



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 18, 2020
To: Interested Person
From: David Besley, Land Use Services
503-823-7282 / David.Besley@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 20-155915 AD

GENERAL INFORMATION

Applicant: Erica Baggen
Scott Edwards Architecture
2525 East Burnside St.
Portland, OR 97214

Owner/Agent: William Allen
Luke Dorf Inc
8915 SW Center Street
Tigard, OR 97223

Site Address: 6485 SE 128TH AVE

Legal Description: LOT 2, PARTITION PLAT 2007-90
Tax Account No.: R649873580
State ID No.: 1S2E14CC 06402
Quarter Section: 3643, 3743

Neighborhood: Pleasant Valley, contact Steve Montgomery at foxtrotlove@hotmail.com.
Business District: None
District Coalition: East Portland Community Office, contact at 503-823-4550

Plan District: Johnson Creek Basin - South
Zoning: CM1 (Mixed-Use Commercial 1)

Case Type: AD (Adjustment Review)
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee

Proposal:

The applicant proposes to construct a new three-story, 15-unit affordable permanent supported housing complex with 5 tuck-under vehicle parking spaces on a vacant site. The Portland Zoning Code requires that the maximum a building can be set back from a street lot line is 10 feet and that at least 50 percent of the ground-floor street facing façade must be located within 10 feet of the street lot line (Section 33.130.215.C, Table 130-2, Map 130-1). Due to the L-shape of the site, the applicant is proposing to use the narrower eastern portion for a driveway and pedestrian path, and using the wider western portion of the site for the housing complex. The eastern façade of the housing complex would be about 110 feet from the street lot line. An Adjustment is therefore required to increase the 10-foot maximum street lot line building setback (abutting SE 128th Avenue) to approximately 110 feet.

The Portland Zoning Code also requires a minimum 10-foot wide buffer with high-screen landscaping (L3 standard per Section 33.248 Landscaping and Screening) for lots in the CM1 zone that abut residential zoned lots (Section 33.130.215.B; Table 130-2). While the building itself is proposed to be located over 20 feet from the southern property line, a vehicle area is proposed to the south of the building to connect the on-site parking to the street, and the applicant is proposing a 5-foot wide buffer with high-screen landscaping along the southern property line (south of the vehicle area). Because the site to the south is residentially zoned, an Adjustment is required to reduce the minimum landscape buffer from 10 feet of L3 landscaping to 5 feet of L3 landscaping between the southern building facade and the southern property line.

While the building itself is proposed to be located approximately 15 feet from the western property line at the southwest corner of the building, the vehicle parking area includes a space to the west of the building, and the applicant is proposing a 5-foot widebuffer with high-screen landscaping along the western edge of the property line (west of the vehicle area). Because the adjacent site to the west is residentially zoned, an Adjustment is required to reduce the minimum landscape buffer from 10 feet of L3 landscaping to 5 feet of L3 landscaping between the southernmost 14-foot-4.75-inch length of the western building facade and the western property line (see Exhibit C.1).

In summary, the applicant is requesting three Adjustments to:

1. Increase the 10-foot maximum allowed building setback from the street lot line (abutting SE 128th Avenue) to approximately 110 feet;
2. Reduce the width of the minimum required landscape buffer from 10 feet of L3 landscaping to 5 feet of L3 landscaping between the southern building facade and the southern property line; and
3. Reduce the width of the minimum required landscape buffer from 10 feet of L3 landscaping to 5 feet of L3 landscaping between the southernmost 14-foot-4.75-inch length of the western building facade and the western property line.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. of Section 33.805.040, Adjustment Approval Criteria, have been met.

ANALYSIS

Site and Vicinity: The 13,121 vacant square foot site is located on the west side of SE 128th Avenue, about 300 feet south of the intersection of SE Foster Road and SE 128th Avenue. The relatively flat “L”-shaped site is bordered by mixed-use commercial zoning to the north and east and multi-dwelling residential zoning to the west and south. This neighborhood also includes single-dwelling residential farther to the southeast and open space (Leach Botanical Garden) to the southwest.

