



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

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Date: April 28, 2020
To: Interested Person
From: Andrew Gulizia, Land Use Services
503-823-7010 / Andrew.Gulizia@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 20-107994 AD

GENERAL INFORMATION

Applicant: Jennifer Nye
Salazar Architect Inc.
3050 SE Division St., Ste. 240
Portland, OR 97202

Property Owner: Hacienda Community Development Corp.
6700 NE Killingsworth St.
Portland, OR 97218

Site Address: 6723 NE Killingsworth St.

Legal Description: TL 2000 1.87 ACRES POTENTIAL ADDITIONAL TAX, SECTION 17 1N 2E

Tax Account No.: R942171350

State ID No.: 1N2E17CD 02000

Quarter Section: 2437

Neighborhood: Cully, contact David Sweet at 503-493-9434

Business District: Cully Blvd Business Alliance, contact at contactus@cullyblvdalliance.org

District Coalition: Central Northeast Neighbors, contact Alison Stoll at 503-823-2778

Zoning: CM2h – Commercial/Mixed-Use 2 base zone with Aircraft Landing (“h”) overlay zone

Case Type: AD – Adjustment Review

Procedure: Type II, an administrative decision with appeal to the Adjustment Committee

Proposal: The applicant proposes to construct a 142-unit affordable housing building on this site with event space and garage parking on the ground floor. The applicant is requesting the following Adjustments to Zoning Code standards:

- To waive the requirement in Zoning Code Section 33.130.215.D.2 that at least 50% of the land area between the building walls and the north and west lot lines be hard surfaced. The applicant proposes landscaping instead of paving between the north and west building walls and the public sidewalks.
- To waive the requirement in Zoning Code Section 33.130.230.B.2.a.2 that at least 25% of the portions of the north-facing and west-facing ground floor walls that are not parking garage be windows. Most of the north-facing and west-facing ground floor wall area will be parking garage set back behind trees and shrubs, and therefore not subject to the 25% windows requirement. The portions of the north-facing and west-facing ground floor walls that will not be parking garage include a storage area, a garbage and recycling collection area, and an electrical equipment room.
- To increase the allowable height of a sight-obscuring fence within 10 feet of the north lot line from 3.5 feet to 6 feet (Zoning Code Section 33.130.270.C.1.a.). The fence that will benefit from this Adjustment will screen an electrical transformer.
- To increase the maximum percentage of the site frontage used for vehicle area from 50% to 94% along the west lot line and from 50% to 95% along the north lot line (Zoning Code Section 33.266.130.C.3.b). This Adjustment will allow the ground-floor parking garage to extend to the north and west walls of the building. No surface parking lots are proposed.

Relevant Approval Criteria: To be approved, this proposal must comply with the Adjustment Review approval criteria in Zoning Code Section 33.805.040.A-F.

ANALYSIS

Site and Vicinity: The subject site occupies most of the triangular block bounded by NE Killingsworth Street, NE Cully Boulevard, and NE Portland Highway. After street dedications and a pending Property Line Adjustment between the subject site and the abutting lot to the east (PR 20-128562 PLA), the subject site will be 1.7 acres in area. The site is currently developed with a single-story commercial building which the applicant intends to demolish. Neighboring properties are developed with buildings of various sizes and ages and a mix of residential and commercial uses.

Zoning: The CM2 zone is a medium-scale commercial/mixed-use zone intended for sites in a variety of centers, along corridors, and in other mixed-use areas that have frequent transit service. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Development is intended to be pedestrian oriented, provide a strong relationship between buildings and sidewalks, and complement the scale of surrounding residentially zoned areas.

The Aircraft Landing (“h”) overlay zone provides safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures and vegetation in employment, industrial, and open space zones. The regulations of the “h” overlay zone do not apply to the subject site because it’s in a commercial zone (Zoning Code Section 33.400.030.B).

Land Use Review History: While there have been no prior land use reviews for this site, an application for a Property Line Adjustment (PLA) is currently pending under a separate review (PR 20-128562 PLA). To ensure that the lot configuration for the development proposal being considered under this Adjustment review reflects the lot being considered under the PLA, a condition of approval will require that prior to issuance of the building permit, the PLA must be approved by the City of Portland and recorded with Multnomah County.

