City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Charlie Hales, Mayor
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www.portlandoregon.gov/bds

Date: February 21, 2013

To: Interested Person

From: Kate Marcello, Land Use Services
503-823-7538 | kate.marcello@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 March 14, 2013**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-114012 HDZ, in your letter. It also is helpful to address your letter to me, Kate Marcello.

CASE FILE NUMBER: LU 13-114012 HDZ
New Basement Egress Windows

Applicant: Gary Shepherd, Oregon Land Law
P.O. Box 86159 | Portland, OR 97286 | (503) 233-1985

Owner: Thompson LLC
12515 SE 18th Ave | Milwaukie, OR 97222

Site Address: 2324 NE Thompson Street

Legal Description: BLOCK 7 LOT 20, IRVINGTON
Tax Account No.: R420401480, R420401480, R420401480
State ID No.: 1N1E26DA 10200, 1N1E26DA 10200, 1N1E26DA 10200
Quarter Section: 2832
Neighborhood: Irvington; contact Dean Gisvold at 503-284-3885
Business District: North-Northeast Business Assoc; contact Joice Taylor at 503-445-1321
District Coalition: Northeast Coalition of Neighborhoods; contact Shoshana Cohen at 503-388-5004
Plan District: None
Other Designations: Non-contributing resource in the Irvington Historic District, which was listed in the National Register of Historic Places on Oct 22, 2010
Zoning: Residential 5000 (R5) base zone;
Historic Resource Protection overlay zone
Case Type: Historic Design Review (HDZ)
Procedure: Type II (an administrative decision with appeal to the Historic Landmarks Commission)

Proposal: The applicant requests Historic Design Review approval to correct a violation of Section *33.445.320* of the Portland Zoning Code. The subject site is a single-family home designated as a Non-Contributing Resource in the Irvington Historic District.

Six existing basement window openings – two on the west façade (facing NE Thompson Street) and four on the rear façade (facing the back yard) – were enlarged to meet egress requirements associated with the conversion of the basement to living space. The existing wood windows have been removed from the window openings. They will be replaced with fiberglass windows.

Because the proposal involves non-exempt exterior alterations to an existing building in a designated Historic District, Historic Design Review approval is required.

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 *33.846.060.G: Other Approval Criteria*.

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 February 7, 2013 and determined to be complete on February 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, or
- 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 Landmarks 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.

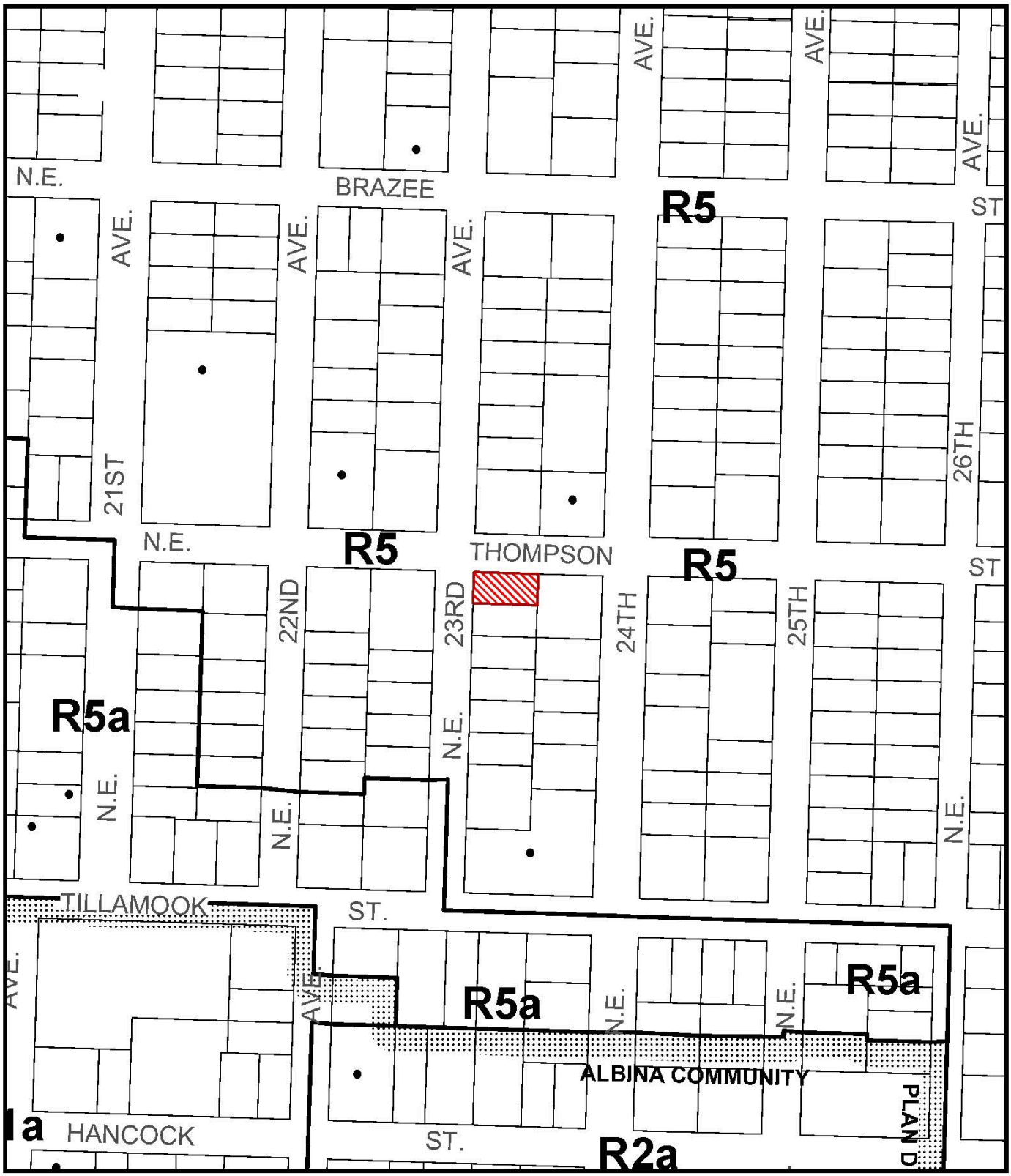
There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

