



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GRETCHEN KAFOURY • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

AGENDA OF
MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS
FOR THE WEEK OF
October 2 - 6, 1989

- Tuesday, October 3, 1989 - 9:30 AM - Planning Items . . . Page 2
Tuesday, October 3, 1989 - 9:30 AM - Informal Meeting . . Page 2
Wednesday, October 4, 1989 - 1:30 PM - Policy Development Page 3
Committee, Portland Building,
2nd Floor, Conference Rm. C
Thursday, October 5, 1989 - 9:30 AM - Formal Page 4
Work Session . . . Page 6

Tuesday, October 3, 1989 - 9:30 AM

Multnomah County Courthouse, Room 602

In the matter of Decisions of the Planning Commission of September 11, 1989, reported for acceptance and implementation by Board Order:

HV 15-89

Approve requested 20-foot maximum front yard setback variance to allow the subject site to be developed with an apartment complex, for property located at 16060 East Burnside Street

INFORMAL

1. Informal Review of Formal Agenda of October 5

PUBLIC TESTIMONY WILL NOT BE TAKEN AT INFORMAL MEETINGS

-3-

Wednesday, October 4, 1989 - 1:30 PM

POLICY DEVELOPMENT COMMITTEE

Portland Building
Conference Room C, 2nd Floor
1120 SW Fifth

AGENDA

General Government and Support Services topics

Thursday, October 5, 1989, 9:30 AM

Multnomah County Courthouse, Room 602

Formal Agenda

REGULAR AGENDA

BOARD OF COUNTY COMMISSIONERS

- R-1 In the matter of confirmation of the nominees to the Board of Directors of the Non-Profit Corporation to operate the Multnomah County Public Library: Bill Naito, Portland businessman; Don Barney, public member of current library board; Harriet Adair, Principal, Whitaker Middle School; Matt Kramer, author; Richard Weissman, Senior Vice President, U.S. Bancorp; Bruce Ward, Library Association of Portland; Jolinda Osborne, public member of current library board; Rebecca Halverson, agent for Gresham Realty; William Failing, Portland businessman; Clifford Carlsen, Jr., attorney in private practice; Felica Trader, public member of current library board; Karen Hinsdale, wholesale merchant; Rev. Thomas Oddo, President, University of Portland

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-2 In the matter of ratification of a lease renewal agreement with the State Department of Corrections, for rental of office space in the Justice Center by State Corrections, for period July 1, 1989 to June 30, 1991

DEPARTMENT OF GENERAL SERVICES

- R-3 In the matter of ratification of an intergovernmental agreement with the State Department of Justice to allow County's contract for the purchase of Herman Miller furnishings to be used by the Department of Justice, until August 30, 1990
- R-4 In the matter of ratification of an intergovernmental agreement with the City of Beaverton to allow County's contract for the purchase of Herman Miller furnishings to be used by the City of Beaverton, until August 30, 1990
- R-5 In the matter of ratification of an intergovernmental agreement between Multnomah County Information Services Division and Washington County Juvenile Department, for the provision of computer time for the Tri-County Juvenile Information System, for period July 1, 1989 to June 30, 1990

- R-6 In the matter of ratification of an intergovernmental agreement with State Employment Workers' Compensation Department for reimbursement from State for retraining workers' compensation claimant in Juvenile Justice Division, for period September 5, 1989 to March 5, 1990

DEPARTMENT OF HUMAN SERVICES

- R-7 Notice of Intent to apply for grant from Oregon Criminal Justice Office by Juvenile Justice Division, for Gang Affected Program, for \$57,000
- R-8 Budget Modification DHS #11 reflecting additional revenues in the amount of \$170,172 from Center for Disease Control to Health Division, Federal State Fund, various line items, to reflect anticipated receipt of grant for research into innovative methods in syphilis control
- R-9 In the matter of ratification of an intergovernmental revenue agreement with the State Children and Youth Services Commission whereby County will receive \$4,261 to cover administrative costs associated with the student retention initiative services for period July 1, 1989 to June 30, 1990
- R-10 Budget Modification DHS #12 reflecting additional revenues in the amount of \$4,261 from State Community Children and Youth Services Commission to Social Services (Youth Program Office), Materials & Services, to cover administrative costs associated with Student Retention Initiative services for FY 1989-90
- R-11 Budget Modification DHS #13 making an appropriation transfer in the amount of \$6,664 with Social Services from MED Contracts to MED Operations, to cover MIS costs associated with the refinement of the Capitation Computer Tracking System

