



**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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Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** August 16, 2013  
**To:** Interested Person  
**From:** Douglas Hardy, Land Use Services  
503-823-7816 / [Douglas.Hardy@portlandoregon.gov](mailto:Douglas.Hardy@portlandoregon.gov)

## **NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD**

Development has been proposed in your neighborhood which 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.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5:00 p.m. on September 6, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-180188 ZE, in your letter. It also is helpful to address your letter to me, Douglas Hardy.

## **CASE FILE NUMBER: LU 13-180188 ZE**

**Applicant:** City of Portland Bureau of Development Services  
Land Use Services Division  
1900 SW 4th Avenue, Suite 5000  
Portland OR 97201

**Property-Owner:** Carmela D. Smith  
4140 E Burnside Street  
Portland, OR 97214

**Property-Owner Representative:** Dan Glennon, architect  
4106 NE 32<sup>nd</sup> Place  
Portland, OR 97211

**Site Address:** 5010-5012 NE Oregon Street

**Legal Description:** Block 2&3, TL 1000, Laurelton Heights  
**Tax Account No.:** R479600240, R479600240  
**State ID No.:** 1N2E31BD 01000, 1N2E31BD 01000  
**Quarter Section:** 2935

**Neighborhood:** Rose City Park, contact Tamara DeRidder at 503-249-6977  
**Business District:** Hollywood Boosters, contact Christine Azar at 971-570-8011  
**District Coalition:** Central Northeast Neighbors, contact Alison Stoll at 503-823-3156

**Zoning:** EG2 General Employment 2  
R5 Single-Dwelling Residential 5,000

**Case Type:** Zoning Map Error (ZE)

**Procedure:** Type II, Administrative decision with appeal to the Hearings Officer

**PROPOSAL**

The Bureau of Development Services is initiating a Zoning Map Error to correct the zoning on the northwest-most and southeast-most portions of this site from R5 (Single-Dwelling Residential 5,000) to EG2 (General Employment 2), thereby reflecting the existing zoning on the remainder of the ownership. This process is necessary because the current zoning line bisects existing development that has been in industrial use, and on a site that has been in common ownership since at least 1964. This zoning map error has resulted in industrial development being located in part in a Single-Dwelling Residential (R5) zone.

**RELEVANT APPROVAL CRITERIA:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in **Zoning Code Section 33.855.070**.

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 July 16, 2013 and determined to be complete on August 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](http://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.

