please provide a detail for how the bicycle parking rooms will be constructed in the two basement bicycle rooms. If the racks are proposed to be wall mounted, please provide a detail showing a 2-foot wide, by 6-foot long space on the wall. If these spaces will be provided in another manner, please provide a detail showing how the racks will be constructed or installed, and show the minimum required bicycle parking space for a wall or ground mounted rack.</p> <p>Please note, that each space requires a 5-foot wide maneuvering area behind it and that this area cannot encroach into another bicycle parking rack space, including the 42-inch projection of a bicycle hanging from a wall rack.</p> <p>Please include a cut sheet for each proposed racks and please provide a key that identifies the proposed rack type. The Portland Bureau of Transportation (PBOT)</p>

		<p>maintains a handbook of approved racks that meet Title 33 standard here: https://www.portlandoregon.gov/transportation/article/481836.</p> <p>The minimum required amount of long-term bicycle parking is 87. An additional 30 spaces is required to reduce the amount of required on-site vehicle parking from 27 to 21 spaces. The two bicycle parking rooms identify a total of 57 long-term bicycle parking spaces. The unit floor plans identify 26 bicycle-parking racks within individual units. Please identify the location of the additional 34 long-term bicycle parking spaces on the site, or a significant redesign will be required to accommodate for the additional 6 parking spaces. If the location will be within individual units, please identify the units on the zoning code summary sheet and show the bicycle parking rack space requirement on the floor plans or unit floor plans. Please also keep in mind the minimum required bicycle parking dimensions and the minimum 5-foot wide maneuvering area.</p>
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To respond to this checksheet, come to the Bureau of Development Services located at 1900 SW Fourth Ave. The Development Service Center (1st floor) and Permitting Services (2nd floor) are open Monday through Friday from 8:00 a.m. to 3:00 p.m. (close at noon on Thursday). Please update all sets of submitted drawings by either replacing the original sheets with new sheets, or editing the originally submitted sheets. You can review "How to Update Your Plans in Response to a Checksheet" at <http://www.portlandoregon.gov/bds/article/93028>. Visit the BDS website for more helpful information and a current listing of services available in the Development Services Center.

Please complete the attached Checksheet Response Form and include it with your re-submittal.

If you have specific questions concerning this Checksheet, please call me at 503-823-5062. To check the status of your project, please call (503) 823-7000 and select option 4. Your Plan Review Status will be faxed to you, so please be ready to provide a fax number. If you don't have a fax number, you may dial (503) 823-7357 to request a Plan Review Status or visit Document Services.

You may receive separate Checksheets from other City agencies that will require separate responses.

Zoning Plan Examination Checksheet Response

Permit #: 17-112446-000-00-CO

Date: _____

Customer name and phone number: _____

NOTE: Please number each change in the '#' column. Use as many lines as necessary to describe your changes. Indicate which reviewer's checksheet you are responding to and the item your change addresses. If the item is not in response to a checksheet, write **customer** in the last column.

[illegible]

(for office use only)



CITY OF
PORTLAND, OREGON
BUREAU OF DEVELOPMENT SERVICES
1900 SW 4th Ave., Suite 5000
Portland, OR 97201



RECEIPT #: 1999616

5/23/2017

Site Address: 1717 SE TENINO ST

IVR Number: 4022947

Permit Number: 17-176117-000-00-LU

Land Use Review

APPLICANT UDG 17th & Tenino, LLC *David Mullens*

Phone: (360) 518-6985

Fee Code	Fee Description	Fee Amount	Paid to Date	Balance	This Transaction	New Balance
1090	Site Development - Land Use Reviews	\$116.00				
242	Adjust. Review - Non-Res.	\$1,800.00				
2504	Life Safety Review - Land Use	\$100.00				
324	BES Land Use Rvw-Engineering	\$344.00				
373	PBOT Adjustment Review	\$278.00				
404	Water Available Plan Rvw - Type C	\$115.00				
711	Fire - Land Use Reviews	\$50.00				
Bill #4126491	Sub Total	\$2,803.00	\$0.00	\$2,803.00	\$2,803.00	\$0.00
TOTAL		\$2,803.00	\$0.00	\$2,803.00	\$2,803.00	\$0.00

Shaded items indicate fees not yet calculated.

*** Fees marked with an asterisk are due at application.**

PAYOR UDG 17TH & TENINO, LLC *DAVID MULLENS*

Phone: (360) 518-6985

Payment #: 1999616 **Method of Payment:** 03304g visa udg

Receipt By: Jennifer Schneider

CITY CONTACT

Phone:

E-Mail:

Fax: (503) 823-4172

Notice: This document is not a permit. This document may not represent all fees owing for this permit. All fees are subject to change based on new or corrected information. For more information, consult your City of Portland Contact listed above.

