



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

Charlie Hales, Mayor  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** March 18, 2013  
**To:** Interested Person  
**From:** Douglas Hardy, Land Use Services  
503-823-7816 / [Douglas.Hardy@portlandoregon.gov](mailto:Douglas.Hardy@portlandoregon.gov)

## **NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD**

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on April 8, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-122484 AD, in your letter. It also is helpful to address your letter to me, Douglas Hardy.

## **CASE FILE NUMBER: LU 13-122484 AD**

**Applicant:** David Benko  
Rocket City Neon  
6301 NE 124th St  
Vancouver, WA 98686

**Owner:** Woody Wheeler, property owner  
24th Street LLC  
2735 E Burnside St  
Portland, OR 97214

**Site Address:** 2422 SE HAWTHORNE BLVD

**Legal Description:** BLOCK 1 LOT 1&14, HELEN L STRATTONS ADD  
**Tax Account No.:** R374100010  
**State ID No.:** 1S1E01CB 19300  
**Quarter Section:** 3232

**Neighborhood:** Hosford-Abernethy, contact Joanne Stainbrook at 503-231-9245.  
**Business District:** Hawthorne Blvd. Bus. Assoc., contact Hilda Stevens at 503-774-2832.  
**District Coalition:** Southeast Uplift, contact Bob Kellett at 503-232-0010.

**Zoning:** R1 (Multi-dwelling residential 1,000)  
**Case Type:** AD (Adjustment)  
**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee.

**Proposal:**

The applicant has requested an Adjustment to the Portland Sign Code (Title 32). The Adjustment is necessary because the Sign Code limits the maximum area of a sign in the R1 zone to 50 square feet. In this case the proposed open pan channel neon sign is approximately 91 square feet (see attached plans).

The sign is composed of 3 words; "Township and Range". In this case, the Sign Code requires that an imaginary rectangle be drawn around the sign elements, including the space between, to determine the total sign area. The overall length of the sign is 41.5 feet and the highest letter is 2.17 feet, for a total of approximately 91 feet. The words "Township and" will be mounted directly on the wall and the word "Range" will be freestanding and attached on top of the canopy structure so that it is within the same plane as the other two words.

**Note:** Although the site is zoned for residential use, there are documented nonconforming rights for a commercial use at the site, so the use is allowed. This review will consider only the sign area.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are found in **32.38.030 C.1 or C.2**.

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. This application was submitted on March 4, 2013 and determined to be complete on March 15, 2013.

**DECISION MAKING PROCESS**

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

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 extended at the request of the applicant.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code and Sign Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Adjustment Committee. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day