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
Elevation Drawings – South Façade and West Façade



ZONING

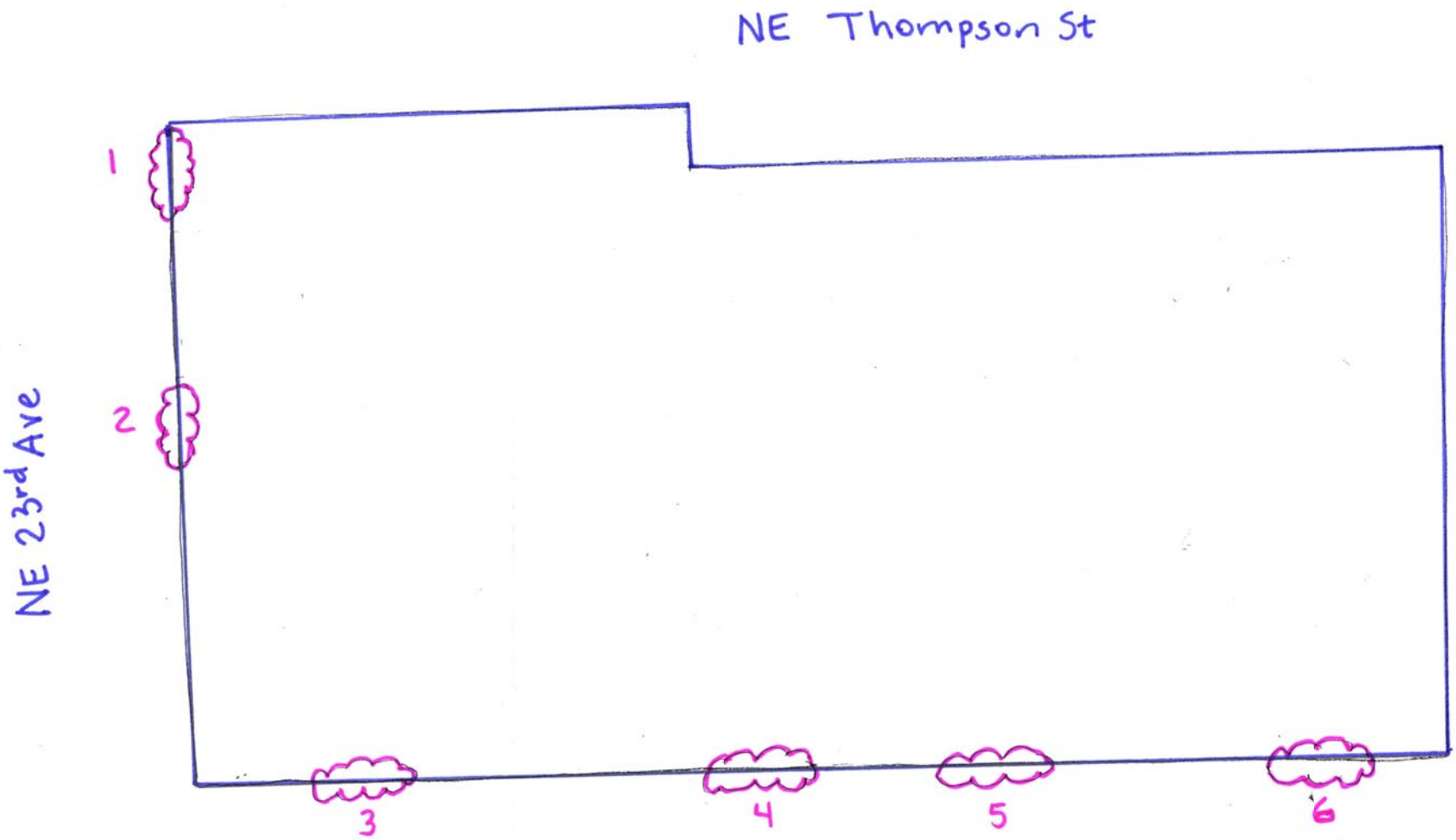
Site

Historic Landmark

NORTH

This site lies within the:
IRVINGTON HISTORIC DISTICT

File No. LU 13-114012 HDZ
1/4 Section 2832
Scale 1 inch = 200 feet
State_Id 1N1E26DA 10200
Exhibit B (Feb 08,2013)



Basement / Site Plan

N

Clouded areas indicate locations of new egress windows.