1701-1707 SE Tenino St, Portland, OR 9

SE Tacoma/Johnson Creek MAX Station

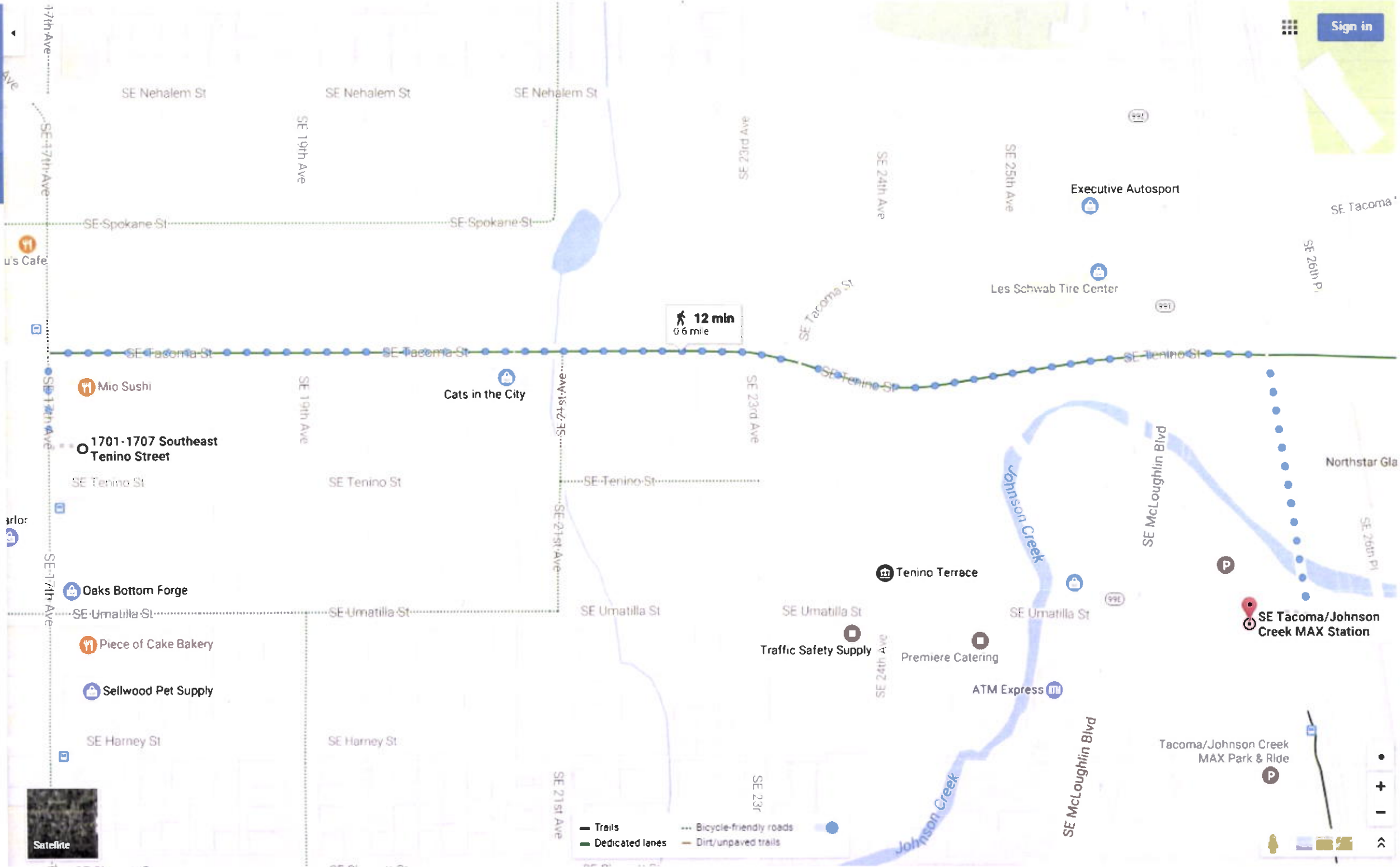
+

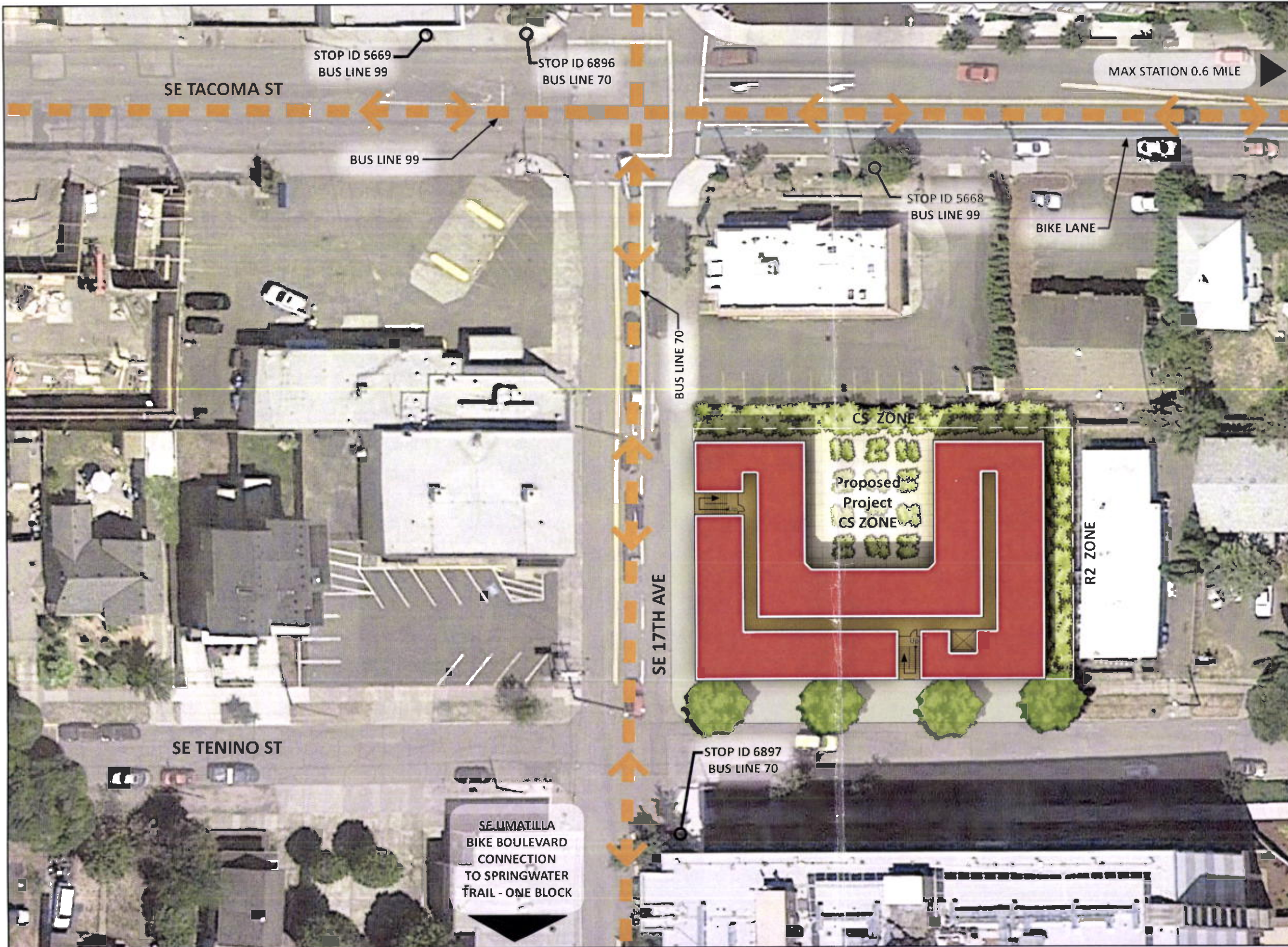
OPTIONS

Send directions to your phone

via SE Tacoma St and SE Tenino St 12 min
0.6 mile

Copies showing walking distance time to light rail SE Tacoma Stop





PROJECT DATA

Site Address 1717 SE Tenino St.

BUILDING TABULATION

Gross Building Area	
Basement	± 8,227 gsf
Level 01	± 10,870 gsf
Level 02	± 10,697 gsf
Level 03	± 10,697 gsf
Level 04	± 10,697 gsf
TOTAL	± 51,188 gsf

Rentable Area	
Residential Dwelling	
Basement	± 5,761 gsf
Level 01	± 7,380 gsf
Level 02	± 9,053 gsf
Level 03	± 9,053 gsf
Level 04	± 9,053 gsf
SUB-TOTAL	± 41,032 gsf
TOTAL	± 41,032 gsf

Bike Parking	
98 x 1.1 =	107.8 Required
Provided :	60 in Basement
	98 in Units
TOTAL	158 units

Vehicle Parking	
Required :	26 Spaces
Proposed :	0 Spaces

Dwelling Unit Matrix	
Basement	13 units
Level 01	19 units
Level 02	22 units
Level 03	22 units
Level 04	22 units
TOTAL	98 units

Affordable Units (80% AMI) - On Site	
98 x 0.15 = 14.7 =	15 Beds
(8) Studio =	8 Beds
(7) 1 Beds =	7 Beds
15 Affordable Units On Site	

Affordable Units (60% AMI) - Off Site	
98 x 0.20 = 19.6 =	20 Beds
20 Affordable Units Off Site	



SE 17TH & TENINO ST. - SITE PLAN

Portland, Oregon
1"=40'-0"
May 17, 2017

No. 170320

620 SW 5th Avenue, Suite 500
Portland, Oregon 97204
503.236.6000
www.myhregroup.com

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LU 17-176117 AD