the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

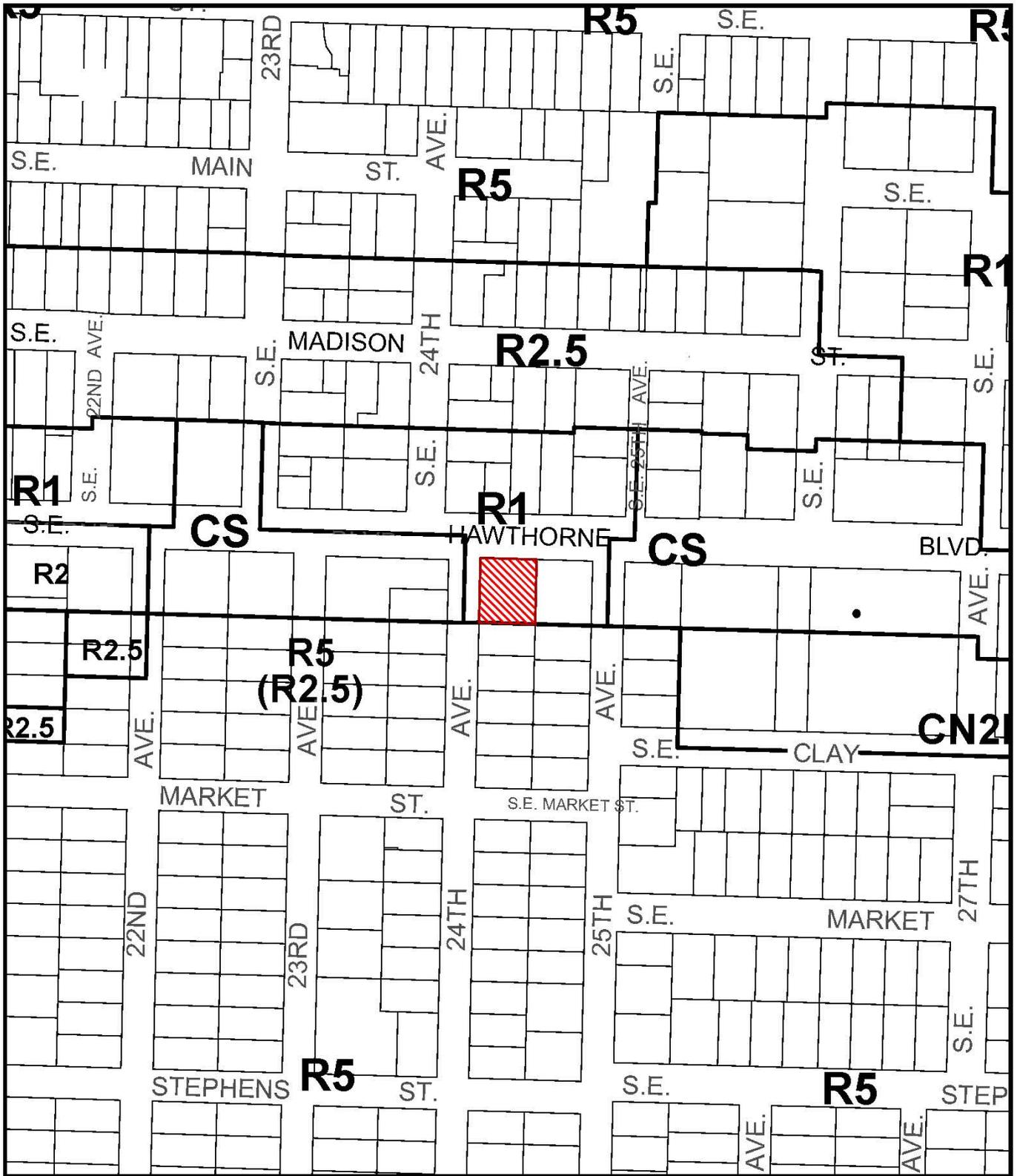
**APPEAL OF THE FINAL CITY DECISION**

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it that may also preclude an appeal to LUBA on that issue.

**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).**

**Enclosures:**

Zoning Map  
Site Plan



# ZONING



Site



Historic Landmark



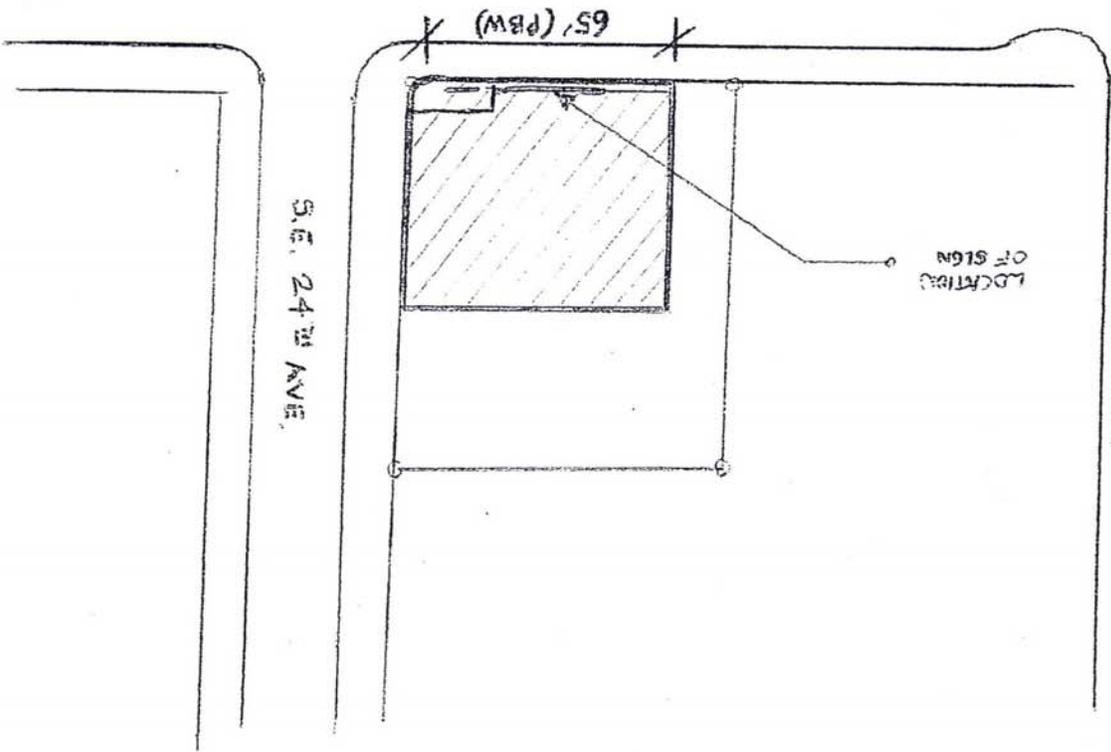
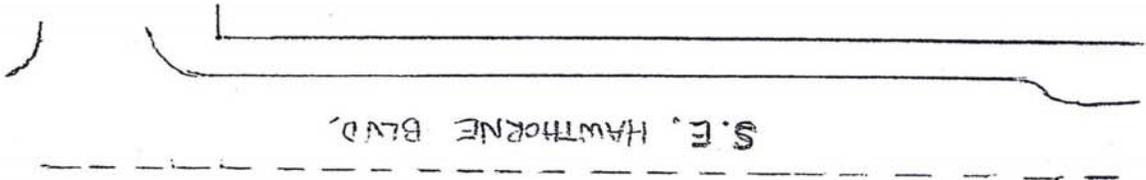
File No. LU 13-122484 AD  
 1/4 Section 3232  
 Scale 1 inch = 200 feet  
 State\_Id 1S1E01CB 19300  
 Exhibit B (Mar 04, 2013)

