



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: October 31, 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 November 21, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-214003 NU, in your letter. It also is helpful to address your letter to me, Sheila Frugoli, Senior Planner.

CASE FILE NUMBER: LU 13-214003 NU

Applicant: Racquet Club
1853 SW Highland Rd
Portland, OR 97221-2731

Representative: Sam Williamson, Landscape Architect
SHWA Landscape Architecture
211 SE Madison Street
Portland, OR 97214
(503) 226-7742

Site Address: 1853 SW HIGHLAND RD

Legal Description: BLOCK 2 LOT A&4&5 TL 3000, THE HIGHLANDS PLAT 1 & 2
Tax Account No.: R828200510
State ID No.: 1S1E05CB 03000
Quarter Section: 3224

Neighborhood: Sylvan-Highlands, contact Dave Malcolm at 503-805-9587. Southwest Hills Residential League, contact Nancy Seton at 503-224-3840.

Business District: None
District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592. Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Northwest Hills - Skyline
Zoning: R10, Single Dwelling Residential

Case Type: NU, Nonconforming Situation Review

Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal: The Racquet Club is proposing to make improvements to its pool and outdoor tennis courts. Specifically, the facility plans to repair and enhance the pool area by replacing the concrete flatwork around the existing swimming pool and improving pedestrian access to the pool from the back deck near the clubhouse. Also the terrace on the south side of the pool will be expanded and two gas fire pits will be placed in that area. The club's current pool hours (10:30 am to 10 pm daily, June – September) will not change. And, a new terraced concrete seating area is proposed on the west side of the tennis courts, beneath the existing mature evergreen trees. The two embedded lineal seating areas will each be 64 feet in length, flush with the lawn. The new seating is intended to make the viewing experience more comfortable for the existing members and to serve the annual tennis events held at the facility.

The Racquet Club site is residentially-zoned. The facility, which is classified as a Retail Sales and Service Use, is allowed as a “grandfathered” legal nonconforming use. A Nonconforming Situation Review is required for the proposed exterior improvements.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The following approval criteria from 33.258.080 B.1 and 2 apply:

- B. Approval criteria.** The request will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:
 - 1. With mitigation measures, there will be no net increase in overall detrimental impacts (over the impacts of the last legal use or development) on the surrounding area taking into account factors such as:
 - a. The hours of operation;
 - b. Vehicle trips to the site and impact on surrounding on-street parking;
 - c. Noise, vibration, dust, odor, fumes, glare, and smoke;
 - d. Potential for increased litter; and
 - e. The amount, location, and nature of any outside displays, storage, or activities; and
 - 2. If the nonconforming use is in an OS or R zone, and if any changes are proposed to the site, the appearance of the new use or development will not lessen the residential character of the OS or R zoned area. This is based on taking into account factors such as:
 - a. Building scale, placement, and facade;
 - b. Parking area placement;
 - c. Buffering and the potential loss of privacy to abutting residential uses; and
 - d. Lighting and signs.

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 October 8, 2013 and determined to be complete on October 25, 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 Hearings Officer. 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.

