



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
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Date: November 9, 2016
To: Interested Person
From: David Besley, Land Use Services
503-823-7282 / David.Besley@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 30, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-246714 NU, in your letter. It also is helpful to address your letter to me, David Besley. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 16-246714 NU

Applicant: Bruce Vincent
Bedsaul Vincent Consulting LLC
416 Laurel Avenue #3
Tillamook, OR 97141

Owner: Stacey Squires
Bronko LLC
657 SE Yamhill St
Portland, OR 97214-2326

Site Address: 1100 NE 21ST AVE

Legal Description: TL 12000 0.36 ACRES, SECTION 35 1N 1E
Tax Account No.: R941350570
State ID No.: 1N1E35AA 12000
Quarter Section: 2932

Neighborhood: Sullivan Gulch, contact Kathy Hansen at 503-221-4845
District Coalition: Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-5070

Zoning: R2.5 (Single Family Residential 2,500)

Case Type: NU (Nonconforming Situation Review)
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

Proposal:

The applicant is requesting a Nonconforming Situation Review in order to convert a 5,541 square foot portion of an existing 13,350 square foot non-conforming industrial service use building (Squires Electric) to a different industrial use – a wholesale manufacturer of baked goods (Gabriel’s Bakery) – on a residentially zoned site. Gabriel’s Bakery produces and ships bread products to grocery stores, specialty shops, restaurants, and cafes throughout the Portland metro area; the bakery will not be a commercial operation that is open to the public. Gabriel’s Bakery space will occupy the westernmost portion of the building with frontage along NE 21st Avenue and will use the two existing curb cuts and garage doors as loading bays. The easternmost portion of the building will continue to be used by Squires Electric. No new construction or improvements to the exterior are proposed as part of this application.

Because the site is residentially-zoned, a Nonconforming Situation Review is required to alter the industrial uses. The existing industrial use has been established as a legal nonconforming use through documentation that the use was established and has been maintained over time (case file 13-240146 PR).

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are 33.258.080.B.1-2 - Nonconforming Situation Review.

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 21, 2016 and determined to be complete on October 27, 2016.

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.

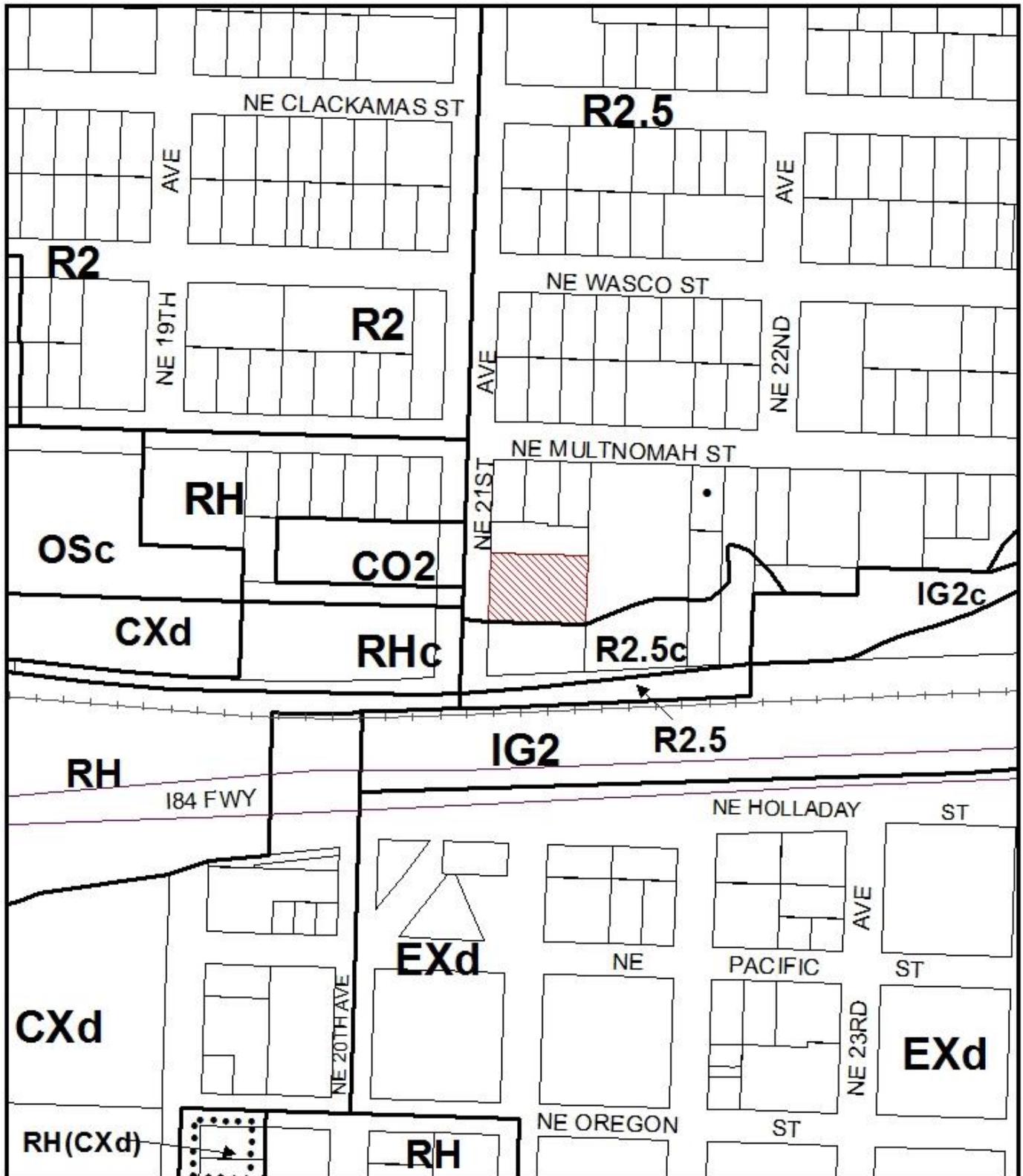
APPEAL OF THE FINAL CITY DECISION

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, Oregon 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 Plan



ZONING



- Site
- Historic Landmark

File No. LU 16-246714 NU
 1/4 Section 2932
 Scale 1 inch = 200 feet
 State_Id 1N1E35AA 12000
 Exhibit B (Sep 26, 2016)