Zoning: The Commercial/Mixed Use 1 (CM1) zone is a small-scale zone intended for sites in dispersed mixed-use nodes within lower density residential areas, as well as on neighborhood corridors and at the edges of neighborhood centers, town centers and regional centers. The zone is also appropriate in core commercial areas of centers in locations where older commercial storefront buildings of 1 to 2 stories are predominant. This zone allows a mix of commercial and residential uses. The size of commercial uses is limited to minimize impacts on surrounding residential areas. Buildings in this zone will generally be up to three stories tall. Development is intended to be pedestrian-oriented and compatible with the scale and characteristics of adjacent residentially zoned areas or low-rise commercial areas. Development standards are intended to allow for flexibility of development while maintaining compatibility within the City's various neighborhoods.

The Johnson Creek Basin plan district provides for the safe, orderly, and efficient development of lands which are subject to a number of physical constraints, including significant natural resources, steep and hazardous slopes, flood plains, wetlands, and the lack of streets, sewers, and water services. At certain locations, the density of development is limited by applying special regulations to new land division proposals. In addition, restrictions are placed on all new land uses and activities to reduce stormwater runoff, provide groundwater recharge, reduce erosion, enhance water quality, and retain and enhance native vegetation throughout the plan district. At other locations, development is encouraged and mechanisms are included that provide relief from environmental restrictions.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **July 10, 2020**, with a Revised Notice of Proposal mailed **August 25, 2020**. The following Bureaus have responded with the following information:

- The Life Safety section of the Bureau of Development Services (BDS) responded with no concerns regarding the requested Adjustments and provided Building Code information (Exhibit E-1);
- The Bureau of Environmental Services responded with no concerns regarding the requested Adjustments and noted the requirement of a detailed stormwater management plan for this project during building permit review. The applicant is advised to Stormwater Infiltration and Discharge Hierarchy and submittal requirements in the Stormwater Management Manual: www.portlandoregon.gov/bes/swmm (Exhibit E-2);
- The Portland Bureau of Transportation responded with no concerns regarding the requested Adjustments and notes standard improvement requirements (Exhibit E-3); and
- The Portland Fire Bureau responded with no concerns with the Adjustments and noted that all applicable Fire Code requirements will apply at the time of permit review and development (Exhibit E-4).

The following Bureaus have responded with no concerns regarding the land use review requests (Exhibit E-5):

- The Site Development Section of BDS; and
- The Water Bureau.

Neighborhood Review: Three written responses were received from neighbors in opposition to the original notice mailed July 10, 2020. One of the letters was from a resident of the Foster Village complex to the west of the site and signed by 7 additional neighbors (Exhibit F.1). The second letter was also from a member of the Foster Village complex (Exhibit F.2). The third letter is from the owner of a business at SE 128th Avenue and SE Foster Road (Exhibit F.3). Concerns are summarized as follows:

- Street parking on SE 128th Avenue is already congested and with only 5 parking spaces provided on site, it will be even harder to park on the street;
- Adding additional low-income units could bring more crime to the area;
- Noise pollution, including that from unsupervised children;
- Low income housing could negatively impact property values;

- Property damage from existing Douglas Fir tree roots;
- Homelessness; and
- Insurance cost could increase from damage caused by fires or bad drainage.

Staff Response: Because this site is close to transit (per Zoning Code Section 33.266.110.B.1) no parking is required and no Adjustments related to the number of parking spaces are requested. Relevant concerns are addressed in the Zoning Code Approval Criteria findings below.

ZONING CODE APPROVAL CRITERIA

33.805.040 Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown 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 proposing to construct a new three-story, 15-unit housing complex, and requests three Adjustments to reduce the minimum required width of the landscape buffer from 10 feet of L3 landscaping to 5 feet of L3 landscaping along portions of the west and south property lines, and to increase the 10-foot maximum allowed street lot line building setback (abutting SE 128th Avenue) to approximately 110 feet. The relevant purpose statement and associated findings are found below:

33.130.215 Setbacks

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. The setback requirements for areas that abut residential zones promote commercial/mixed use development that will maintain light, air, and the potential for privacy for adjacent residential zones.

The front setback requirements for Civic Corridors in Eastern and Western pattern areas provide opportunities for additional pedestrian space and separation from the vehicle traffic along these major streets to create an environment for building users and pedestrians that is less impacted by close proximity to traffic, and provide opportunities for front landscaping reflective of the vegetated characteristics of these neighborhood pattern areas.

The minimum building setbacks along local service streets adjacent to residential zones work together with requirements for step downs in building height (33.130.210.B.2.b.) to ensure that there is a transition in street frontage characteristics to lower scale residential zones. In these situations, the building setback regulations promote street frontages with landscaping and residential uses to provide a transition and a cohesive street environment with similar street frontage characteristics on both sides of the street, and limit exterior display and storage to minimize impacts to nearby residentially-zoned areas.