LN 13-122484 AD

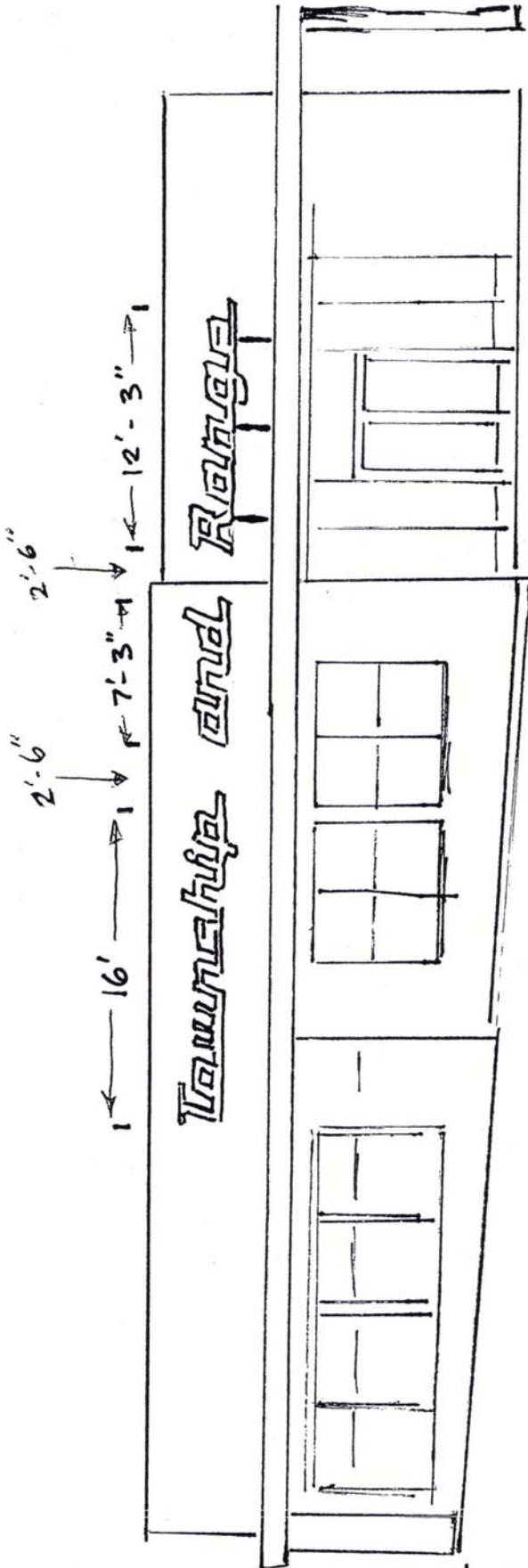
# SITE PLAN



PROJECT ADDRESS  
2422 S.E. HAWTHORNE  
PORTLAND, OR 97214



TOWNSHIP AND RANGE



LU 13-122484 AD

# Letter Dimensions

