

City of Portland, Oregon

Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868

www.portlandoregon.gov/bds

Date: October 3, 2013

To: Interested Person

From: Sheila Frugoli, Land Use Services

503-823-7817 / Sheila.Frugoli@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 October 24, 2013. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-207728 AD, in your letter. It also is helpful to address your letter to me, Sheila Frugoli, Senior Planner.

CASE FILE NUMBER: LU 13-207728 AD

Applicant: Bill Whitney 503-667-4252 / Whitney Architects

320 N Main Ave, Suite 203 / Gresham, OR 97030

Interested Party: Joanne Bell / Begin Right Employment Services

10905 NE Sandy Blvd / Portland, OR 97220

Owner: Gilbert Enterprises LLC

P O Box 301429 / Portland, OR 97294-9429

Site Address: 3708 NE 122ND AVE

Legal Description: BLOCK 1 LOT 1&2, BEECHWAY

Tax Account No.: R063000020 **State ID No.:** 1N2E23CC 00700

Quarter Section: 2643

Neighborhood: Argay, contact Troy Palmquist at 503-256-5445.

Business District: Parkrose Business Association, David Ableidinger at 503-258-2607. **District Coalition:** East Portland Neighborhood Office, Richard Bixby at 503-823-4550.

Plan District: None

Zoning: CO1h: Commercial Office 1 zone with the "h" Aircraft Landing overlay

zone

Case Type: AD, Adjustment Review

Procedure: Type II, an administrative decision with appeal to the Adjustment

Committee.

Proposal: The applicant is requesting an Adjustment to reduce the required maximum building setback (PCC 33.130.215.C) from 10 feet to 81 feet in order to construction an

addition to the existing office building. The applicant intends to complete a major remodel of the building, including a 676 square foot, one-story addition on the north side of the existing building. Also, the applicant intends to replace the existing windows with larger ones, replace the siding and apply a stone veneer. The main entrance of the building will be upgraded with a cover, more glazing and a taller, distinctive roof. A new pedestrian connection from the SE $122^{\rm nd}$ Avenue public sidewalk through the parking area to the building entrance will also be installed.

The Portland Zoning Code requires new buildings and building additions to be located within 10 feet of property lines that abut designated transit streets. Because NE 122nd Avenue is a designated transit street, the setback requirement applies.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. of Section 33.805.040, Adjustment Approval Criteria have been met. The relevant approval criteria are as follows:

A. Granting the adjustment will equally or better meet the **<u>purpose</u>** of the regulation to be modified; and

33.130.215 Setbacks

Purpose. The setback requirements along transit streets and in Pedestrian Districts create an environment that is inviting to pedestrians and transit users.

- **B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in a C, E, or I zone, the proposal will be consistent with the desired character of the area; and
- **E.** Any impacts resulting from the adjustment are mitigated to the extent practical.

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 September 20, 2013 and determined to be complete on September 30, 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 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.