- Due to the unique “L”-shape of the site, the applicant is proposing to use the narrower eastern portion for a driveway and pedestrian path, and using the wider western portion of the site for the housing complex. While the eastern façade of the housing complex would be about 110 feet from the street lot line, a pedestrian orientation will be established via a 6-foot wide elevated sidewalk which connects the main entrances of the residential structure to SE 128th Avenue. A 4.5-foot low-screen landscaping buffer between the sidewalk and the adjacent property to the north will contribute to a welcoming and pedestrian oriented appearance of the streetscape.

- While the applicant is proposing a reduction from 10 feet to 5 feet for the width of the required landscape setback between the southern building facade and the southern property line, the new multi-dwelling structure is proposed to be about 28 feet from the south property line. This is 18 feet deeper than the minimum required 10-foot building setback. This increased setback distance maintains light, air, and the potential for privacy for the adjacent single dwelling residential zone to the south.
- The majority of the western façade will meet the standard requiring a minimum 10-foot landscape setback. Only the southernmost 14-foot-4.75-inch portion of the 94-foot long building will have a reduction to 5 feet for the required landscape setback between the western building facade and the western property line in order to accommodate an additional parking space. Additionally, the new multi-dwelling structure is proposed to be about 15 feet from the west property line in the area of landscape setback Adjustment request, which is 5 feet longer than the minimum required 10-foot building setback. This increased setback distance maintains light, air, and the potential for privacy for the adjacent single dwelling residential zone to the west.
- It is also important to note that the purpose statement reads, “*The setback requirements for areas that abut residential zones promote commercial/mixed use development that will maintain light, air, and the potential for privacy for adjacent residential zones.*” In this situation, while the subject site is zoned Mixed-Use Commercial, and abuts a residential zone to the west and south, the development being proposed is entirely residential. Typically in multi-dwelling zones, such as the adjacent RM1 zone, only a 5 foot side and rear building setback would have been required, with landscaping only to the L1 standard (trees, but no high screen shrubs) in the setback. As such, the deeper side and rear setbacks being proposed on the subject site, with landscaping to the L3 standard, are substantially more than would be expected between multi-dwelling developments.
- To ensure that the landscape provides adequate screening, a condition of approval will require medium and/or large trees to be planted, and no small trees, along the southern and western edges of the site. Additionally, at least half of the trees must be evergreen to provide year round screening.
- The subject site is not in a Civic Corridor.

As conditioned, this criterion 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: Because the subject site is located in a Commercial zone, the applicant must demonstrate that the proposal is consistent with the classification of adjacent streets and the desired character of the area. This CM1-zoned site has vehicular access from SE 128th Avenue. At the subject location, the Transportation System Plan (TSP) classifies SE 128th Avenue as being a Local Service traffic street in the CM1 zone with a Neighborhood Walkway designation outside of a pedestrian district. The Adjustment request will not impact the ability of SE 128th Avenue to serve the local bike, pedestrian or street circulation needs desired by the Local Service designations and will support the proposed residential use.

The Portland Zoning Code defines Desired Character as “the preferred and envisioned character (usually of an area) based on the purpose statement or character statement of the base zone, overlay zone, or plan district. It also includes the preferred and envisioned character based on any adopted area plans or design guidelines for an area.” In this instance, Desired Character is defined by the character statement of the CM1 zone, the Johnson Creek Basin Plan District (South subdistrict), and the Pleasant Valley Neighborhood Plan.

The character statement for the CM1 zone in Section 33.130.030.B reads:
The Commercial/Mixed Use 1 (CM1) zone is a small-scale zone intended for sites in dispersed mixed use nodes within lower density residential areas, as well as on neighborhood corridors and at the edges of neighborhood centers, town centers and regional centers. The zone is also appropriate in core commercial areas of centers in locations where older commercial storefront buildings of 1 to 2 stories are predominant. This zone allows a mix of commercial and residential uses. The size of commercial uses is limited to minimize impacts on surrounding residential areas. Buildings in this zone will generally be up to three stories tall. Development is intended to be pedestrian-oriented and compatible with the scale and characteristics of adjacent residentially zoned areas or low-rise commercial areas.

