



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

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

Date: September 11, 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 20-123417 AD

GENERAL INFORMATION

Applicant: Barry R. Smith, PC Architect
715 SW Morrison St., Ste. 909
Portland, OR 97205

Property Owner: Allison L. Kehoe Tr.
11627 SW Summerville Ave.
Portland, OR 97219-8390

Site Address: 2420 SW Hoffman Ave.

Legal Description: BLOCK 1 LOT 6 EXC PT IN ST, SEVENTH ST TERR; BLOCK 1 LOT 7&8 EXC PT IN ST, SEVENTH ST TERR

Tax Account No.: R755200160, R755200190

State ID No.: 1S1E04DD 10000, 1S1E04DD 09900

Quarter Section: 3228

Neighborhood: Southwest Hills Residential League, contact at contact@swhrl.org

Business District: None

District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592

Zoning: R2 – Multi-Dwelling Residential 2,000

Case Type: AD – Adjustment Review

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

Proposal: The applicant proposes to construct 4 new residential units in 2 separate buildings on this site. In the future, the applicant may also attempt to divide the land in a separate application so that each of the 4 units is on its own lot. In the current application, the following Adjustments to Zoning Code requirements are requested:

- To increase the maximum building height from 40 feet to 61 feet for building A and from 40 feet to 66 feet for building B (Zoning Code Section 33.120.215.B); and
- To reduce the minimum garage entrance setback for each building from the SW Hoffman Avenue lot line from 18 feet to 1 foot (Zoning Code Section 33.120.220.E).

The Adjustment Review application was submitted February 6, 2020. Therefore, the proposal is reviewed against the zoning regulations in effect on that date, when the site was zoned R2 – multi-dwelling residential.

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 is in the Southwest Hills and is 8,550 square feet in area. The site abuts two streets: SW Hoffman Avenue to the west and SW Broadway Drive to the east. The site slopes steeply downward from west to east, with an approximately 45-foot drop from the SW Hoffman Avenue lot line to the SW Broadway Drive lot line. The average slope is approximately 78%. The site is currently vacant. The abutting property to the south is developed with a single-dwelling house and the abutting property to the north is developed with a four-plex. The property across SW Hoffman Avenue to the west (in the R-10 single-dwelling residential zone) is developed with a single-dwelling house which fronts on SW Sheffield Avenue and which is approximately 50 feet higher in elevation than SW Hoffman Avenue. The property across SW Broadway Drive to the east of the subject site (in the RH high-density, multi-dwelling residential zone) is developed with a 9-story residential building for seniors.

Zoning: The R2 multi-dwelling residential zone is intended to preserve land for urban housing and to provide opportunities for multi-dwelling housing. The development standards work together to create desirable residential areas by promoting aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities.

Land Use Review History: City records include the following prior land use reviews for this site:

- LU 03-117096 AD. 2003 Adjustment Review approval to increase the allowable building height for a 4-unit residential development. Since the approved development was not constructed within 3 years, the approval is no longer valid.
- VZ 216-65. 1965 Variance approval to reduce the minimum lot depth and allow a 5-foot garage entrance setback for a residential building. That building was since destroyed by fire.

Agency Review: A “Notice of Proposal” was sent August 14, 2020. The following Bureaus responded with no concerns about the proposed Adjustments:

- Bureau of Environmental Services (Exhibit E-1);
- Water Bureau (Exhibit E-2);
- Fire Bureau (Exhibit E-3);
- Site Development Section of Bureau of Development Services (BDS) (Exhibit E-4); and
- Life Safety Review Section of BDS (Exhibit E-5).

The Urban Forestry Division of Portland Parks and Recreation reviewed the proposal and recommended the application be denied (Exhibit E-6). Urban Forestry found the applicant’s tree removal plan (Exhibit A) to be inaccurate because several trees in the SW Broadway Drive right-of-way were shown to be dead but appeared to be healthy to Urban Forestry staff during their site visit. Urban Forestry also found that the trees shown on the plan do not appear to match the location of existing trees, and some trees greater than 12 inches in trunk diameter are omitted from the plan.

As detailed below in the approval criteria findings, BDS staff finds the approval criteria for the Adjustment Review can be met with conditions of approval, so the Adjustment Review must be approved. However, this Adjustment Review does not approve any tree removal, either on-site or in the public right-of-way. At the time of building permit review, proposed tree removal will be reviewed by BDS staff for on-site trees and Urban Forestry Staff for trees in the public right-of-way. Per Tree Code Section 11.50.070.B.2, tree removal cannot be approved based on the condition of a tree without a certified arborist's report.

Neighborhood Review: Three written responses to the mailed "Notice of Proposal" were received. The first response objected to the construction because of the steep slopes and landslide hazards (Exhibit F-1). The second response requested at least two "no parking" areas along the east side of SW Hoffman Avenue so cars can pull off to let each other pass through the narrow travel lane (Exhibit F-2). The third response (from the Southwest Hills Residential League) was largely supportive of the proposal but expressed concerns about construction management, street safety, and tree removal (Exhibit F-3).