Agency Review: A “Notice of Proposal” was sent April 1, 2020. The following Bureaus responded with no concerns about the proposed Adjustments:

- Bureau of Environmental Services (Exhibit E-1);
- Fire Bureau (Exhibit E-2);
- Life Safety Review Section of BDS (Exhibit E-3).

Neighborhood Review: In response to the mailed “Notice of Proposal,” the Cully Association of Neighbors submitted a letter in support of the proposal (Exhibit F-1). The letter argued the new, affordable housing would help prevent displacement in Cully.

ZONING CODE APPROVAL CRITERIA

33.805.040 Approval Criteria

Adjustment requests will be approved if the applicant has demonstrated that approval criteria A through F, below, have been met.

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

Findings: The applicant is requesting the following Adjustments:

- To waive the requirement in Zoning Code Section 33.130.215.D.2 that at least 50% of the land area between the building walls and the north and west lot lines be hard surfaced;
- To waive the requirement in Zoning Code Section 33.130.230.B.2.a.2 that at least 25% of the portions of the north-facing and west-facing ground floor walls that are not parking garage be windows;
- To increase the allowable height of a sight-obscuring fence within 10 feet of the north lot line from 3.5 feet to 6 feet (Zoning Code Section 33.130.270.C.1.a); and
- To increase the maximum percentage of the site frontage used for vehicle area from 50% to 94% along the west lot line and from 50% to 95% along the north lot line (Zoning Code Section 33.266.130.C.3.b).

The purposes of these requirements are discussed below.

Hard surfacing requirement

The requirement that at least 50% of the land area between the building walls and the north and west lot lines be hard surfaced is a component of the building setback standard for commercial/mixed-use zones in Zoning Code Section 33.130.215. The purpose of this requirement is stated in Zoning Code Section 33.130.215.A:

The required building setbacks promote streetscapes that are consistent with the desired character of the different commercial/mixed use zones. The setbacks promote buildings close to the sidewalk to reinforce a pedestrian orientation and built-up streetscape.

This site is unique in that it fronts on three different arterials which are each designated as transit streets, so the 50% hard surfacing requirement applies equally to all three frontages. While the building walls will be close to all three streets, promoting a built-up appearance on all sides, the front of the building and the main entrances will face NE Killingsworth Street. The site’s entire south frontage along NE Killingsworth Street will be paved for pedestrian use, including a large plaza in the southeast portion of the site that will greatly enhance the pedestrian environment along this street. Staff finds the paved pedestrian area fronting NE Killingsworth Street will meet and exceed the purpose of the

standard for this site. Staff finds the applicant's proposal for landscaping, rather than paving, along the west and north lot lines will create a better pedestrian environment along NE Cully Boulevard and NE Portland Highway, since the west and north sides of the ground floor will be mostly parking garage rather than active space. Having landscaping along these two street frontages will help soften the appearance of the parking garage and promote a better relationship between the building and the adjacent public sidewalk.

Ground floor windows requirement

The purpose of the minimum ground floor windows requirement in the commercial/mixed-use zones is stated in Zoning Code Section 33.130.230.B.1:

In the commercial/mixed use zones, blank walls on the ground level of buildings are limited in order to:

- *Provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas, or allowing public art at the ground level;*
- *Encourage continuity of retail and service uses;*
- *Encourage surveillance opportunities by restricting fortress-like facades at street level; and*
- *Avoid a monotonous pedestrian environment.*

The front of the new building will face NE Killingsworth Street, and more than 40% of the ground floor wall facing NE Killingsworth Street will be window area. Almost all of the west-facing and north-facing ground floor wall area (facing NE Cully Boulevard and NE Portland Highway) will be parking garage walls set back behind minimum 5-foot-wide landscaping buffers with rows of trees and evergreen shrubs. When set back behind these landscaping buffers, parking garage walls are exempt from the minimum window area requirement (Zoning Code Section 33.130.230.B.2.a.2). The Adjustment request is for the relatively small portions of the west-facing and north-facing ground floor walls that are not parking garage walls. This non-garage wall area is for storage area, a garbage and recycling collection area, and an electrical equipment room. Since these areas are likely to be unoccupied much of the time, staff finds that providing 25% window coverage on these walls, as required without this Adjustment, would not meaningfully connect the activity inside the building to the adjacent sidewalk areas. Staff finds the applicant's proposal for trees and shrubs in front of the non-garage wall area facing NE Cully Boulevard and NE Portland Highway will better support a pleasant pedestrian environment, as intended by the standard.