The character statement for the Johnson Creek Basin plan district in Section 33.537.010 reads:

The Johnson Creek Basin plan district provides for the safe, orderly, and efficient development of lands which are subject to a number of physical constraints, including significant natural resources, steep and hazardous slopes, flood plains, wetlands, and the lack of streets, sewers, and water services. At certain locations, the density of development is limited by applying special regulations to new land division proposals. In addition, restrictions are placed on all new land uses and activities to reduce stormwater runoff, provide groundwater recharge, reduce erosion, enhance water quality, and retain and enhance native vegetation throughout the plan district. At other locations, development is encouraged and mechanisms are included that provide relief from environmental restrictions.

The proposed development is located in an area without hazardous slopes, flood plains, or wetlands and, as the Bureau of Environmental Services responded, a detailed stormwater management plan for this project will be required during the building permit review. The proposed development – a 3-story, 15-unit residential building – will be compatible with the scale and characteristics of adjacent commercially zoned areas to the north and east.

The site is within the boundaries of the Pleasant Valley Neighborhood Plan, which includes the following relevant housing objective:

- *Assure a wide variety of housing types, while retaining the character of Pleasant Valley (Policy 4, Objective 2, page 33).*

Approval of the proposed Adjustment will promote the development of new affordable residential housing. The Adjustment request is limited to reducing the depth of landscape buffers and increasing the maximum setback due to the narrow “L” shaped configuration of the site. This proposal is therefore consistent with the Desired Character of the area.

This criterion 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: As noted above, the character statement for the CM1 zone in Section 33.130.030.B reads:

The Commercial/Mixed Use 1 (CM1) zone is a small-scale zone intended for sites in dispersed mixed use nodes within lower density residential areas, as well as on neighborhood corridors and at the edges of neighborhood centers, town centers and regional centers. The zone is also appropriate in core commercial areas of centers in locations where older commercial storefront buildings of 1 to 2 stories are predominant. This zone allows a mix of commercial and residential uses. The size of commercial uses is limited to minimize impacts on surrounding residential areas. Buildings in this zone will generally be up to three stories tall. Development is intended to be pedestrian-oriented and compatible with the scale and characteristics of adjacent residentially zoned areas or low-rise commercial areas.

As noted above under Criterion A, due to the unique “L”-shape of the site, the applicant is proposing to use the narrower eastern portion for a driveway and pedestrian path and using the wider western portion of the site for the housing complex. While the eastern façade of the housing complex would be about 110 feet from the street lot line, a pedestrian orientation will be established via a raised, straight line pedestrian connection between the street and the building, with landscaped buffers on either side of the driveway, thereby inviting an inviting pedestrian experience. The proposed 3-story, 15-unit residential building will therefore be compatible with the scale and characteristics of adjacent low-rise commercial areas to the north and east.

As conditioned, this criterion is met.

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

Findings: City designated scenic resources are identified on the Official Zoning Map with a lower case “s” and historic resources are designated by a large dot or as being within the boundaries of a Historic or Conservation district. There are no such resources present on the site; therefore, this criterion is not applicable.

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

Findings: As noted above, the proposed residential building is an additional 18 feet beyond the minimum required 10-foot building residential setback to the south and an additional 5 feet beyond the minimum required 10-foot residential setback to the west. This increased distance maintains light, air, and the potential for privacy for the adjacent single dwelling residential zone to the south. To ensure that the landscape provides adequate screening, a condition of approval will require medium and/or large trees be planted along the southern and western edges of the site. Requiring larger trees will mitigate for the landscape reduction. Additionally, at least half of the trees will be required to be evergreen to provide screening year-round.

Because the site contains only 5 vehicle parking spaces and includes only residential development, no landscape buffer is required along the perimeter of the driveway (Section 33.266.130.G.2.b.2). However, to enhance the appearance of the site as viewed from the street and make for a more pleasant pedestrian environment, the applicant has proposed providing landscape buffers planted to the L2 standard to the north and the L3 standard to the south and ranging in width from 4-feet-6-inches to 5 feet along the northern and southern edges of the driveway area.

As conditioned, this criterion 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 Map with either a lowercase “p” (Environmental Protection overlay zone) or a “c” (Environmental

Conservation overlay zone). No environmental zoning is applied to the site; therefore, 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 applicant proposes to construct a new three-story, 15-unit affordable housing complex with 5 tuck-under vehicle parking spaces on a vacant site, and is requesting three Adjustments to:

1. Increase the 10-foot maximum allowed street lot line building setback (abutting SE 128th Avenue) to approximately 110 feet;
2. Reduce the width of the minimum required landscape buffer from 10 feet of L3 landscaping to 5 feet of L3 landscaping between the southern building facade and the southern property line; and
3. Reduce the width of the minimum required landscape buffer from 10 feet of L3 landscaping to 5 feet of L3 landscaping between the southernmost 14-foot-4.75-inch length of the western building facade and the western property line.