BDS Staff response: Code requirements related to steep slopes, landslide hazards, and construction impacts will be enforced during the building permit review and inspection process but are not directly relevant to the approval criteria for this Adjustment Review. The Life Safety and Site Development Review Sections of BDS reviewed the proposal and responded with information on code requirements, but they did not object to the proposed Adjustments (Exhibits E-3 and E-4, respectively). Site Development specifically stated that the applicant should be made aware that a geotechnical report will be required at the time of building permit application. In addition, the site is in the City's Landslide Hazard overlay, so a Landslide Hazard Study stamped by both an Oregon Professional Engineer and Certified Engineering Geologist would be required at the time of a land division application. BDS staff forwarded the comments about street safety and "no parking" areas on SW Hoffman Avenue to the Portland Bureau of Transportation (PBOT) for consideration, but these issues are not directly relevant to the approval criteria for the Adjustment Review. Staff finds tree removal is relevant to the Adjustment Review approval criteria and is discussed in the approval criteria findings below.

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 two Adjustments:

- To increase the maximum building height from 40 feet to 61 feet for building A and from 40 feet to 66 feet for building B (Zoning Code Section 33.120.215.B); and
- To reduce the minimum garage entrance setback for each building from the SW Hoffman Avenue lot line from 18 feet to 1 foot (Zoning Code Section 33.120.220.E).

The purposes of these requirements are discussed below.

Maximum Building Height

The purpose of the 40-foot maximum building height standard in the R2 zone is stated in Zoning Code Section 33.120.215.A:

The height standards serve several purposes:

- *They promote a reasonable building scale and relationship of one residence to another;*
- *They promote options for privacy for neighboring properties; and*
- *They reflect the general building scale of multi-dwelling development in the City's neighborhoods.*

On a steeply sloping site, building height is measured from a point 10 feet above the lowest grade within a 5-foot horizontal distance of the building (Zoning Code Section 33.930.050.A.2). On this site, a building height Adjustment is requested because the lowest grade on the back (east) side of the new buildings is more than 30 feet lower than the SW Hoffman Avenue grade in front. The fronts of the buildings will be only 3 stories tall above SW Hoffman Avenue, and the 40-foot building height allowance would be met outright if it was measured from the SW Hoffman Avenue grade.

The proposed 3-story building scale along SW Hoffman Avenue will appear taller than the abutting house to the south, which is a single story above SW Hoffman Avenue, and the abutting four-plex to the north, which is 2 stories above SW Hoffman Avenue. However, staff finds the scale relationship along SW Hoffman Avenue will not appear unreasonable, and the R2 zone anticipates a 3 to 4-story building scale (40 feet in height) for new development (Zoning Code Section 33.120.030.B and Zoning Code Table 120-3). The new construction will be about 16 feet from the house to the south and about 30 feet from the four-plex to the north, and this amount of horizontal separation will preserve options for privacy and help mitigate the perceived difference in scale. (The ground slopes steeply upward immediately across SW Hoffman Avenue from the subject site, so the homes on the other side of SW Hoffman Avenue from the site are mostly obscured from view.)

The increased building height allowed by this Adjustment Review will be visible from SW Broadway Drive to the east, but tall, rear building walls on the downslope side of properties is a typical building scale in the Southwest Hills. The large residential building on the east side of SW Broadway Drive across from the site (located in a multi-dwelling zone that allows a maximum height of 75 feet) is approximately 300 feet long and 9 stories in height (with 4 stories exposed above SW Broadway Drive), so staff finds the increased building height on the subject site will not create an unreasonable scale relationship along SW Broadway Drive.

There are several trees along SW Broadway Drive that largely obscure the view of the subject site from the street. Most of these trees are in the public right-of-way. The applicant proposes to remove these trees due to their condition (Exhibit A), but BDS staff finds tree canopy along SW Broadway Drive will help soften the view of the tall building walls facing the street and maintain privacy for the building to the east.

During the building permit review, the Urban Forestry Division of Portland Parks and Recreation will have to approve proposed tree removal in the SW Broadway Drive right-of-way. Urban Forestry staff suggested that removal of all the trees in the SW Broadway Drive right-of-way is unlikely to be approved (Exhibit E-6), so much of the existing tree canopy along SW Broadway Drive is likely to remain. For the trees whose trunks are on the subject property rather than in public right-of-way, the Portland Tree Code allows their removal outright, though mitigation fees may be required for healthy trees 12 inches or larger in trunk diameter (Tree Code Section 11.50.040). Only 3 of the trees whose trunks are on the subject property are 12 inches or larger in trunk diameter (Exhibit A). The Tree Code also requires a minimum tree density on the subject property (Tree Code Section 11.50.050), so tree planting will be required if sufficient on-site tree canopy is not preserved.