Fence height requirement

The purpose of the fence regulations in the commercial/mixed-use zones is stated in Zoning Code Section 33.130.270.A:

The fence regulations promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences near streets are kept low in order to allow visibility into and out of the site and to ensure visibility for motorists. Fences in any required side or rear setback are limited in height so as to not conflict with the purpose for the setback.

The sight-obscuring fence that will benefit from this Adjustment request will be 6 feet tall, which is 2.5 feet taller than allowed outright. The fence will be placed near the NE Portland Highway lot line in order to screen the view of an electrical transformer behind it. At approximately 20 feet long, the length of the new fence will be only about 6% of the site's approximately 310-foot-long frontage along NE Portland Highway, and located within an indentation on this façade. The fence will not block any windows on the building, will not enclose the site, will not interfere with any vehicle traffic, and will not block any desirable views. Most of the street-facing perimeter of the site will have no fencing. Therefore, staff

finds the increased height for this screening fence is consistent with the purpose of the standard.

Vehicle area frontage requirement

The purpose of the vehicle area location regulations in the commercial/mixed-use zones is stated in Zoning Code Section 33.266.130.A:

Together with the transit street building setback standards in the base zone chapters, the vehicle area location regulations:

- *Provide pedestrian access that is protected from auto traffic;*
- *Create an environment that is inviting to pedestrians and transit users, especially on transit streets and in Pedestrian Districts;*
- *Limit the prominence of vehicle areas along street frontages and create a strong relationship between buildings and the sidewalk;*
- *Create a sense of enclosure on transit and pedestrian street frontages; and*
- *Limit the size of paved parking area and the type of paving material allowed in order to limit increases in temperature associated with asphalt and reduce impacts from urban heat islands.*

All of the parking proposed for this site will be inside the building in a ground floor parking garage. While the vehicle area location requirements do not explicitly exempt structured parking, the purpose statement above seems intended more for exterior, surface parking lots. Surface parking lots in front of buildings are limited in order to promote an attractive, built-up, and pedestrian-friendly environment. In this proposal, the on-site parking will not be apparent from the street, as the parking will be inside the building, and the garage walls will be set back behind 5-foot-wide landscaping buffers with trees and shrubs. The walls of the multi-story building will be close to each of the abutting streets, promoting a sense of enclosure, and the trees and shrubs adjacent to the garage walls will improve the pedestrian environment on the adjacent sidewalks. The pedestrian access to the new building will be on the south side of the site and will not cross through any vehicle area.

Summary

For the reasons discussed above, staff finds each of the proposed Adjustments will equally meet the purpose of the regulation to be modified. Approval criterion A is met.

- B.** If in a residential, CI1, or IR zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, I, or CI2 zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

Findings: Since the site is zoned CM2, the Adjustment Review proposal must be consistent with the classifications of the adjacent streets and the desired character of the area.

Street classifications

The classifications of the adjacent streets in the Transportation Element of the Comprehensive Plan are as follows:

	Traffic	Transit	Bikeway	Pedestrian	Freight
NE Killingsworth St.	District Collector	Major Transit Priority Street	City Bikeway	Major City Walkway	Local Service
NE Cully Blvd.	Neighborhood Collector	Major Transit Priority Street	Major City Bikeway	Major City Walkway	Truck Access Street
NE Portland Hwy.	Regional Trafficway/ Major City Traffic Street	Major Transit Priority Street	City Bikeway	Major City Walkway	Priority Truck Street

None of the Adjustments requested will increase the maximum size of the proposed building or the number of residential units, so the Adjustments will not affect traffic levels or demand for transit, bike, pedestrian, or freight facilities. Therefore, staff finds the proposed Adjustments are consistent with the adjacent street classifications.