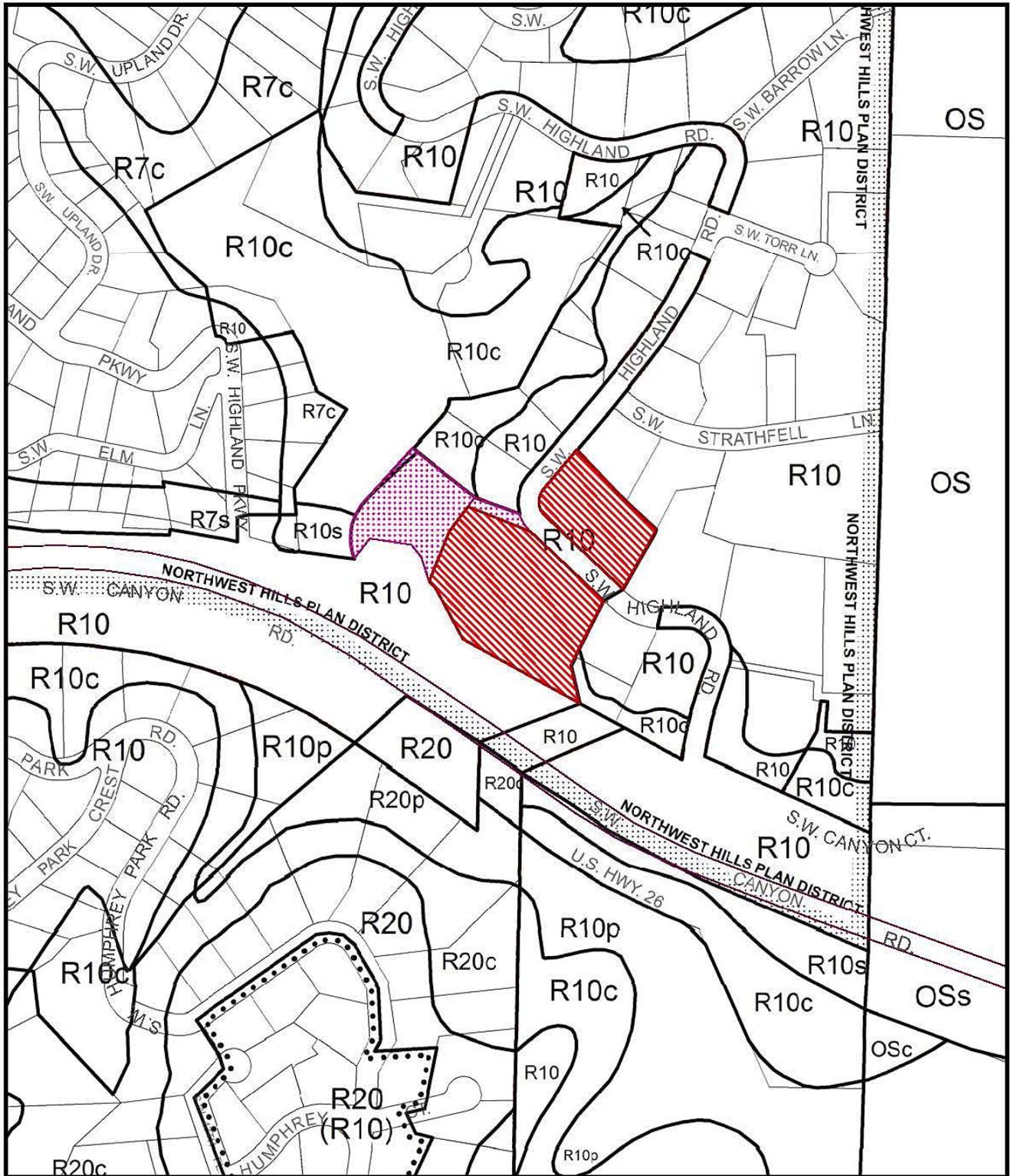
APPEAL OF THE FINAL CITY DECISION

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
Proposed Pool Improvements
Proposed Tennis Court Seating Improvements
Proposed Tennis Court Details