This Adjustment Review does not approve any tree removal. However, since at least some of the trees on the slope abutting SW Broadway Drive may be approved for removal during the building permit review, and since tree canopy along SW Broadway Drive will soften the view of the tall, east-facing building walls allowed by this Adjustment, staff finds a condition of approval is warranted to require any new trees required by the tree density standard (Tree

Code Section 11.50.050) to be of a minimum size and to be planted near the SW Broadway Drive lot line. Specifically, all trees planted to meet the on-site tree density standard in Tree Code Section 11.50.050 must be planted within 15 feet of the SW Broadway Drive lot line and must be medium-sized or large-sized varieties as defined in Tree Code Section 11.60.020.C. Existing, on-site trees that are retained and protected can count toward the tree density standard per Tree Code Section 11.50.050.D.3.b, but the fee-in-lieu option for tree density in Tree Code Section 11.50.050.D.3.c may not be used for this site.

For the reasons discussed above, and with the condition of approval for tree planting, staff finds the building height Adjustment equally meets the purpose of the standard.

Minimum Garage Entrance Setback

The purpose of the building setback requirements in the R2 zone (including the 18-foot minimum garage entrance setback) is stated in Zoning Code Section 33.120.220.A:

The building setback regulations serve several purposes:

- *They maintain light, air, separation for fire protection, and access for fire fighting;*
- *They reflect the general building scale and placement of multi-dwelling development in the City's neighborhoods;*
- *They promote a reasonable physical relationship between residences;*
- *They promote options for privacy for neighboring properties;*
- *They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity;*
- *Setback requirements along transit streets create an environment that is inviting to pedestrians and transit users; and*
- *They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.*

Since the front building setback requirement for the new buildings will be met outright (Zoning Code Section 33.120.220.B.2.a), the Adjustment for the street-facing garage entrances will not affect the overall building scale and placement. Placing the garage entrances close to the street will not reduce access to light, air, fire safety, or privacy for neighboring homes. The garage doors will face a steep hillside on the west side of SW Hoffman Avenue, and neighboring homes on the west side of SW Hoffman Avenue are approximately 50 feet higher in elevation.

At only one foot back from the street lot line, the street-facing garage doors will be too close to the street for a car to park in front and overhang the street or sidewalk. With the steep downward slope of the lot, if the buildings were set back far enough from the street for the 18-foot garage entrance setback requirement to be met, the driveways would be steep enough to complicate driveway parking and driver visibility. Placing the buildings and garage entrances close to SW Hoffman Avenue fits the topography of the site, is consistent with neighboring development on the hillside, and reduces the amount of site area which must be paved. Staff also notes that SW Hoffman Avenue is a local service residential street rather than a transit street.

Two of the four garages will open onto a shared driveway area between the buildings (Exhibit C-1). Vehicles using these garages will be able to both enter and exit the site in a forward motion, rather than having to back out onto the street. Vehicles using the other two garages will back out onto the street. These drivers will have adequate back-up distance to scan the area behind them before entering the travel lane on SW Hoffman Avenue. The garage doors will be separated from the travel lane by an 8-foot-wide sidewalk area (Exhibit C-1) and on-street parking in front of the buildings.

For these reasons, staff finds the garage entrance setback Adjustment equally meets the purpose of the standard.

Summary

For the reasons discussed above, and with the condition of approval for tree planting mentioned above, staff finds both 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 in the R2 residential zone, the proposal must not significantly detract from the livability or appearance of the residential area.

As mentioned in the findings for approval criterion A, the fronts of the new buildings will be only 3 stories tall above SW Hoffman Avenue, a building scale the Zoning Code anticipates for the R2 zone. Additionally, the front setback requirement for the mass of the two buildings will be met outright; it is only the garage entrance setback that is being adjusted. The building height and garage entrance setback Adjustments are requested because the lot slopes very steeply downward from SW Hoffman Avenue.

With ample horizontal separation between the new development and the abutting homes to the north and south, with an approximately 50-foot vertical separation between the new development and homes to the west, and the much larger size of the residential building to the east, staff finds the proposal will not appear incompatible or out of scale with nearby development. The increased building height on the rear, downslope side of the buildings will be visible from SW Broadway Drive to the east, but tall, rear building walls on the downslope side of properties is a typical building scale in the Southwest Hills. Furthermore, properties across SW Broadway Drive are located in a multi-dwelling residential zone which allows for substantially greater height than what is proposed on the subject site. A condition of approval for tree planting along the site's SW Broadway Drive frontage will help to soften the view of the tall building walls from SW Broadway Drive and preserve privacy for the residents on the east side of the street.

For these reasons, and with the condition of approval for tree planting, 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: Two Adjustments are requested, and the purpose of multi-dwelling residential zones such as R2 is described in Zoning Code Section 33.120.010:

The multi-dwelling zones are intended to preserve land for urban housing and to provide opportunities for multi-dwelling housing.