DEPARTMENT OF JUSTICE SERVICES

- R-12 In the matter of ratification of an Intergovernmental Agreement between State Corrections and Community Corrections to provide correctional services within the County within the requirements for an Option II County, pursuant to ORS 423.500 to 423.560 and the 1989-91 Multnomah County Community Corrections Plan, for period July 1, 1989 to June 30, 1991

NONDEPARTMENTAL

- R-13 In the matter of rescheduling hearing date for the Rockwood Water Public Utility District
- R-14 Resolution in the matter of encouraging business clubs to voluntarily adopt a policy of non-discrimination against individuals based on gender

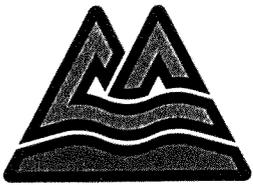
WORK SESSION

(Approximately two hours)

Continued discussion of corrections issues:

Future of Juvenile Detention Home (JDH)

Thursday Meetings of the Multnomah County Board of Commissioners are recorded and can be seen at the following times:
Thursday, 10:00 PM, Channel 11 for East and West side subscribers
Friday, 6:00 P.M., Channel 27 for Rogers Multnomah East subscribers
Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers



OCT 3 1989

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BOARD OF COUNTY COMMISSIONERS

Tuesday, October 3, 1989

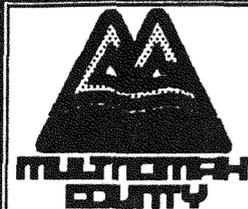
9:30 a.m., Room 602

A G E N D A

1989 SEP 28 PM 1:20
CLERK OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON

The following Decision is reported to the Board for acknowledgement by the Presiding Officer:

HV 15-89 Approve requested 20-foot maximum front yard setback variance to allow the subject site to be developed with an apartment complex, for property located at **16060 East Burnside Street**



Department of Environmental Services
Division of Planning and Development
2115 S.E. Morrison Street
Portland, Oregon 97214 (503) 248-3043

DECISION

This Staff report consists of Conditions, Findings of Fact and Conclusions.

September 11, 1989

HV 15-89, #386

Front Yard Setback Variance

Line 1.

Applicant requests a front yard setback variance of 20 feet to increase the maximum front yard setback from 20 feet to 40 feet due to a 20-foot slope easement along the northern property line. Variance would allow property to be developed with an apartment complex that meets all other requirements of the THR zoning district.

Location: 16060 East Burnside Street

Legal: Lot 2, Blk. 3, (plus vacated portion of Elizabeth Street) Meyer Mead
1988 Assessor's Map)

Site Size: 36,372 Square Feet

Size Requested: Same

Property Owner: Washington Federal Savings Bank
c/o Ward Cook, Inc., 520 SW Stark Street, 97204

Applicant: St Vincent DePaul Society
c/o James A. Miller, Architect
4621 SW Kelly Avenue, 97201

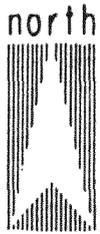
Comprehensive Plan: Transit High Density Residential District

Present Zoning THR — Transit High Density Residential

APPROVE requested 20 foot maximum front yard setback variance to allow this property to be developed with an apartment complex, based on the following Findings and Conclusions

1 KAL 10
25'
30'
31'
32'

TLR-5



CASE:..... HV 15-89
1/4 SEC MAP:..... 3046
SITE LOCATION:..... SE 1/4 SEC 36, T1N, R2E, WM
SZM SHOWN:..... 386 (NE Zoning Map Book)
MAP SCALE:..... 1 inch to 200 feet

LR-7

LD 82-81

TMR

TMR CS

THR

RESIDENTIAL
ATTACHED

TMR

TMR

THR

TO

EAST BURNSIDE STREET

MR-4

ANKENY CIR

TLR-5

THR

RESIDENTIAL
CIRCULAR DRIVE

ANKENY CIR

TLR-5

TMR

TNC

TNC

MR-3

S E STARK STREET

ZC 95-60/D

ZC 142-63

TNC

1-15-2E 16-15

N.E. 162ND AVE.

S.E. 162ND AVE.

N.E. 157TH AVE

N E 160th AVE

S E 160th AVE

S E 157th AVE

S E 157th AVE

ZC 16-75 1/2

ZC 11-69 TA

ZC 141-70

ZC 58-63

ZC 68-70

ZC 76-68

ZC 76-67

ZC 99-71

ZC 12-69

ZC 178-67

MC 12-69

ZC 56-62

ZC 143-63

ZC 145-63

ZC 95-58

31-1N

Findings of Fact:

1. Applicant's Proposal:

Applicant requests a front yard setback variance of 20 feet to increase the maximum front yard setback from 20 feet to 40 feet due to a 20-foot slope easement along the northern property line. Variance would allow property to be developed with an apartment complex that meets all other requirements of the THR zoning district.