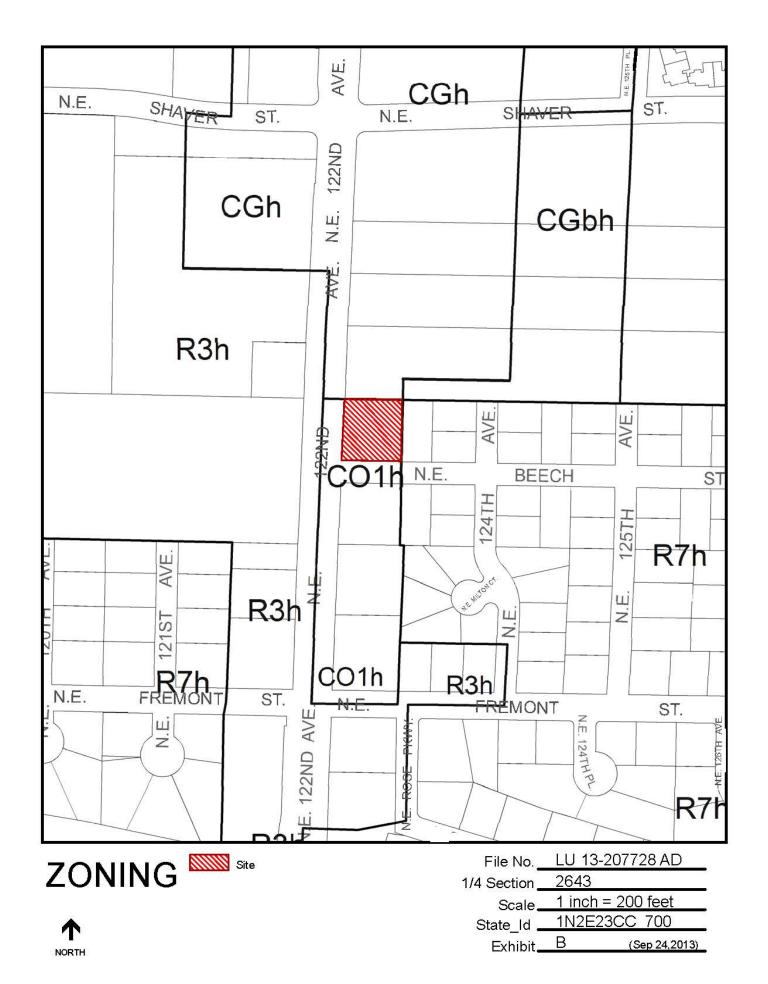
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, OR 97301-1283. 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/Landscaping Plan Proposed and Existing Exterior Elevations



ADJ-1 STATE STATE WHITNEY & ASSOCIATES BECIN BICHT EMPLOYMENT SERVICES **ADJUSTMENT** 0 LANDSCAPE PLAN A40 PROPOSED
ONE: 91ORY ADD'N EXIST, ONE STORY OFFICE BUILDING 999 99F .0-0 0 BRIA CRANEA, BPRNGUCCD F (66) 1 - GAL EX TREES SERVICES 粉粉 LAND&CAPE LEGEND DIAPETER AT BREAST EX NORMAY MAPLE EX. ARBORVITAE 10 - 0" / 30 - T LEX CRENATA COMPA JAPANERE HOLLT (36) 2-3" HGT. RIGHT EMPLOYMENT 1:04 REMODEL & ADDITION 3708 NE 122ND PORTLAND, OREGON BAV 155 NO **O**§ BITE PLAN / UTILITIES EXISTING ONE STORY ONE STORY ADD'N OFFICE BUILDING N BICE PARKING EXTEND 60 BEGIN Age age 0 0 0 9 -1 On Day Д Ш/ Щ/ EXIST, LANDSCAPING TO DE TREPTED FOR BETTER SIGHTLINES AND SECURE ш 粉粉 N E ISSND LV13-207728AD

EFEAVLIONS DISOROSED VAD VS-BOILT

3.08 METSHO VAE" HORLIVON
3.08 METSHOVAE" HORLIVON
BECHN BICHT EMBLOAMENT SEBAICES



ADJUSTMENT

WHITNEY & ASSOCIATES

TOWN SHAPE OF STATE O

N. COMP. SHINGLES

N. VINYL LOW E WINDOWS

N. HARDIBD. LAP SIDING

N. COVERED ENTRY
N. ALUM STOREFRONT AT ENTRIES

AS-BUILT WEST ELEVATION

AS-BUILT NORTH ELEVATION

AS-BUILT SOUTH ELEVATION

AS-BUILT EAST ELEVATION

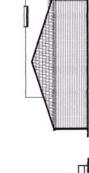
LU 13-207728AD

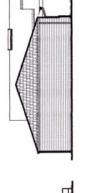


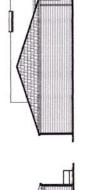
REMODEL & ADDITION 3708 NE 122ND PORTLAND, OREGON

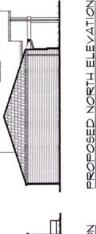
III THE BANK

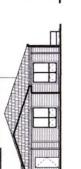
PROPOSED WEST ELEVATION

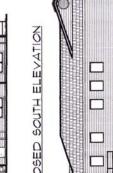


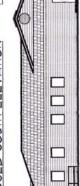














PROPOSED EAST ELEVATION

PROPOSED SOUTH ELEVATION