The new multi-dwelling structure is proposed to be about 28 feet from the south property line and 15 feet from the west property line (in the area where the landscape buffer reduction is proposed). This is 18 feet and 5 feet longer (respectively) than the minimum required 10-foot building setback. This increased setback distances maintain light, air, and the potential for privacy for the adjacent single dwelling residential zone to the south. Additionally, only the southernmost 14-foot-4.75-inch portion of the 94-foot long building will have landscape buffer reduction. To ensure that the landscape provides adequate screening, a condition of approval will require medium and/or large trees to be planted, and no small trees, along the southern and western edges of the site. Additionally, at least half of the trees must be evergreen to provide year round screening.

The proposed development is located in an area without hazardous slopes, flood plains, or wetlands. The proposed development will be compatible with the scale and characteristics of adjacent commercially zoned areas to the north and east. In addition to the increased setback distances noted above, mitigation is also provided via landscape buffers proposed along the northern and southern edges of the driveway area. The proposal meets the applicable approval criteria and should therefore be approved.

ADMINISTRATIVE DECISION

Approval of three Adjustments to

1. Increase the 10-foot maximum allowed street lot line building setback (abutting SE 128th Avenue) to approximately 110 feet (Section 33.130.215.C, Table 130-2, Map 130-1);
2. Reduce the width of the minimum required landscape buffer from 10 feet of L3 landscaping to 5 feet of L3 landscaping between the southern building facade and the southern property line (Section 33.130.215.B; Table 130-2); and
3. Reduce the width of the minimum required landscape buffer from 10 feet of L3 landscaping to 5 feet of L3 landscaping between the southernmost 14-foot-4.75-inch length of the western building facade and the western property line (Section 33.130.215.B; Table 130-2) to construct a new three-story, 15-unit housing complex,

per the approved site plans, Exhibits C-1 through C-2 subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related condition (B) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 20-155915 AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Medium and/or large trees (per the [Tree and Landscaping Manual](#)), must be planted to the L3 landscape standard along the southern and western edges of the site. Additionally, at least half of the trees must be evergreen trees.

Staff Planner: David Besley



Decision rendered by: _____ **on September 16, 2020**
By authority of the Director of the Bureau of Development Services

Decision mailed: September 18, 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 June 16, 2020, and was determined to be complete on June 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 June 16, 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: October 28, 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 **October 2, 2020. The completed appeal application form must be emailed 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 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>.

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 **October 5, 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 your 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 your 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:

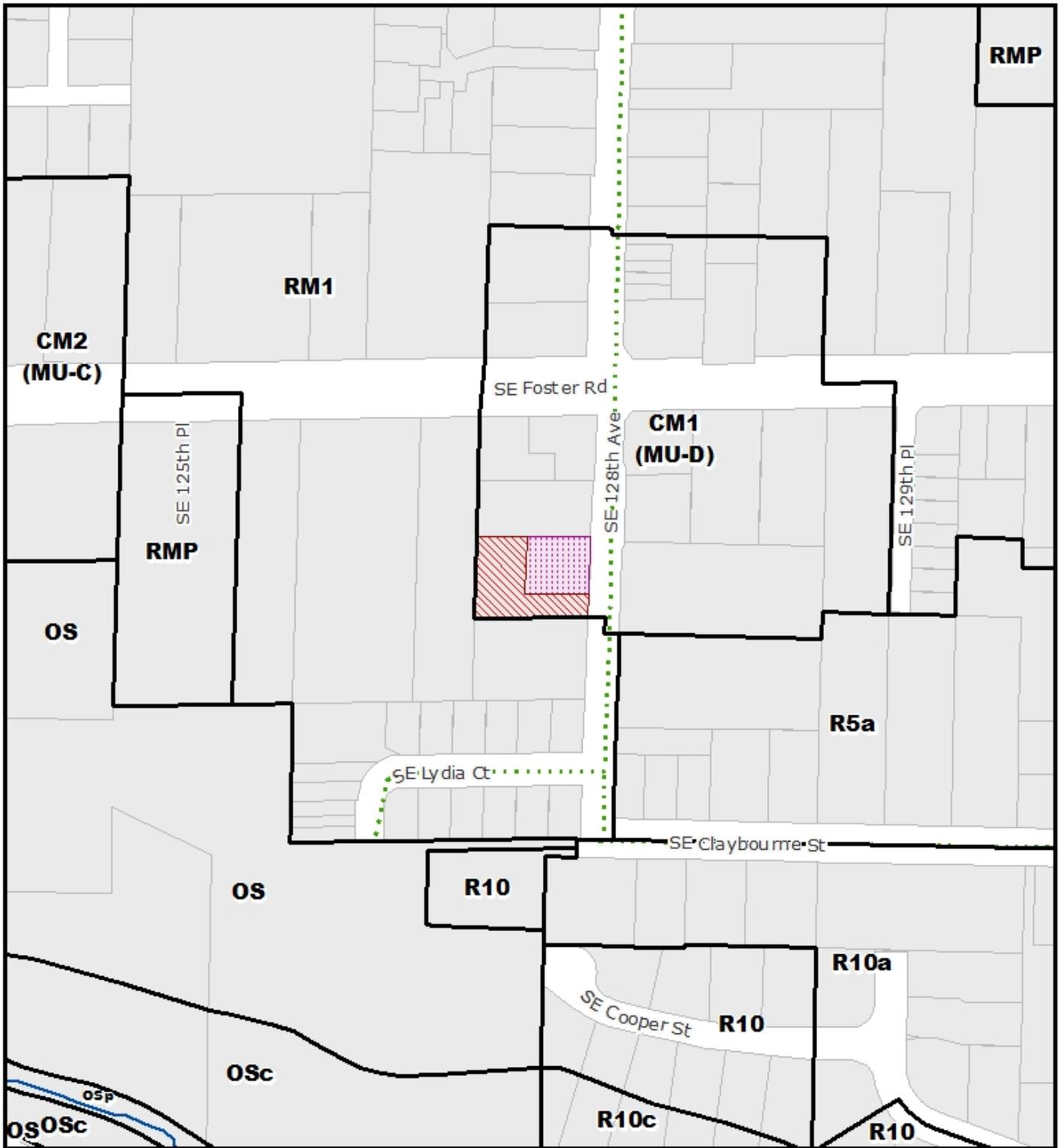
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevation Drawings (attached)
- D. Notification information:
 - 1. Mailing list for Notice of Proposal, dated July 10, 2020
 - 2. Mailed Notice of Proposal, dated July 10, 2020
 - 3. Mailing list for Revised Notice of Proposal, dated August 25, 2020
 - 4. Mailed Revised Notice of Proposal, dated August 25, 2020
- E. Agency Responses:
 - 1. Life Safety Section of BDS
 - 2. Bureau of Environmental Services
 - 3. Bureau of Transportation Engineering and Development Review
 - a. Initial response: July 20, 2020
 - b. Revised response: September 4, 2020
 - 4. Portland Fire Bureau
 - 5. Agencies responding with no concerns
- F. Correspondence:
 - 1. July 21, 2020, letter of opposition from:
 - a. Lauren Palmer-Villa
 - b. Robert Smail
 - c. Diane Gieler
 - d. Xue Zhen
 - e. Spencer Snyder
 - f. Linda Coleban
 - g. Kathleen Nielsen
 - h. Deann Pettit
 - 2. Heidi Froemke, July 26, 2020, letter of opposition
 - 3. William Whitlock, letter of opposition
- G. Other:
 - 1. Original LU Application and Receipt