Desired character of area

“Desired character” is defined in Zoning Code Chapter 33.910. Pursuant to this definition, the desired character of this site is determined by the character statement of the CM2 zone, the purpose statement for the Aircraft Landing (“h”) overlay zone, and the Cully Neighborhood Plan.

CM2 zone

The character statement for the CM2 zone is in Zoning Code Section 33.130.030.C:

The Commercial/Mixed Use 2 (CM2) zone is a medium-scale zone intended for sites in a variety of centers, along corridors, and in other mixed use areas that have frequent transit service. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to four stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, provide a strong relationship between buildings and sidewalks, and complement the scale of surrounding residentially zoned areas.

The new building will be four stories tall, with 142 residential units and event space on the ground floor. The building walls will be close to the lot lines along all three adjacent streets, promoting a built-up feel along the sidewalks. The main entrances will be accessed from the NE Killingsworth Street sidewalk, with a secondary entrance accessible from the NE Cully Boulevard sidewalk. The only residential zoning adjacent to the site is across NE Killingsworth Street from the southeast portion of the site (Exhibit B). The proposal steps the building away from the residentially zoned area by placing an open plaza in the southeast portion of the site. For these reasons, staff finds the proposal is consistent with the character statement for the CM2 zone.

Aircraft Landing (“h”) overlay zone

The purpose statement for the “h” overlay zone is in Zoning Code Section 33.400.010:

The Aircraft Landing Overlay Zone provides safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures, vegetation, and construction equipment.

Although this site is within the “h” overlay zone, in commercial/mixed-use zones such as CM2, no special height limits from the “h” overlay zone apply (Zoning Code Section 33.400.030.B). Therefore, compliance with the CM2 zone’s 45-foot building height limit meets the intent of the “h” overlay zone to limit structure height. The applicant has not requested any Adjustments to the CM2 zone’s building height requirement, and this standard is met in the applicant’s plans.

For these reasons, staff finds the proposal is consistent with the purpose statement for the “h” overlay zone.

Cully Neighborhood Plan

The following statements from the Cully Neighborhood Plan are found to be relevant:

Policy 1A, Objective 1A-4, Strategy 2: Encourage landscaping of all sites to enhance the neighborhood through the planning land use review process.

Policy 2B, Objective 2B-1, Strategy 1: Encourage the restoration of existing properties over razing and replacing them.

Policy 2B, Objective 2B-4: Support the careful planning and design of new development and of redevelopment to enhance neighborhood livability.

Policy 3A, Objective 3A-2, Strategy 2: Encourage multifamily development on properly zoned land with access to transit service, within walking distance to commercial, schools and parks.

Policy 3A, Objective 3A-4, Strategy 1: Encourage new medium-density multifamily developments to have access to transit streets and pedestrian paths whenever possible.

Policy 3A, Objective 3A-4, Strategy 3: Promote and encourage new multifamily units to be owner-occupied condominiums or rowhouses.

Policy 6B, Objective 6B-1: Support improvements to arterial streets such as sidewalks, street and pedestrian path completion on NE Cully and NE Columbia.

Policy 6C, Objective 6C-1: Encourage bicycling and walking as an alternative to automobile trips.

The existing, single-story commercial building on the site will be demolished to make way for the new development, and the new dwelling units will be rental apartments rather than condominiums. However, the proposal supports neighborhood livability by adding 142 new, affordable housing units to the neighborhood's housing stock. The project will be managed by a nonprofit community development corporation and the new housing will be available to households with limited incomes.

The development site abuts three arterial streets, and residents will have easy access to commercial services and frequent transit service. The Portland Bureau of Transportation will require the developer to construct street and sidewalk improvements, including along NE Cully Boulevard, and the building will have at least 157 secure bike parking spaces for residents.

The project will have an attractive design, with articulated building facades and a large, open plaza in the southeast portion of the site. Approximately 15% of the site area will be landscaped, including rows of trees and evergreen shrubs along two of the three street frontages.