2. Site and Vicinity Information.

- A. The subject lot is 36,372 square feet in area with 150 feet of frontage on E Burnside Street.
- B. Many of the lots along E Burnside Street in the near vicinity are developed with multiple unit housing units including those to the west across SE 160th Avenue, Those across E. Burnside Street, and to the southeast.
- C. A transit station is located at the intersection of SE 162nd Avenue and E. Burnside Street.

5. Variance Approval Criteria

The requested maximum setback increase of 100 percent from the required dimensions is classified as a Major Variance because the reduction would be more than 25 percent. Section .85905(A) states that a Major Variance shall be granted only when all the following Criteria are met:

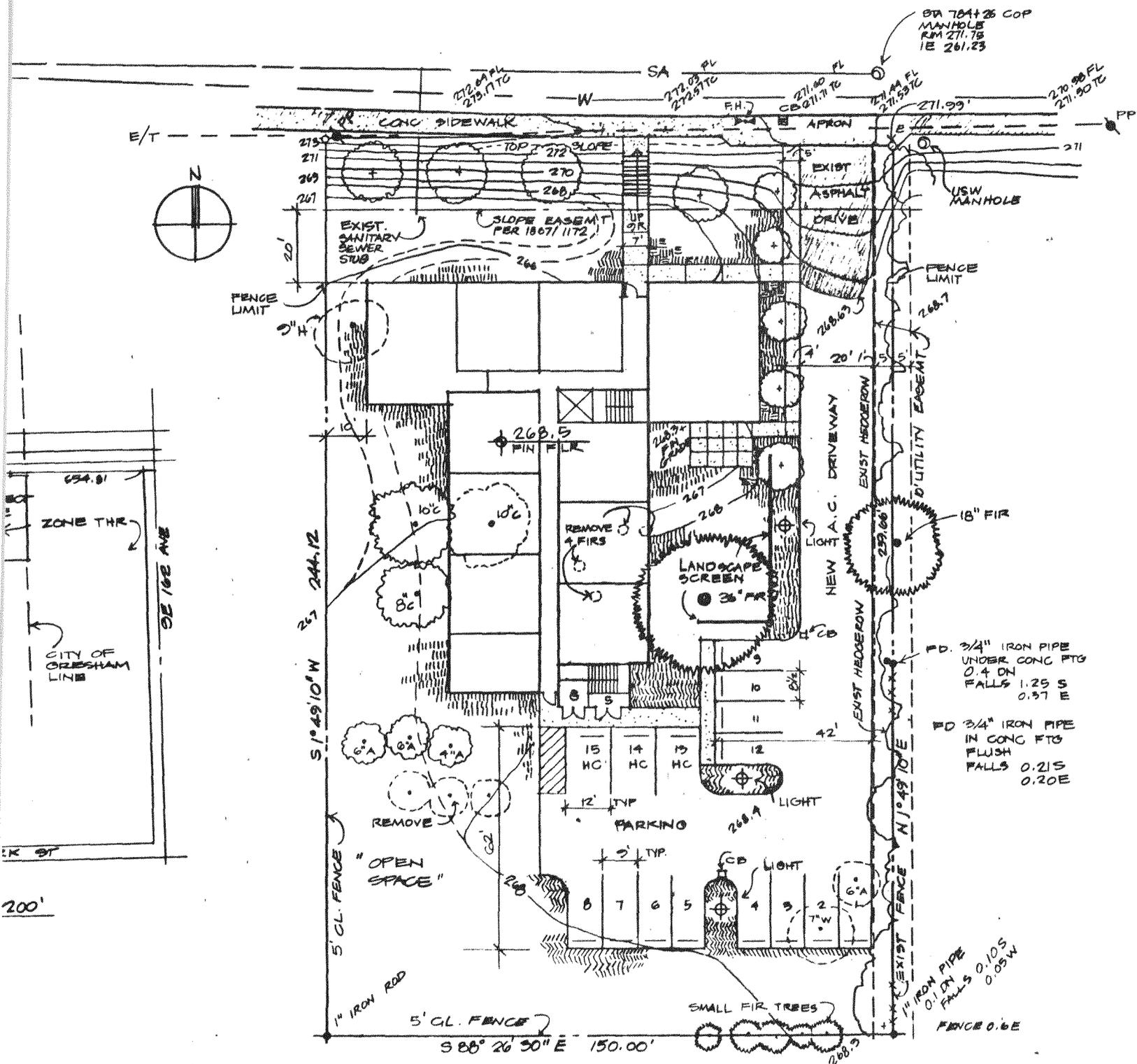
- (1). A circumstance or condition applies to the property or to the intended use that does not apply generally to other property in the same vicinity or district. The circumstance or condition may relate to the size, shape, natural features and topography of the property or the location or size of physical improvements on the site or the nature of the use compared to surrounding uses;
- (2). The zoning requirement would restrict the use of the subject property to a greater degree than it restricts other properties in the vicinity or district;
- (3). The authorization of the variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located or adversely affect the appropriate development of adjoining properties;
- (4). The granting of a variance will not adversely affect the realization of the Comprehensive Plan nor will it establish a use which is not listed in the underlying zone.