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

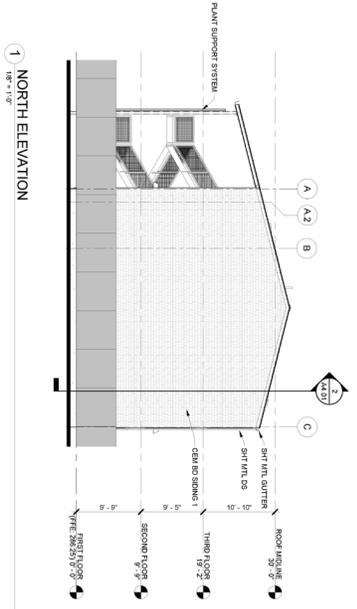
NORTH ↑

JOHNSON CREEK PLAN DISTRICT
SOUTH SUB DISTRICT

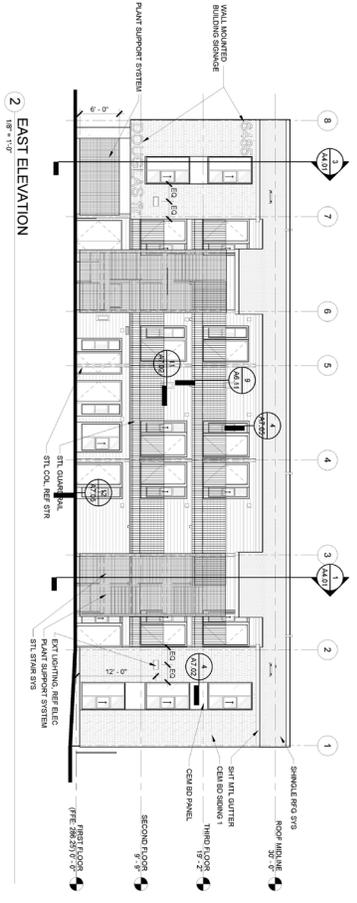
-  Site
-  Also Owned Parcels
-  Stream
-  Recreational Trails

File No.	LU 20 - 155915 AD
1/4 Section	3743,3643
Scale	1 inch = 200 feet
State ID	1S2E14CC 6402
Exhibit	B Jul 01, 2020

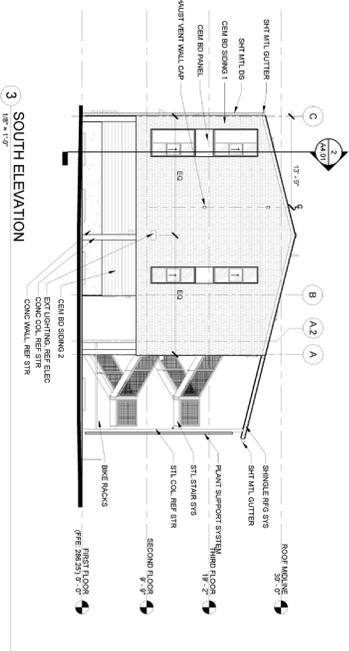
THESE DRAWINGS ARE THE ORIGINAL UNPUBLISHED WORK OF THE ARCHITECT AND MAY NOT BE REPLICATED OR USED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.



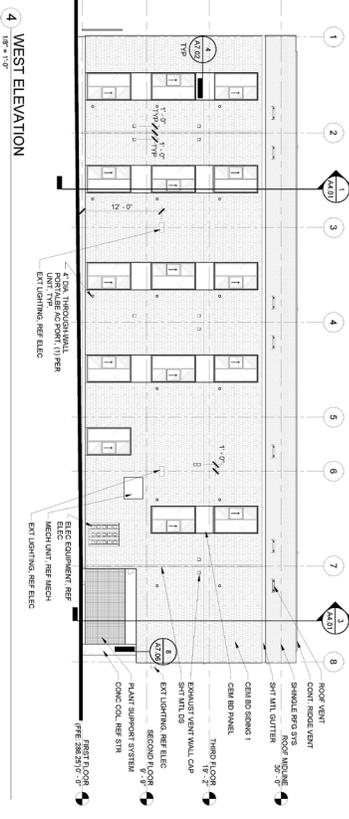
1 NORTH ELEVATION
1/8" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"



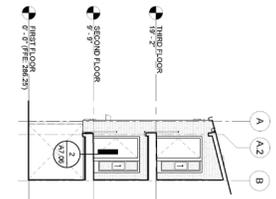
3 SOUTH ELEVATION
1/8" = 1'-0"



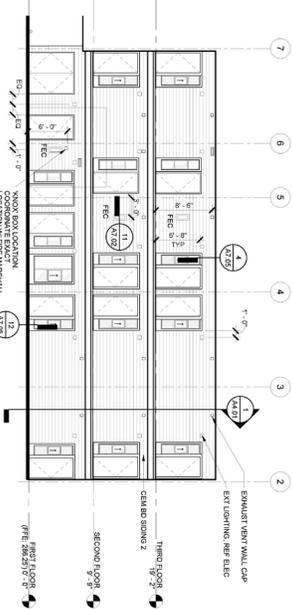
4 WEST ELEVATION
1/8" = 1'-0"