For these reasons, staff finds that on balance, the proposal is consistent with the Cully Neighborhood Plan.

Summary

Staff finds the proposed Adjustments are consistent with the classifications of the adjacent streets and the desired character of the area. Approval criterion B is met.

- 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

Findings: The purpose of commercial/mixed-use zones such as CM2 is stated in Zoning Code Section 33.130.010:

The commercial/mixed use zones are intended for commercial and mixed use areas of the City as designated on the Comprehensive Plan map. These zones implement the vision, guiding principles, and goals and policies of the Comprehensive Plan, and encourage economic prosperity, human health, environmental health, equity, and resilience. These zones are primarily distinguished by the uses allowed and the

intensity of development allowed. The zones allow a mix of commercial activities, housing, and employment uses that reflect the different types of centers and corridors described in the Urban Design chapter of the Comprehensive Plan, and also accommodate smaller, dispersed commercial and mixed use areas to provide opportunities for services in areas between the centers and corridors.

The commercial/mixed use zones are intended to serve local neighborhood areas, larger districts, as well as broader citywide or regional markets. The regulations promote uses and development that support healthy complete neighborhoods—places where people of all ages and abilities have safe and convenient access to the goods and services they need in their daily life, and where people have the opportunity to live active lifestyles. The zones encourage quality and innovative design, and facilitate creation of great places and great streets.

The development standards are designed to allow development flexibility, within parameters, that supports the intended characteristics of the specific zone. In addition, the regulations provide guidance to property owners, developers, and neighbors about the limits of what is allowed.

The specific character statement for the CM2 zone is in Zoning Code Section 33.130.030.C:

The Commercial/Mixed Use 2 (CM2) zone is a medium-scale zone intended for sites in a variety of centers, along corridors, and in other mixed use areas that have frequent transit service. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to four stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, provide a strong relationship between buildings and sidewalks, and complement the scale of surrounding residentially zoned areas.

The new building will be four stories tall, with 142 residential units and event space on the ground floor. As mentioned previously, the building walls will be close to the lot lines along all three adjacent streets, promoting a built-up feel along the sidewalks. The only residential zoning adjacent to the site is across NE Killingsworth Street from the southeast portion of the site (Exhibit B). The proposal steps the building away from the residentially zoned area by placing an open plaza in the southeast portion of the site.

The proposal supports the equity and environmental objectives for the commercial/mixed use zones. All of the new housing will be affordable to households with limited incomes, and with the location of the development on a major intersection, residents will have commercial services within walking distance and frequent transit service right in front of the building.

For these reasons, staff finds the proposal is consistent with the purpose of the CM2 zone.

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

Findings: City-designated scenic resources are identified on the official zoning maps with a lower case “s,” and historic resources are identified either with a dot or as being within the boundaries of a Historic or Conservation district. As there are no scenic resources or historic resources mapped on the subject site, this criterion is not applicable.

E. Any impacts resulting from the Adjustment are mitigated to the extent practical; and

Findings: As discussed in the findings above, each of the Adjustment requests is for a feature that is either relatively minor in comparison to the site overall or which will not be readily apparent from outside the site. Staff has not identified any negative impacts from the four Adjustment requests that would require mitigation. Furthermore, none of the

Adjustments will allow the new development to be larger or more intense than would be allowed outright without this Adjustment Review. For these reasons, staff finds approval criterion E is not applicable.

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

Findings: Environmental overlay zones are designated on the official zoning maps with either a lowercase “p” (Environmental Protection overlay zone) or a “c” (Environmental Conservation overlay zone). As there are no environmental overlay zones mapped on the site, this criterion is not applicable.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The Adjustments requested are found to be consistent with the purposes of the requirements to be modified, with the desired character of the area, and with the purpose of the CM2 commercial/mixed-use zone. The Adjustments are for specific features of the site and building and will not allow the new development to be any larger or more intense than would be allowed otherwise. Staff finds the Adjustment Review approval criteria are met. Therefore, the Adjustment Review must be approved.