D. In Response to the above Approval Criteria, the following Findings are given:

(1) Circumstance or Condition or Nature of Use

- (a) This property has a 20 foot slope easement along its front property line, while many

E. BURNSIDE ST.
N 87° 53' 00" W



SITE PLAN 1" = 20'

- FINISH CONTOUR
- EXIST CONTOUR
- W- WATER LINE
- SA- SANITARY SEWER
- E- OVERHEAD ELECT / TEL
- ▢ CATCH BASIN
- ⊕ FIRE HYDRANT (EXIST)
- ⊙ POWER POLE
- x-x-x-x EXIST FENCE
- NEW MONUMENT
- EXIST MONUMENT

of the properties in the surrounding area have dedicated their area of that easement. If this property were to dedicate the easement area, the resulting maximum front yard setback area would be identical to what is being requested. Granting of the variance will keep that area on the tax rolls, while allowing a building setback comparable to that of adjacent properties which have dedicated the easement area.

(2) Restrict Use of the Property

Adherence to the zoning requirement would result in an actual building setback from Burnside of ten feet more than the property immediately to the east and that of property across SE 160th Avenue to the west, plus several lots across E Burnside Street.

(3). Not Be Materially Detrimental

Development of this property in a manner comparable to the development potential of surrounding properties should have no adverse impact on any of those surrounding properties.

(4). Comprehensive Plan.

Granting of the variance will not adversely affect the realization of the Comprehensive Plan because the property will be developed as envisioned by the Comprehensive Plan and THR zoning district.

Conclusion.

1. Finding Number 3. indicates that the proposed variance meets the Major Variance Approval Criteria of the Zoning Code.


By: Richard Leonard, Chairman

Filed With the Clerk of the Board on September 21 1989

Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or before 4:30 p.m. on Monday, October 2, 1989 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, October 3, 1989 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.



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October 3, 1989

Ms. Lorna Stickel, Planning Director
Division of Planning & Development
2115 SE Morrison
Portland, OR

Dear Ms. Stickel:

Be it remembered, that at a meeting of the Board of County Commissioners held October 3, 1989, the following action was taken:

In the matter of the decision of the Planning)
Commission of September 11, 1989, Case HV 15-89)

There being no notice of review before the Board for the above-entitled matters and the Board not wanting to review the matter on its own motion, upon motion of Commissioner Kelley, duly seconded by Commissioner Anderson, it is unanimously

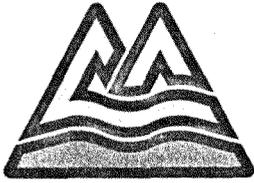
ORDERED that said Decisions, including findings, conclusions and conditions be adopted and implemented.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin
Jane McGarvin
Clerk of the Board

jm
cc: County Engineer
Assessment & Taxation



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October 3, 1989

Ms. Lorna Stickel, Planning Director
Division of Planning & Development
2115 SE Morrison
Portland, OR

Dear Ms. Stickel:

Be it remembered, that at a meeting of the Board of County Commissioners held Octobedr 3, 1989, the following action was taken:

Discussion regarding road dedications on)
proposed developments)

Commissioner Anderson said she understaood that under most conditions, there are requirements for street widening or improvements as part of the development. While Gresham wants developments, it doesn't necessarily wants street widening.

(Commissioner Bauman arrived)

Commissioner McCoy said as she understands the above-entitled matter, there was no need for street widening or improvements.

Commissioner Anderson said that even though the above-entitled matter (HV 15-89) has been approved, she would like to have some discussion by Planning Staff at some future time.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin
Jane McGarvin
Clerk of the Board

jm