

# 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

**Date:** April 30, 2013

**To:** Interested Person

**From:** Chris Caruso, Land Use Services

503-823-5747 / Chris.Caruso@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 May 21, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-134798 DZ, in your letter. It also is helpful to address your letter to me, Chris Caruso.

## CASE FILE NUMBER: LU 13-134798 DZ RON TONKIN CHEVROLET REMODEL

**Applicant:** Daniel Drake/LRS Architects

720 NW Davis St., Ste 300/Portland, OR 97209

**Architect:** Alex Karel/LRS Architects (503-265-1595)

720 NW Davis St., Suite 300/Portland, OR 97209

**Owners:** Ed Tonkin/REBCO Properties LLC

PO Box 20368/Portland, OR 97230

Ron Tonkin Properties

122 NE 122nd Ave/Portland, OR 97230-2103

Site Address: 122 NE 122ND AVE

**Legal Description:** TL 3300 4.85 ACRES, SECTION 35 1N 2E

**Tax Account No.:** R942351230 **State ID No.:** 1N2E35CB 03300

Quarter Section: 3043

**Neighborhood:** Hazelwood, contact Arlene Kimura at 503-252-9429.

**Business District:** Gateway Area Business Association, contact Fred Sanchez at 503-256-

3910.

**District Coalition:** East Portland Neighborhood Office, contact Richard Bixby at 503-823-

4550.

**Plan District:** East Corridor

**Zoning:** CXd, Central Commercial with design overlay

**Case Type:** DZ, Design Review

**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

#### Proposal:

The applicant seeks design review approval for alterations to the Tonkin Chevrolet building and site in the East Corridor Plan District that will include the following:

- New areas of landscaping along the SE 122<sup>nd</sup> Avenue lot line and within the surface lot;
- A new colored concrete pedestrian walkway from SE 122<sup>nd</sup> Avenue to the retail entrance:
- Demolition of the existing sales floor portion of the building and replacement with a new sales area with clear storefront windows and doors, and wrap-around overhead soffits with recessed light fixtures;
- A new metal-clad Chevrolet portal and canopy attached to the front of the new sales area, facing SE 122<sup>nd</sup> Avenue;
- Restriping and relocating sections of customer parking; and
- New short term bicycle parking.

The site will be coming closer to conformance with zoning code regulations through this remodel. Exterior alterations to existing buildings with design overlay require design review.

#### Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The relevant criteria are:

■ 33.825 Design Review

Community Design Guidelines

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 April 2, 2013 and determined to be complete on April 26, 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 is available on the internet at www.portlandonline.com.

#### APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Design Commission. 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.

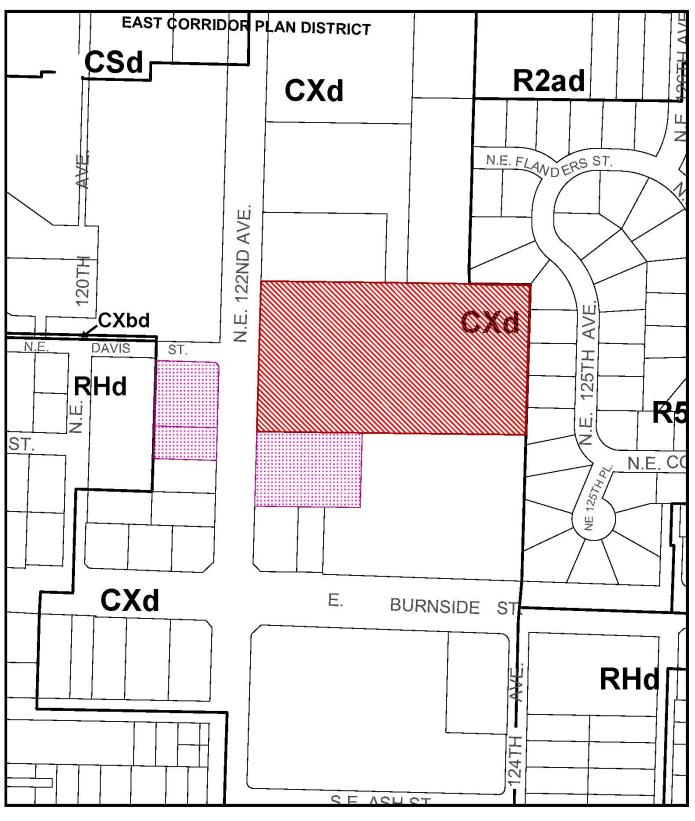
#### APPEAL OF THE FINAL CITY DECISION

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 Elevations







This site lies within the: EAST CORRIDOR PLAN DISTRICT 122ND AVE File No. <u>LU 13-134798 DZ</u>

1/4 Section <u>3043</u>

Scale <u>1 inch = 200 feet</u>

State\_Id <u>1N2E35CB 3300</u>

Exhibit <u>B</u> (Apr 08,2013)