EXTERIOR ELEVATION FINISH NOTES AND LEGEND

- SHEET METAL FLASHING, GUTTERS, DOWNSPOUTS, ETC. TO MATCH COLOR OF ADJACENT SIDING UNLESS NOTED
- STEEL COLLARS, GUARDRAILS, AND STAIR ASSEMBLIES EXTERIOR DOORS, FRAMES AND HEADERS SHALL BE B.S. 5 TO MATCH B-1. 1" DOWNSPOUT AND DOWNSPOUT CAPS B.S. 5
- CEILING BOARDS 1
- CEILING BOARDS 2
- CEILING BOARDS 3
- CEILING BOARDS 4
- CEILING BOARDS 5
- CEILING BOARDS 6
- CEILING BOARDS 7
- CEILING BOARDS 8
- CEILING BOARDS 9
- CEILING BOARDS 10
- CEILING BOARDS 11
- CEILING BOARDS 12
- CEILING BOARDS 13
- CEILING BOARDS 14
- CEILING BOARDS 15
- CEILING BOARDS 16
- CEILING BOARDS 17
- CEILING BOARDS 18
- CEILING BOARDS 19
- CEILING BOARDS 20
- CEILING BOARDS 21
- CEILING BOARDS 22
- CEILING BOARDS 23
- CEILING BOARDS 24
- CEILING BOARDS 25
- CEILING BOARDS 26
- CEILING BOARDS 27
- CEILING BOARDS 28
- CEILING BOARDS 29
- CEILING BOARDS 30
- CEILING BOARDS 31
- CEILING BOARDS 32
- CEILING BOARDS 33
- CEILING BOARDS 34
- CEILING BOARDS 35
- CEILING BOARDS 36
- CEILING BOARDS 37
- CEILING BOARDS 38
- CEILING BOARDS 39
- CEILING BOARDS 40
- CEILING BOARDS 41
- CEILING BOARDS 42
- CEILING BOARDS 43
- CEILING BOARDS 44
- CEILING BOARDS 45
- CEILING BOARDS 46
- CEILING BOARDS 47
- CEILING BOARDS 48
- CEILING BOARDS 49
- CEILING BOARDS 50
- CEILING BOARDS 51
- CEILING BOARDS 52
- CEILING BOARDS 53
- CEILING BOARDS 54
- CEILING BOARDS 55
- CEILING BOARDS 56
- CEILING BOARDS 57
- CEILING BOARDS 58
- CEILING BOARDS 59
- CEILING BOARDS 60
- CEILING BOARDS 61
- CEILING BOARDS 62
- CEILING BOARDS 63
- CEILING BOARDS 64
- CEILING BOARDS 65
- CEILING BOARDS 66
- CEILING BOARDS 67
- CEILING BOARDS 68
- CEILING BOARDS 69
- CEILING BOARDS 70
- CEILING BOARDS 71
- CEILING BOARDS 72
- CEILING BOARDS 73
- CEILING BOARDS 74
- CEILING BOARDS 75
- CEILING BOARDS 76
- CEILING BOARDS 77
- CEILING BOARDS 78
- CEILING BOARDS 79
- CEILING BOARDS 80
- CEILING BOARDS 81
- CEILING BOARDS 82
- CEILING BOARDS 83
- CEILING BOARDS 84
- CEILING BOARDS 85
- CEILING BOARDS 86
- CEILING BOARDS 87
- CEILING BOARDS 88
- CEILING BOARDS 89
- CEILING BOARDS 90
- CEILING BOARDS 91
- CEILING BOARDS 92
- CEILING BOARDS 93
- CEILING BOARDS 94
- CEILING BOARDS 95
- CEILING BOARDS 96
- CEILING BOARDS 97
- CEILING BOARDS 98
- CEILING BOARDS 99
- CEILING BOARDS 100



5 EXTERIOR BALCONY NORTH
1/8" = 1'-0"



6 EXTERIOR BALCONY EAST ELEVATION
1/8" = 1'-0"

LU 20-155915 AD
Exhibit C-2
Sheet No:
A3.01

LU ADJUSTMENT 06-16-2020
DATE
ISSUE
DRAWING
EXTERIOR
ELEVATIONS

LUKE + DORF
A HEALING COMMUNITY
DOUGLAS FIR
APARTMENTS
16063
6445 SE 128th Ave
Portland, OR 97236
Job Number:

S|E|A
SCOTT DAWSON ARCHITECTURE, LLP
2025 E Burnside Street, Portland, OR 97214
Phone: (503) 255-5917 www.sdea.com