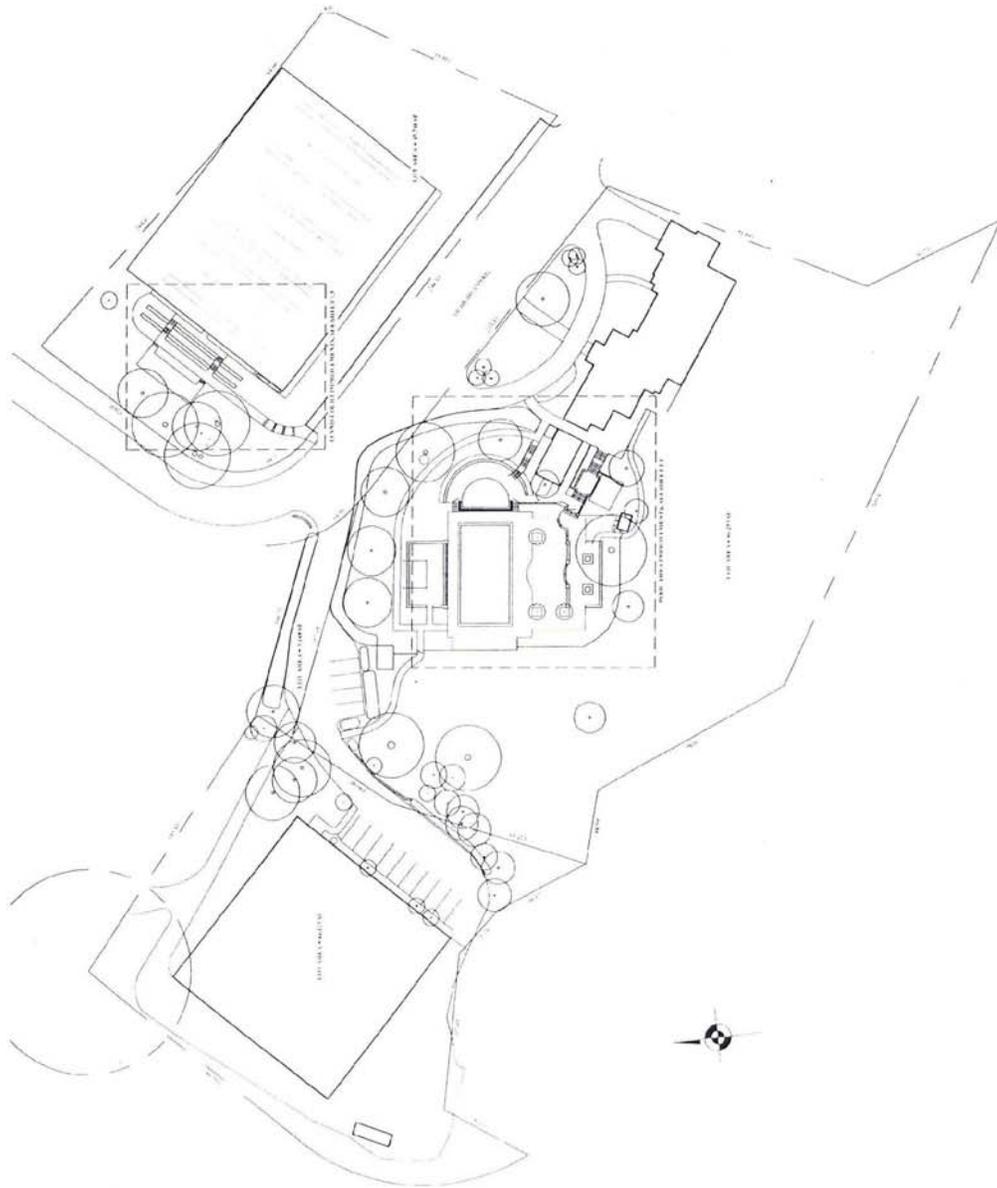
ZONING

-  Site
-  Also Owned

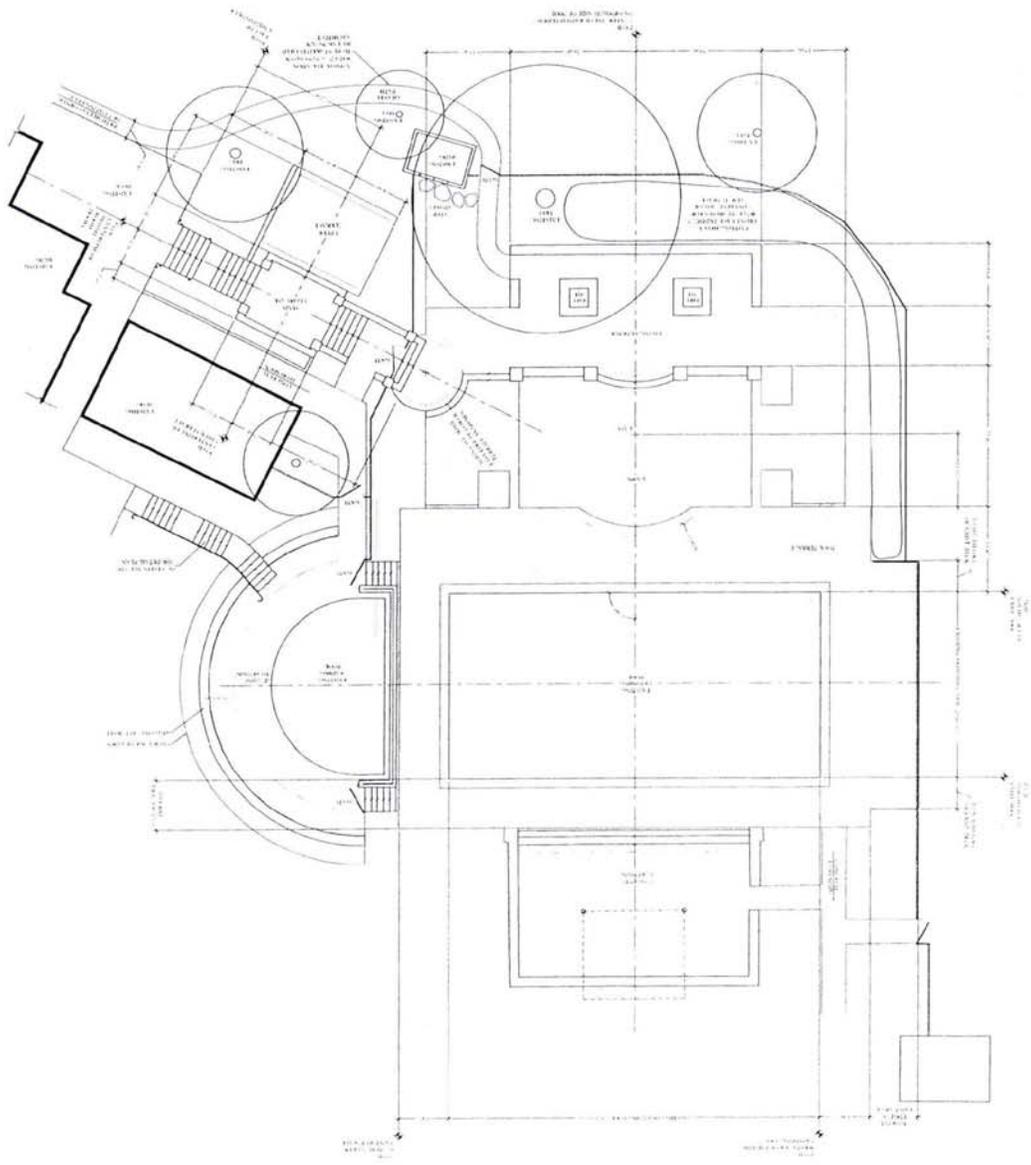


This site lies within the:
**NORTHWEST HILLS PLAN DISTRICT
 SKYLINE**

File No.	LU 13-214003 NU
1/4 Section	3224.3225
Scale	1 inch = 300 feet
State_Id	1S1E05CB 3000
Exhibit	B (Oct 15, 2013)