ADMINISTRATIVE DECISION

Approval of the following Adjustments:

- To waive the requirement in Zoning Code Section 33.130.215.D.2 that at least 50% of the land area between the building walls and the north and west lot lines be hard surfaced;
- To waive the requirement in Zoning Code Section 33.130.230.B.2.a.2 that at least 25% of the portions of the north-facing and west-facing ground floor walls that are not parking garage be windows;
- To increase the allowable height of a sight-obscuring fence within 10 feet of the north lot line from 3.5 feet to 6 feet (Zoning Code Section 33.130.270.C.1.a); and
- To increase the maximum percentage of the site frontage used for vehicle area from 50% to 94% along the west lot line and from 50% to 95% along the north lot line (Zoning Code Section 33.266.130.C.3.b).

Approval is per the approved plans, Exhibits C-1 and C-2, subject to the following conditions:

- A. As part of the building permit application submittal, each of the required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 and C-2. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 20-107994 AD."
- B. Prior to issuance of the building permit, the Property Line Adjustment application currently under review (PR 20-128562 PLA) must be approved by the City of Portland and recorded with Multnomah County.

Staff Planner: Andrew Gulizia

Decision rendered by:  **on April 23, 2020**
By authority of the Director of the Bureau of Development Services

Decision mailed: April 28, 2020

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on January 21, 2020 and was determined to be complete on March 30, 2020.

Zoning Code Section 33.700.080 states that land use review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal or complete within 180 days. Therefore, this application was reviewed against the Zoning Code in effect on January 21, 2020.

ORS 197.311 requires the City to issue a final decision on applications for qualifying affordable housing proposals within 100 days of the application being deemed complete. The 100-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 100-day review period. Unless further extended by the applicant, **the 100 days will expire on July 8, 2020.**

Some of the information contained in this report was provided by the applicant. As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received by 4:30 PM on May 12, 2020. **Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be e-mailed to BDSLUSTeamTech@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development

Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations for the appeal of Type II and IIX decisions on property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If an appeal is filed, the Adjustment Committee will hold a public hearing on June 2, 2020, at 2:30 PM to consider the appeal. Adjustment Committee hearings are held at 1900 SW 4th Avenue, Suite 2500B, Portland, OR 97201. Please contact the planner at (503) 823-7010 or Andrew.Gulizia@portlandoregon.gov before traveling to 1900 SW 4th Avenue to find out whether an appeal was filed, whether the hearing is still scheduled for June 2, 2020, and whether alternative arrangements for an on-line hearing are in place due to the COVID-19 emergency.

If you are interested in viewing information in the file, please contact the planner listed on the front of this decision. The planner can provide some information over the phone. Please note that due to COVID-19 and limited accessibility to files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

LUBA appeal. If this decision is appealed, the decision of the Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision. If this land use review is approved the final decision will be recorded with the Multnomah County Recorder. *Unless appealed*, the final decision will be recorded after **May 12, 2020** by the Bureau of Development Services. The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder. For further information on recording documents please call the Bureau of Development Services Land Use Services Division at (503) 823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