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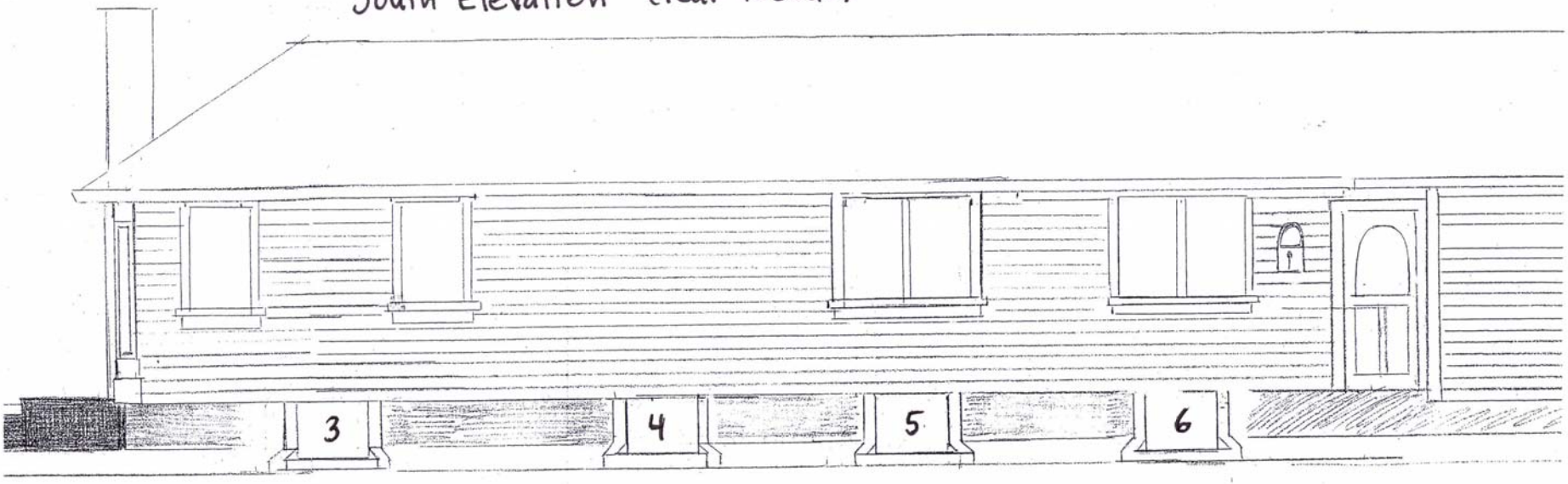
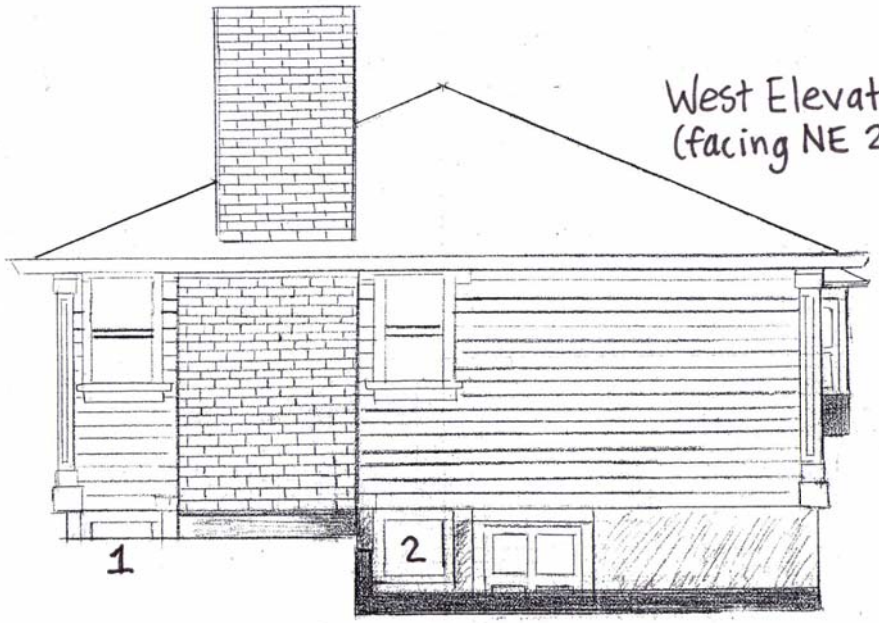
South Elevation (rear facade)



The new basement egress windows are labeled 1 through 6.

West Elevation (facing NE 23rd Ave)



2324 NE Thompson St
Case number: LU 13-114012 HDZ