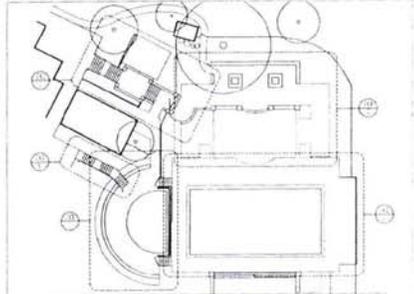
LW 13-214003 NW

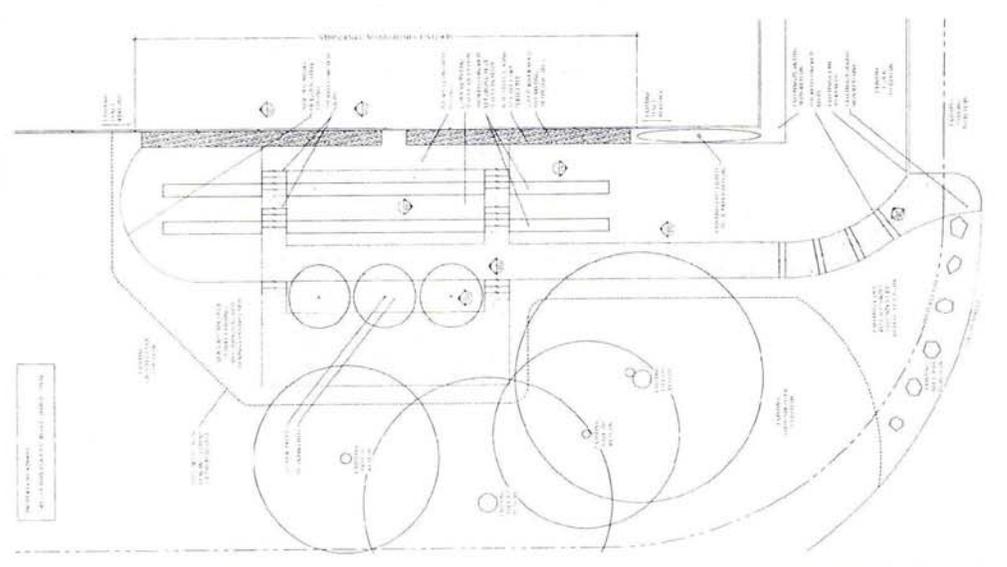
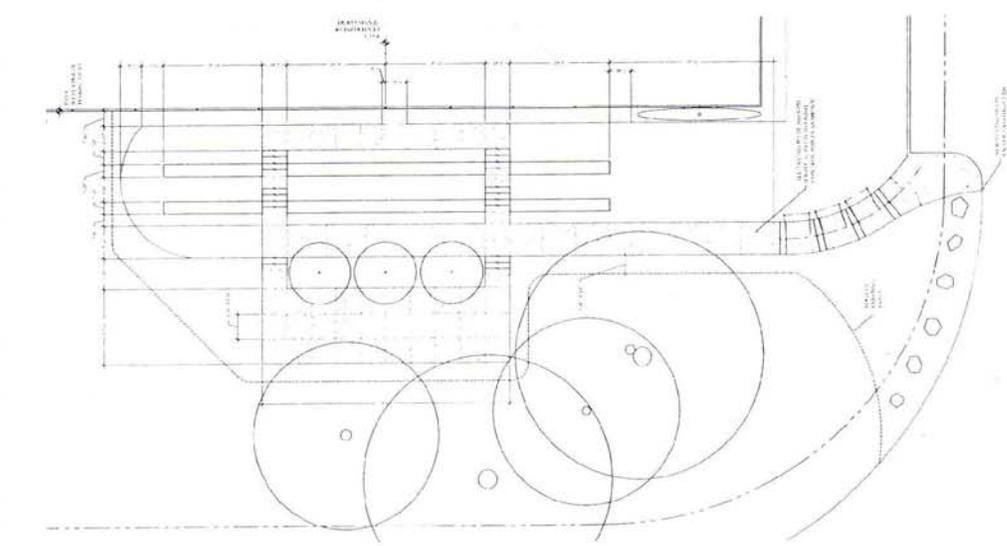
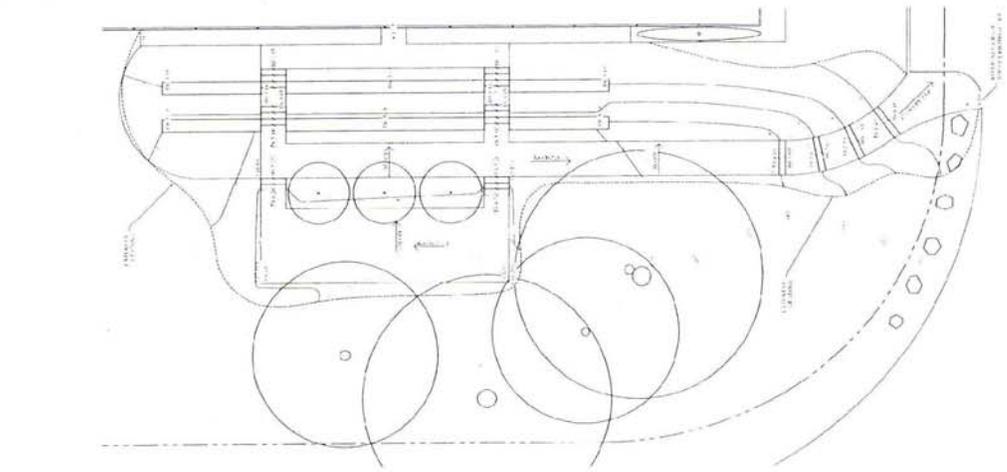
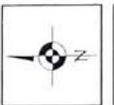


LW 13-214003 NW

NEW TO DETAIL PLANS

1. THE NEW TO DETAIL PLANS ARE TO BE USED IN CONJUNCTION WITH THE MAIN SITE PLAN AND THE LANDSCAPE MATERIALS SCHEDULE. THESE PLANS SHOW THE DETAILS OF THE LANDSCAPE ELEMENTS THAT ARE TO BE INSTALLED ON THE SITE. THE DETAILS ARE TO BE USED TO GUIDE THE INSTALLATION OF THE LANDSCAPE ELEMENTS AND TO PROVIDE A BASIS FOR THE SELECTION OF MATERIALS AND METHODS OF CONSTRUCTION. THE DETAILS ARE TO BE USED TO GUIDE THE INSTALLATION OF THE LANDSCAPE ELEMENTS AND TO PROVIDE A BASIS FOR THE SELECTION OF MATERIALS AND METHODS OF CONSTRUCTION.





15 PLAN: TENNIS COURT VIEWING AREA, GRADING

15 PLAN: TENNIS COURT VIEWING AREA, LAYOUT

15 PLAN: TENNIS COURT VIEWING AREA, SITE PLAN

LW 13-214003 NW