- A. Use regulations. The use regulations are intended to create and maintain higher density residential neighborhoods. At the same time, they allow for large scale institutional campuses and other nonresidential uses but not to such an extent as to sacrifice the overall residential neighborhood image and character.*
- B. Development standards. The six multi-dwelling zones are distinguished primarily by density and development standards. The development standards work together to create desirable residential areas by promoting aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The development standards generally assure that new development*

will be compatible with the City's character. At the same time, the standards allow for flexibility for new development. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. The development standards are generally written for development on flat, regularly shaped lots. Other situations are addressed through special standards or exceptions.

The intended character for the R2 zone specifically is described in Zoning Code Section 33.120.030.B:

The R2 zone is a low density multi-dwelling zone. It allows approximately 21.8 dwelling units per acre. Density may be as high as 32 units per acre if amenity bonus provisions are used. Allowed housing is characterized by one to three story buildings, but at a slightly larger amount of building coverage than the R3 zone. The major types of new development will be duplexes, townhouses, rowhouses and garden apartments. These housing types are intended to be compatible with adjacent houses. Generally, R2 zoning will be applied near Major City Traffic Streets, Neighborhood Collector and District Collector streets, and local streets adjacent to commercial areas and transit streets.

The 4 new homes on a vacant site will create a higher density residential neighborhood, as intended for the multi-dwelling residential zones, and the proposed residential density equates to 21 dwelling units per acre, which is consistent with the intended character for the R2 zone. The 3-story building scale along the residential street frontage (SW Hoffman Avenue) is also consistent with the intended character for the R2 zone, though the building walls will be taller on the rear, downslope side of the site facing the multi-dwelling residential zone. As stated above, the zoning standards were generally written for flat lots, and other situations like steeply sloping lots can be addressed through exceptions such as Adjustment Review.

The proposed Adjustments will not negatively impact opportunities for recreation, energy conservation, or safety. All code requirements related to energy efficiency, fire prevention, and slope stability will apply at the time of building permit review and inspection.

As discussed previously in this report, given the steep slope of the site, the proposed Adjustments will not cause the new development to appear incompatible or out of scale with nearby development. A condition of approval for new trees along SW Broadway Drive will soften the view of the tall building walls from that street and preserve privacy for residents in the apartments to the east.

With the condition of approval for tree planting, staff finds the proposal is consistent with the purpose of the R2 zone. Approval criterion C is met.

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: The impacts of the building height Adjustment will be visible from the rear, downslope side of the buildings facing SW Broadway Drive. Although tall walls on the downslope side of lots are typical in the Southwest Hills, staff finds impacts will be effectively mitigated by tree canopy along the street. Tree canopy near the street will help obscure views of the tall building walls from SW Broadway Drive and better promote privacy for the residents in the multi-dwelling structure to the east.

For the garage entrance setback Adjustment, staff has identified no negative impacts which require mitigation. The new garage doors will be in the same plane as the primary building walls, which will meet the front building setback requirement outright, and will face a steep hillside across SW Hoffman Avenue rather than neighboring homes.

For these reasons, and with the previously mentioned condition of approval for tree planting, approval criterion E is met.

- 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 site is steeply sloping, with an approximately 45-foot drop from the west lot line to the east lot line. Adjustments are requested to the building height standard (which is measured from the lower grade on the east side of the new buildings) and the garage entrance setback standard. The Adjustments requested are found to be consistent with the purposes of the requirements to be modified and with the purpose of the R2 multi-dwelling residential zone. The proposed Adjustments will not significantly detract from the livability or appearance of the residential area. With a condition of approval for tree canopy along SW Broadway Drive, the applicable Adjustment Review approval criteria are found to be met.

ADMINISTRATIVE DECISION

Approval of the following Adjustments:

- To increase the maximum building height from 40 feet to 61 feet for building A and from 40 feet to 66 feet for building B (Zoning Code Section 33.120.215.B); and
- To reduce the minimum garage entrance setback for each building from the SW Hoffman Avenue lot line from 18 feet to 1 foot (Zoning Code Section 33.120.220.E)

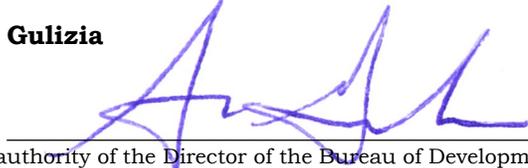
per the approved plans, Exhibits C-1 through C-3, subject to the following conditions:

- 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 – C3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 20-123417 AD."
- B. All trees planted to meet the on-site tree density standard in Tree Code Section 11.50.050 must be planted within 15 feet of the SW Broadway Drive lot line and must be medium-sized or large-sized varieties as defined in Tree Code Section 11.60.020.C. Existing, on-site trees that are retained and protected can count toward the tree density standard per Tree

Code Section 11.50.050.D.3.b, but the fee-in-lieu option for tree density in Tree Code Section 11.50.050.D.3.c may not be used for this site.