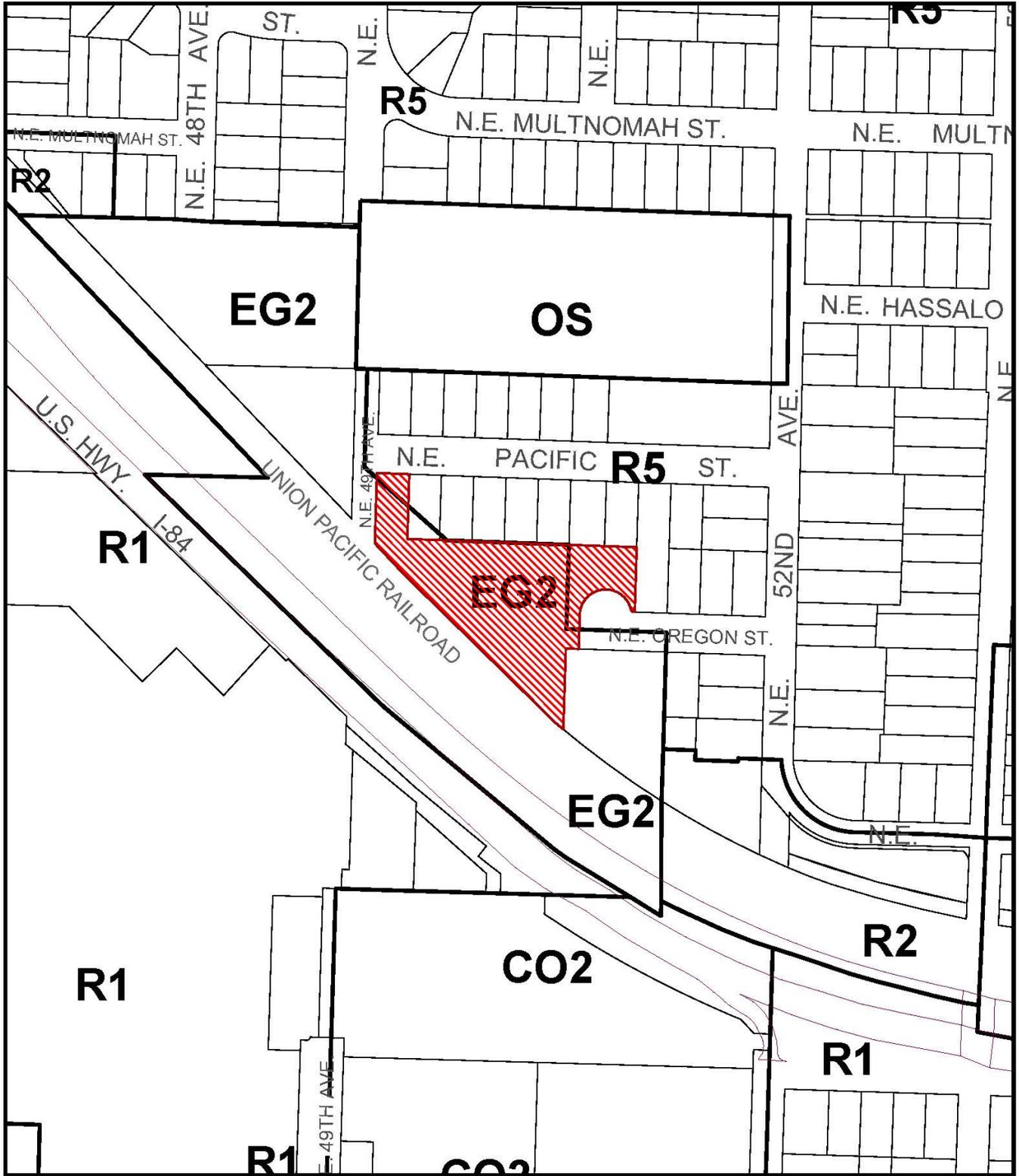
**APPEAL OF THE FINAL CITY DECISION**

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 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:**

Existing Zoning Map  
Proposed Zoning Map  
Existing Site Plan

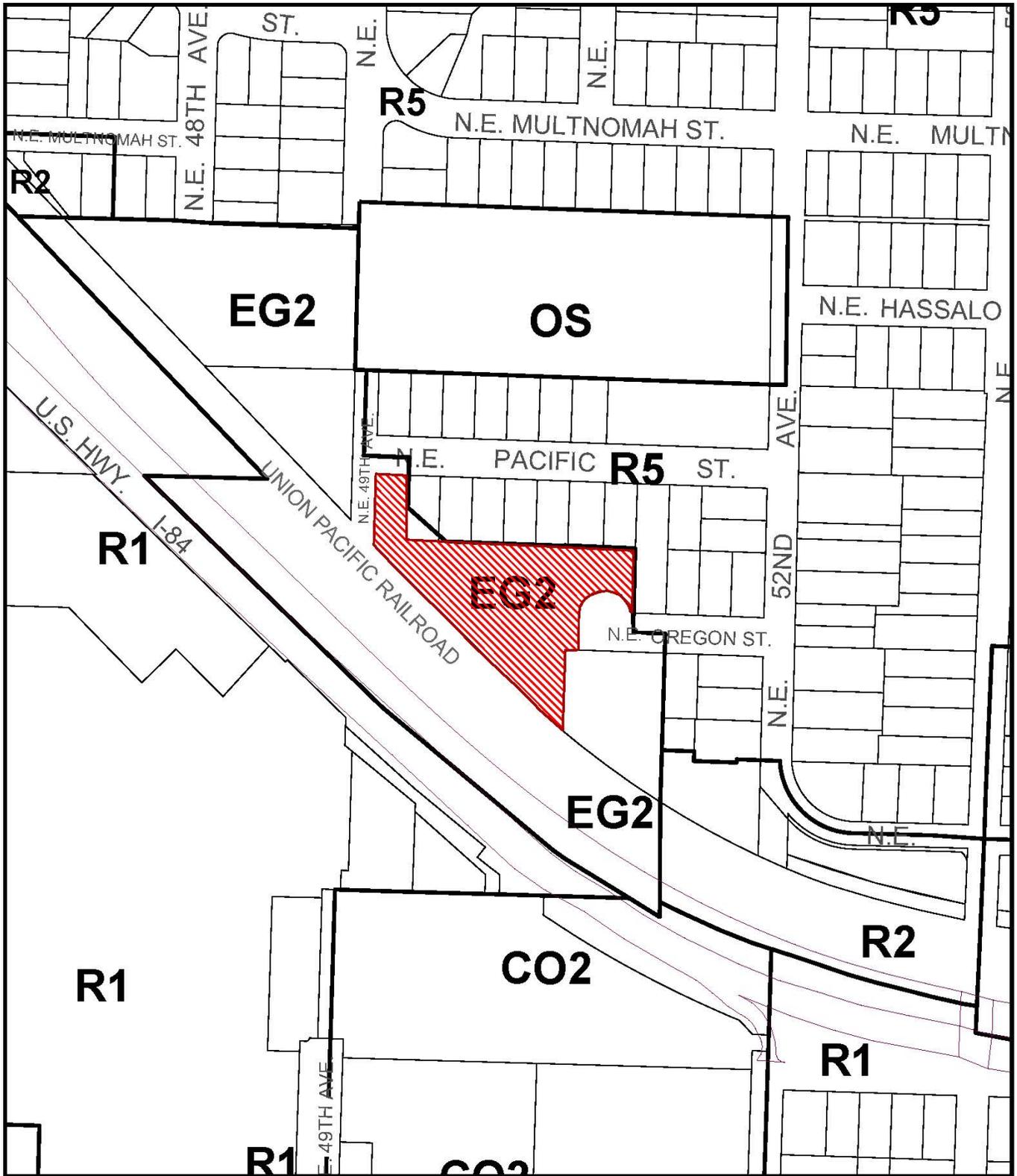


**ZONING  
EXISTING**

 Site



File No. LU 13-180188 ZE  
 1/4 Section 2935  
 Scale 1 inch = 200 feet  
 State\_Id 1N2E31BD 1000  
 Exhibit B.1 (Jul 16, 2013)