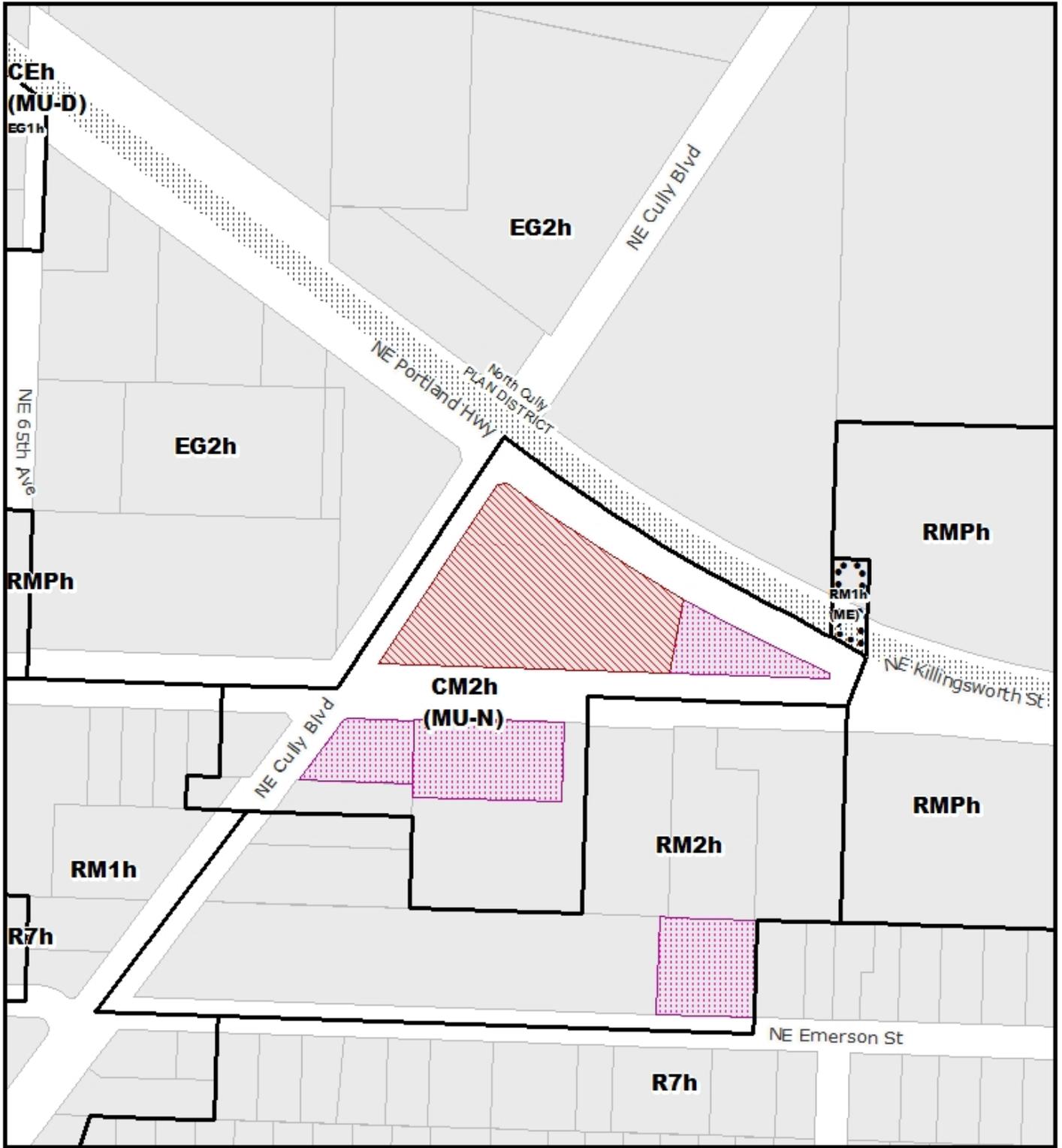
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site plan (attached)
 - 2. Building elevations (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Fire Bureau
 - 3. Life Safety Review Section of BDS
- F. Correspondence:
 - 1. Letter in support from Cully Association of Neighbors, received April 15, 2020
- G. Other:
 - 1. Land use application form and receipt
 - 2. Incompleteness determination letter, dated February 4, 2020