Note: This Adjustment Review does not approve any tree removal, either on-site or in the public right-of-way. At the time of building permit review, proposed tree removal will be reviewed by BDS staff for on-site trees and by Urban Forestry Staff for trees in the public right-of-way. Per Tree Code Section 11.50.070.B.2, tree removal cannot be approved based on the condition of a tree without a certified arborist's inspection and written report.

Staff Planner: Andrew Gulizia

Decision rendered by:  **on September 8, 2020**

By authority of the Director of the Bureau of Development Services

Decision mailed: September 11, 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 February 26, 2020 and was determined to be complete on August 11, 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 February 26, 2020.

ORS 227.178 states the City must issue a final decision on land use review applications within 120 days of the application being deemed complete. The 120-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 120-day review period. Unless further extended by the applicant, **the 120 days will expire on December 9, 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 September 25, 2020.**

Towards promoting social distancing during the COVID-19 pandemic, the completed appeal application form must be e-mailed to LandUseIntake@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 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 Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. 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 September 28, 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. This approval expires if a building permit has not been issued by January 1, 2024.

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:

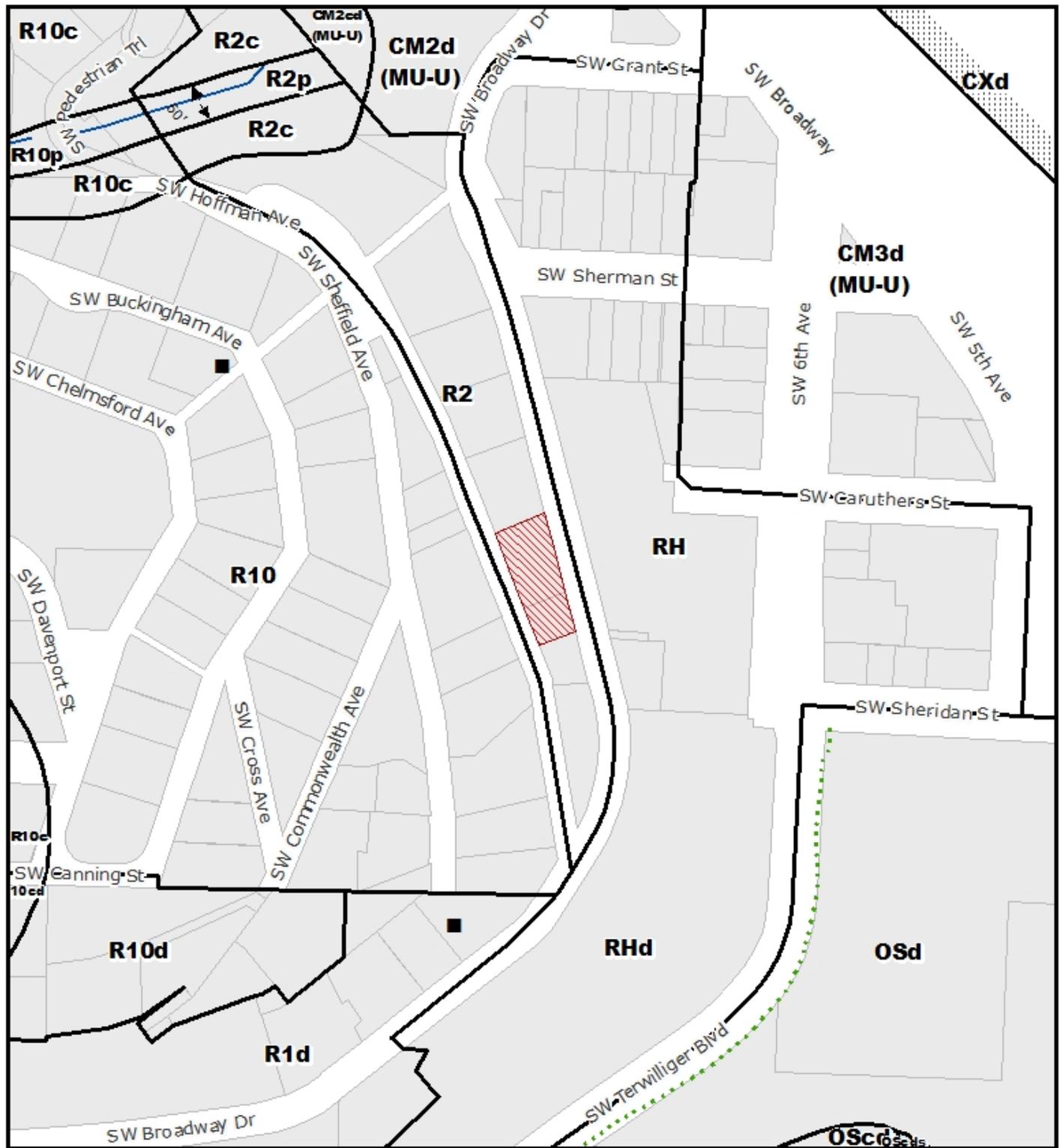
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations 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 A elevations (attached)
 - 3. Building B elevations (attached)
- D. Notification Information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Water Bureau
 - 3. Fire Bureau
 - 4. Site Development Review Section of BDS
 - 5. Life Safety Review Section of BDS
 - 6. Urban Forestry Division or Portland Parks and Recreation
- F. Correspondence:
 - 1. E-mail from Sue West, received August 28, 2020
 - 2. E-mail from David Trowbridge, received September 1, 2020
 - 3. Letter from Southwest Hills Residential League, received September 4, 2020
- G. Other:
 - 1. Land use application form
 - 2. Incompleteness determination letter, dated March 11, 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)