# ZONING PROPOSED

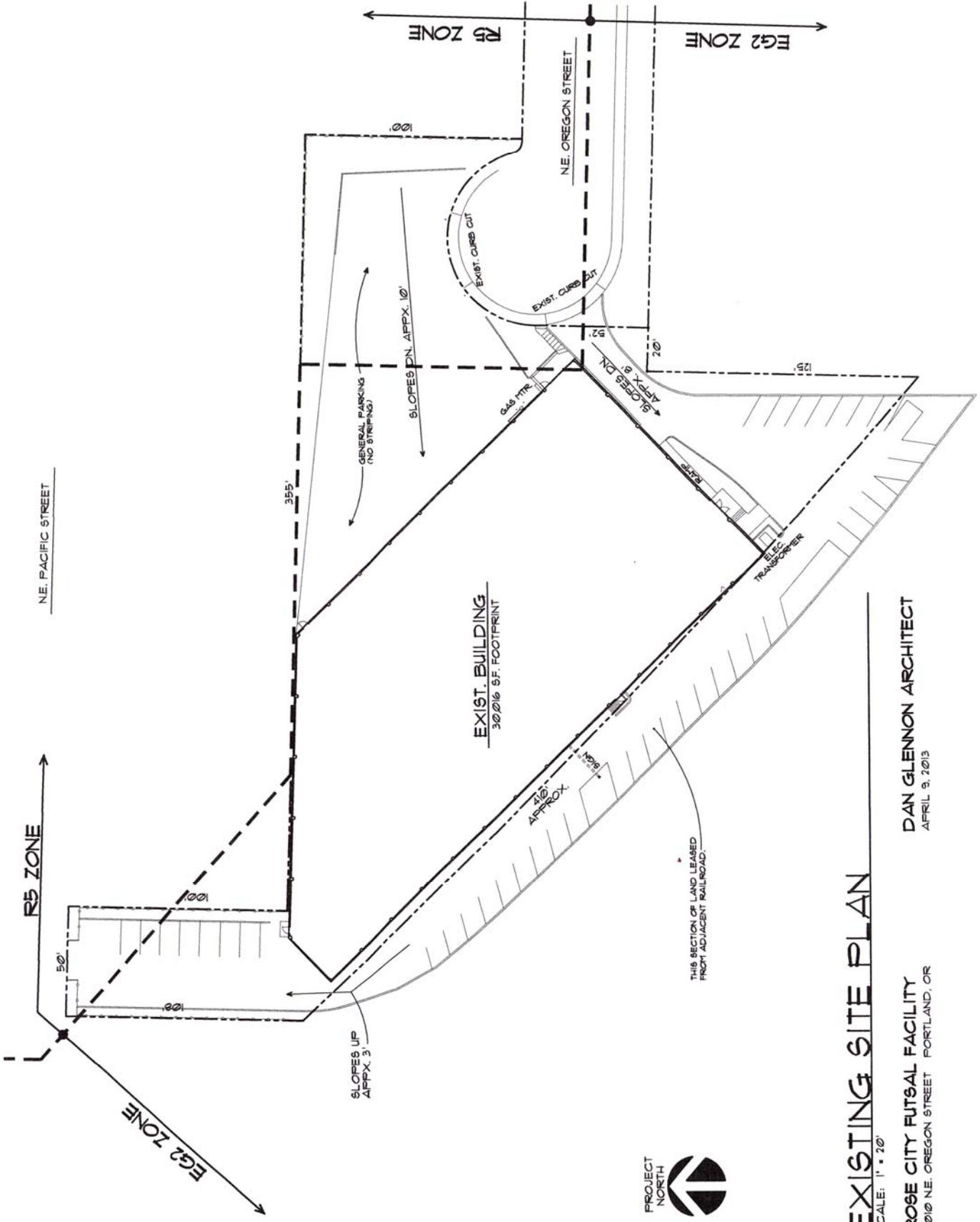


Site



NORTH

File No.	<u>LU 13-180188 ZE</u>
1/4 Section	<u>2935</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N2E31BD 1000</u>
Exhibit	<u>B.2 (Jul 16, 2013)</u>



**EXISTING SITE PLAN**

SCALE: 1" = 20'

**ROSE CITY FUTSAL FACILITY**  
 5010 N.E. OREGON STREET PORTLAND, OR

**DAN GLENNON ARCHITECT**  
 APRIL 9, 2013