



MULTNOMAH COUNTY OREGON

DIVISION OF ASSESSMENT AND TAXATION
421 SW 6TH AVENUE #308
PORTLAND, OREGON 97204
RECORDING SECTION (503) 248-3034

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C. Swick, Deputy Clerk



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OCT 23, 1996



CITY OF
PORTLAND, OREGON

BUREAU OF PLANNING

Charlie Hales, Commissioner
David C. Knowles, Director
1120 S.W. 5th, Room 1002
Portland, Oregon 97204-1966
Telephone: (503) 823-7700
FAX (503) 823-7800

ADMINISTRATIVE DECISION
FILE NUMBER: LUR 96-00540 AD (WESTOVER)

I hereby certify this document to be a complete and exact copy of the original as the same appears on file and of record in my office and in my care and custody,
10th day of October, 1996
BARBARA CLARK
Auditor of the City of Portland
By: SAOON FARRER
Deputy

Applicants: Franklin G. Drake (owner)
Drake Family Co.-Tenancy
2121 SW Broadway, Suite 320
Portland, OR 97201

Pat Daily (option to purchase)
Weston-Scherzer Co. LLC.
5440 SW Westgate Drive, Suite 222
Clackamas, OR 97015

Representative: Bob Moreland, Architect (222-5757)
MCM Architects
1022 SW Salmon St., Suite 350
Portland, OR 97205

Location: 2445 NW Westover Road

Legal Description: Tax Lot 59, Section 33 1N1E (Book: 94, Page: 187910, 1994)

Tax Account #: R 94133-0590 **Quarter Section:** 2927

Neighborhood: Hillside (Contact Randy Weisberg at 243-2053.) Neighborhood within 400 feet: Northwest (Contact Marjorie Newhouse at 223-1580.) District Neighborhood Coalition: Neighbors W/NW (Contact Joleen P. Classen at 223-3331.)

Zoning/Designations: R1 (medium density multi-dwelling residential), "c" (environmental conservation overlay)

Land-Use Review: Adjustment

Proposal: The applicants are proposing to build a 56 unit multi-dwelling development on a portion of the site of the old St. Vincent's hospital, a 2.04 acre property on NW Westover. The proposed structure will be 190,000 square feet, in four stories, over a partially submerged parking garage with spaces for 125 cars. In accordance with this design, the applicants are requesting an adjustment to the height and the length of building wall standard for the R1 zone.

The height standard allows buildings up to 25 feet in the first 10 feet from the front property line and 55 feet in total height. (The Code allows 45 feet in height plus an extra 10 feet on sloping lots.) The proposed structure is 65 feet, as measured from the sidewalk at the highest point. The building is stepped back from the sidewalk, with the parking structure and planters forming the first story above ground at the street edge and the other four stories beginning about 20 feet back. (See attached site plan and elevations.) The applicants are requesting an adjustment to allow the

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2

OCT 23, 1996

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height to exceed the limit by up to 10 feet.

The standard regulating the length of the building wall limits wall length to 100 feet for portions of walls within the first 30 feet from the front property line. The proposed structures have a building wall which is 149 feet in length and is set back 20 feet from the front property line. The applicants are requesting an adjustment to allow the longer building wall.

The proposal will be approved if it meets the criteria of the Adjustment Review, 33.805.040 A. through F., listed below. This review will also address the policies of the State Transportation Rule, OAR 660-12-045, and their applicability to this proposal. Because the proposal does not include development within the resource area of the environmental conservation zone, environmental review is not required. The proposal has been determined to meet the standards for development with the transition area of the "c" zone.

Administrative Decision

Approval of an adjustment to allow the building to exceed the required height limit for up to 10 feet and to allow building walls of up to 149 feet in length, according to the approved site plan (Exhibit C1), signed and dated August 6, 1996 and subject to the following conditions:

- A. Sidewalks must be provided on the frontage of NW Westover in accordance with the requirements of the Bureau of Transportation Engineering and Development.

Staff Planner: Kathleen A. Stokes

Decision rendered by: Susan Feldman on August 6, 1996

Decision filed August 7, 1996

Decision mailed August 7, 1996

Appealing this decision. This decision may be appealed to the Adjustment Committee, which will hold a public hearing. Appeals must be filed by 4:30 PM on August 21, 1996 at the Permit Center (First Floor, Portland Building) on the forms provided by the Bureau of Planning. An appeal fee of \$250 will be charged. The appeal fee will be refunded if the appellant prevails. Neighborhood associations and low-income individuals may qualify for a waiver of the appeal fee. Assistance in filing the appeal and information on fee waivers are available from the Bureau of Planning in the Permit Center. Fee waivers for low income individuals must be approved prior to filing your appeal; please allow 3 working days for fee waiver approval. Fee waivers for neighborhood associations require a vote of the authorized body of your association. Please see appeal form for additional information.

You may review the file on this case at our office on the 10th floor of the Portland Building, 1120 SW Fifth Avenue; Portland, Oregon.

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 is 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 306 State Library Building, 250 Winter Street NE, Salem, Oregon 97310 [Telephone: (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

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3

OCT 23, 1996