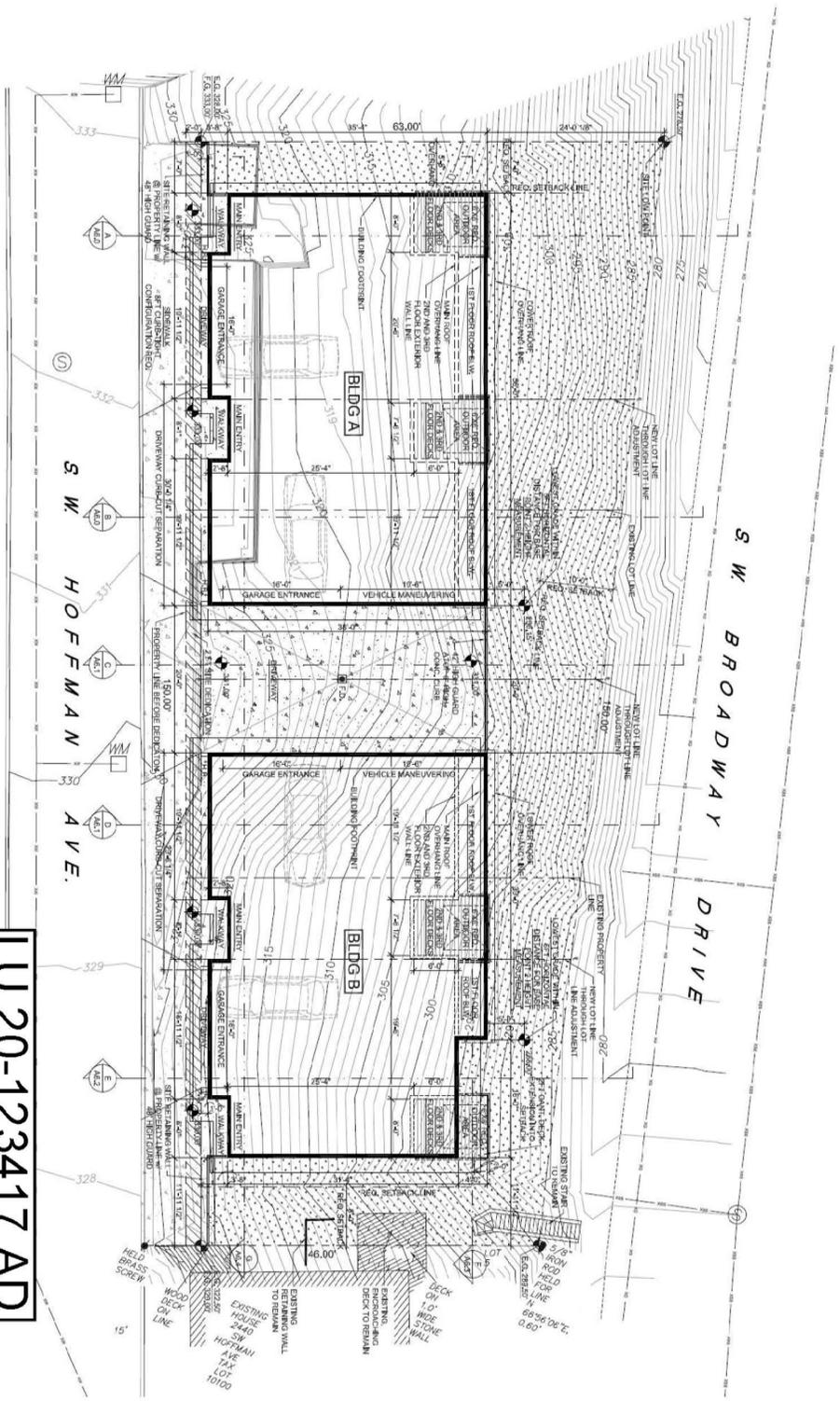
ZONING



-  Site
-  Stream
-  Historic Landmark
-  Recreational Trails

| | |
|-------------|-------------------|
| File No. | LU 20 - 123417 AD |
| 1/4 Section | 3228 |
| Scale | 1 inch = 163 feet |
| State ID | 1S1E04DD 9900 |
| Exhibit | B Mar 02, 2020 |