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING



-  Site
-  Also Owned Parcels

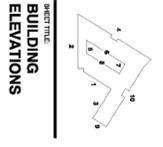
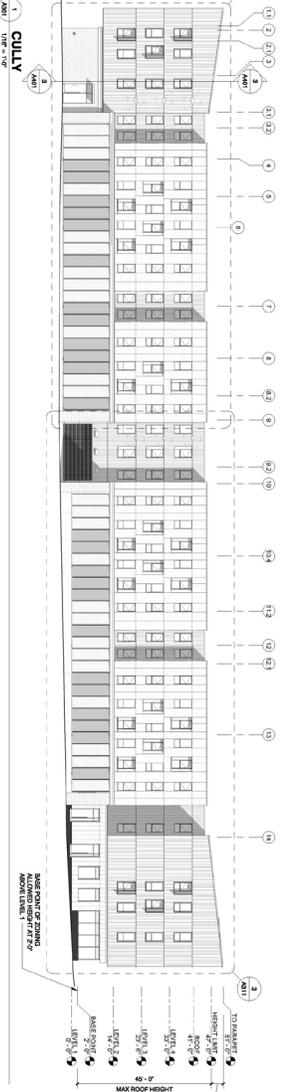
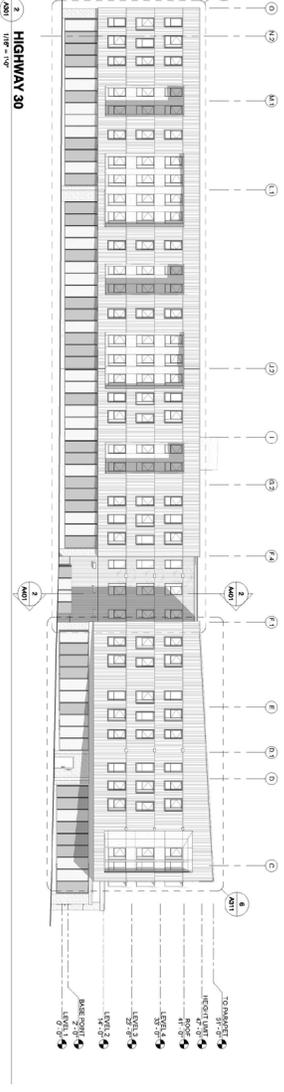
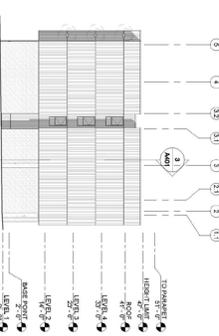
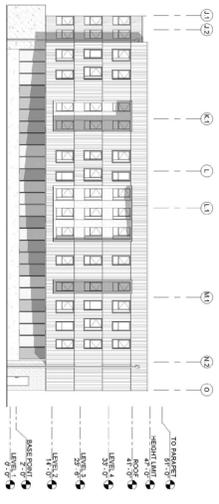
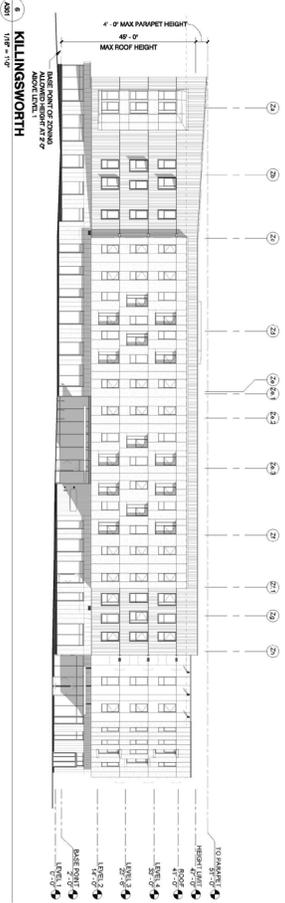
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1/4 Section	2437
Scale	1 inch = 200 feet
State ID	1N2E17CD 2000
Exhibit	B Mar 31, 2020

- GENERAL NOTES**
1. SEE WALL SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 2. SEE WINDOW SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 3. SEE DOOR SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 4. SEE ROOF SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 5. SEE FLOOR SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 6. SEE FOUNDATION SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 7. SEE MECHANICAL SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 8. SEE ELECTRICAL SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 9. SEE PLUMBING SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 10. SEE HVAC SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 11. SEE LIGHTING SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 12. SEE SOUND SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 13. SEE SECURITY SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 14. SEE ACCESSIBILITY SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 15. SEE SUSTAINABILITY SECTION FOR FINISH, ELEVATION NOT TO SCALE.
 16. SEE OTHER SECTION FOR FINISH, ELEVATION NOT TO SCALE.

SALAZAR CHITECT
 3000 10TH AVENUE SE
 SUITE 100, CHANDLER
 ARIZONA 85226
 WWW.SALAZARCHITECT.COM
 (480) 948-1111

LAS ADELITAS
 1700
 1700 W. BROADWAY
 DENVER, CO 80202

HACIENDA CDC



PROJECT TITLE:
BUILDING ELEVATIONS

OWNER: LAS ADELITAS
DATE: 08/17/2023

A301