LU 20-123417 AD
Exhibit C-1



2420 SW HOFFMAN AVENUE
(2) NEW ATTACHED HOUSE
BUILDINGS
THREE STORIES w/ BASEMENT
GROUND F.F. = Varies, SEE PLAN
SITE AREA = 8,170 SF (AFTER DEDICATION)
BUILDING COVERAGE = 4,068 SF (49%)
LANDSCAPED AREA = N/A
IMPERVIOUS AREA = XXXX SF
TOTAL ROOF AREA = XXXX SF

NOTES:
• NEW SITEWORKS AND DRIVEWAYS PER ONE.
• SEE PLAN FOR EXISTING UTILITIES AND ELEVATIONS.
• SEE PLAN FOR STORMWATER MITIGATION.
• DEVELOPMENT AND TRAFFIC PROTECTION.

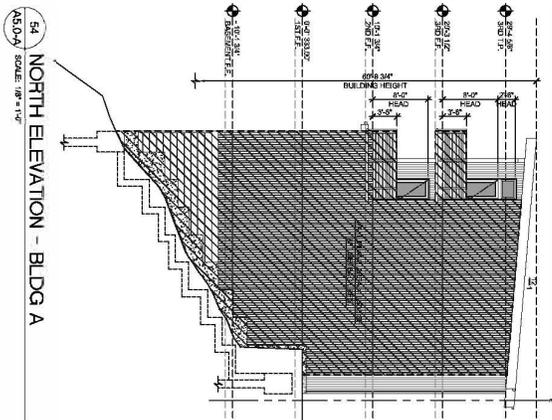
2420 SW HOFFMAN AVENUE
PORTLAND LEEDS LIVING LLC
SITE PLAN

PORTLAND, OR

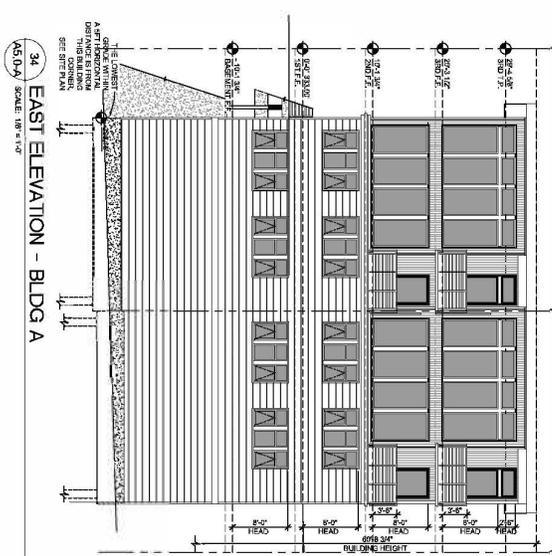
BARRY R SMITH, PC Architect
715 SW MORRISON STREET SUITE 906
PORTLAND OR 97205 503.295.6291 www.barryrsmith.com



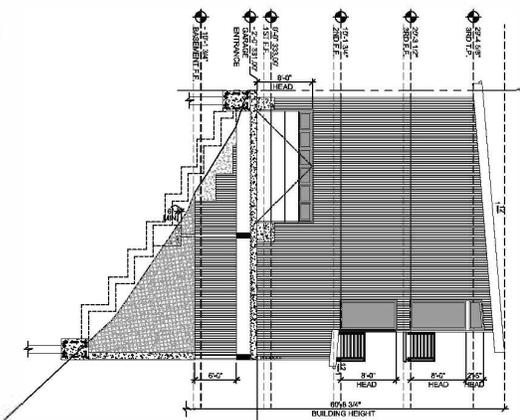
CD SET



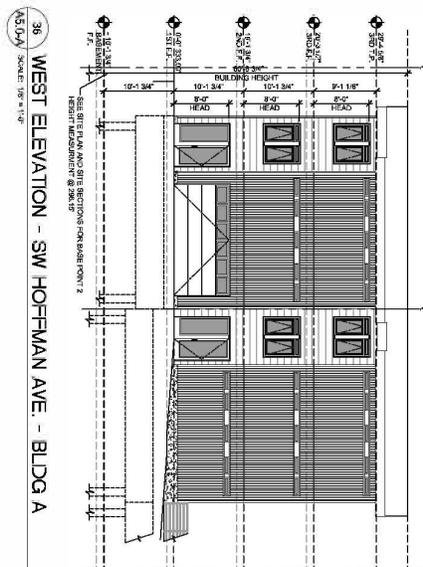
54 NORTH ELEVATION - BLDG A
ASDA SCALE: 1/8" = 1'-0"



34 EAST ELEVATION - BLDG A
ASDA SCALE: 1/8" = 1'-0"



56 SOUTH ELEVATION - BLDG A
ASDA SCALE: 1/8" = 1'-0"



36 WEST ELEVATION - SW HOFFMAN AVE. - BLDG A
ASDA SCALE: 1/8" = 1'-0"

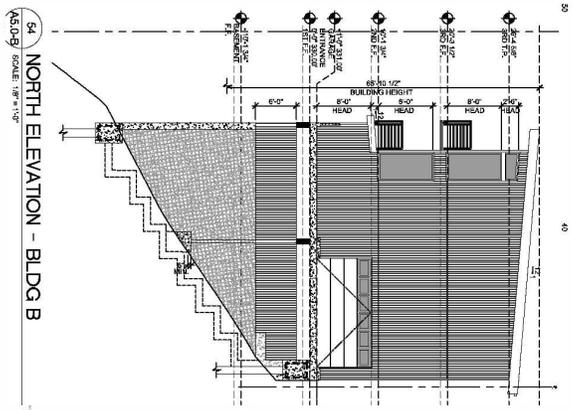
LU 20-123417 AD
Exhibit C-2

ASDA
P.L.L.C.
2020
30404220

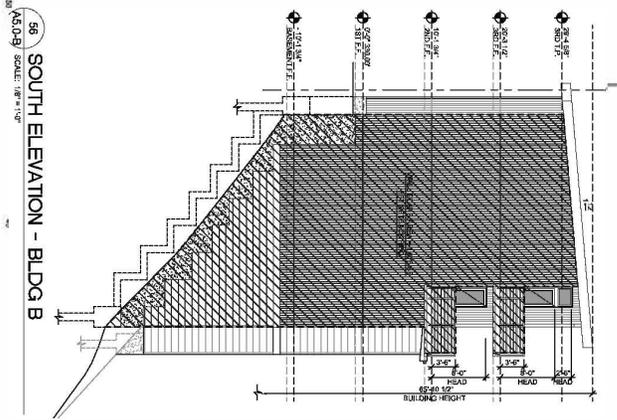
OD SET

2420 SW HOFFMAN AVENUE
PORTLAND LEEDS LIVING LLC
EXTERIOR ELEVATIONS - BUILDING A
PORTLAND, OR

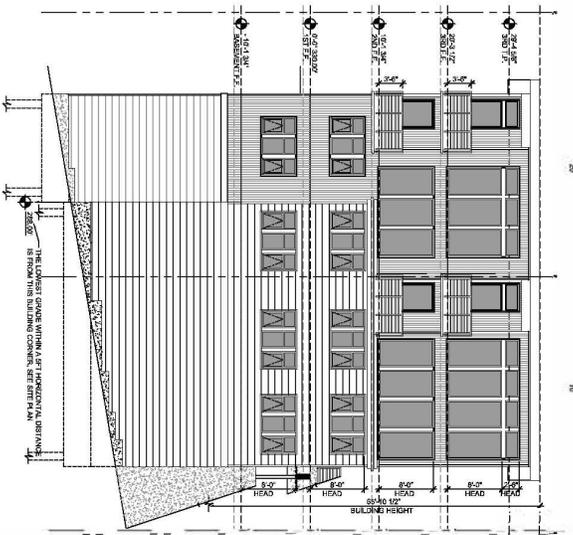
BARRY R SMITH, PC Architect
716 SW MORRISON STREET SUITE 400
PORTLAND OR 97205 503.285.6281 www.barryrsmith.com



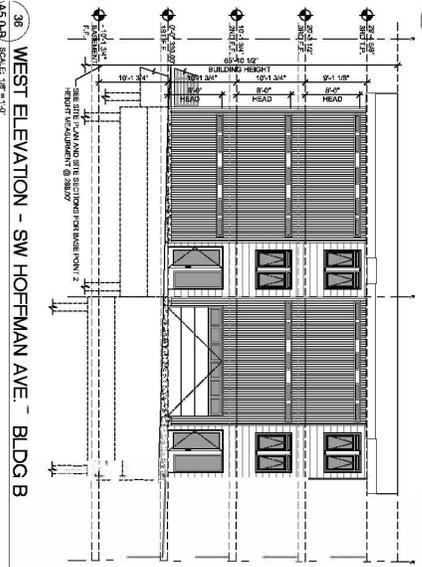
54 NORTH ELEVATION - BLDG B
AS.O9 SCALE: 1/8" = 1'-0"



56 SOUTH ELEVATION - BLDG B
AS.O9 SCALE: 1/8" = 1'-0"



34 EAST ELEVATION - BLDG B
AS.O9 SCALE: 1/8" = 1'-0"



38 WEST ELEVATION - SW HOFFMAN AVE. - BLDG B
AS.O9 SCALE: 1/8" = 1'-0"

LU 20-123417 AD
Exhibit C-3

CD SET
A5.0-P
P.L. 2020/08/16
DATE PLOTTED

2420 SW HOFFMAN AVENUE
PORTLAND LEEDS LIVING LLC
EXTERIOR ELEVATIONS - BUILDING B
PORTLAND, OR

BARRY-R SMITH, PC Architect
715 SW MORRISON STREET SUITE 800
PORTLAND OR 97204 - 503.958.8931 - www.barry-r.com

