



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: March 4, 2014
To: Interested Person
From: Kathleen Stokes, Land Use Services
503-823-7843 / Kathleen.Stokes@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood that requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. Copies of the site plan, elevation drawings and zoning map are 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 25, 2014.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 14-112341 AD, in your letter. It also is helpful to address your letter to me, Kathleen Stokes.

CASE FILE NUMBER: LU 14-112341 AD

Applicants: Donna Keogh
508 W 44th Street
Vancouver, WA 98660

Dan Grunewald
PO Box 1100
Wilsonville OR 97070

Owner: Brenda J Sears
4159 SE 37th Avenue
Portland, OR 97202

Site Address: 4159 SE 37TH AVE

Legal Description: BLOCK 1 S 45' OF N 90' OF W 100' OF E 200' OF LOT 6 N 45' OF E
200' OF LOT 6, WILLIAMS ADD 2

Tax Account No.: R916100310
State ID No.: 1S1E12DD 17900
Quarter Section: 3434

Neighborhood: Creston-Kenilworth, contact Tyler King at 503-735-5818.
Business District: Greater Brooklyn, contact David Weislogel at 503-872-9320.
District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.

Zoning: R2 (R2000, Low Density Multi-Dwelling Residential)

Case Type: Adjustment Review
Procedure: Type II, administrative decision with appeal to Adjustment Committee.

Proposal: The applicants are proposing the development of six residential units on this site. Each unit would be housed in a separate detached structure. One on-site parking space would be provided for each unit. A common access drive and pedestrian walkway would be finished with paving blocks or bricks, in accordance with the requirements of Title 33, the Portland Zoning Code. The Code also requires landscaping within the building setbacks and along the perimeter of the driveway and parking area. The plan calls for the required 5 feet of landscaping along the north and the west edges of the site. On the south edge of the property, there would be 5 feet of landscaping on the western portion and along the jog where the property turns to the north. On the eastern portion of the south property line, at the perimeter adjacent to the combined driveway and pedestrian pathway, there would be a landscaped area that is three feet wide. Exceptions to the Code Standards are approved through Adjustment Reviews, in accordance with state law, when all of the relevant Approval criteria are met or if the criteria can be met through conditions of approval. Therefore, the applicants are requesting approval of an Adjustment to Code Section 33.266.130 G.2, to reduce the width of the perimeter landscaping adjacent to the south side of the driveway, from 5 feet to 3 feet.

Relevant Approval Criteria: To be approved, this proposal must comply with the approval criteria of 33.805.040 A.-F., Adjustments, cited below.

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and
- 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 OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and
- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and
- D.** City-designated scenic resources and historic resources are preserved; and
- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and.
- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable.

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 January 31, 2014 and determined to be complete on February 28, 2014.

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.

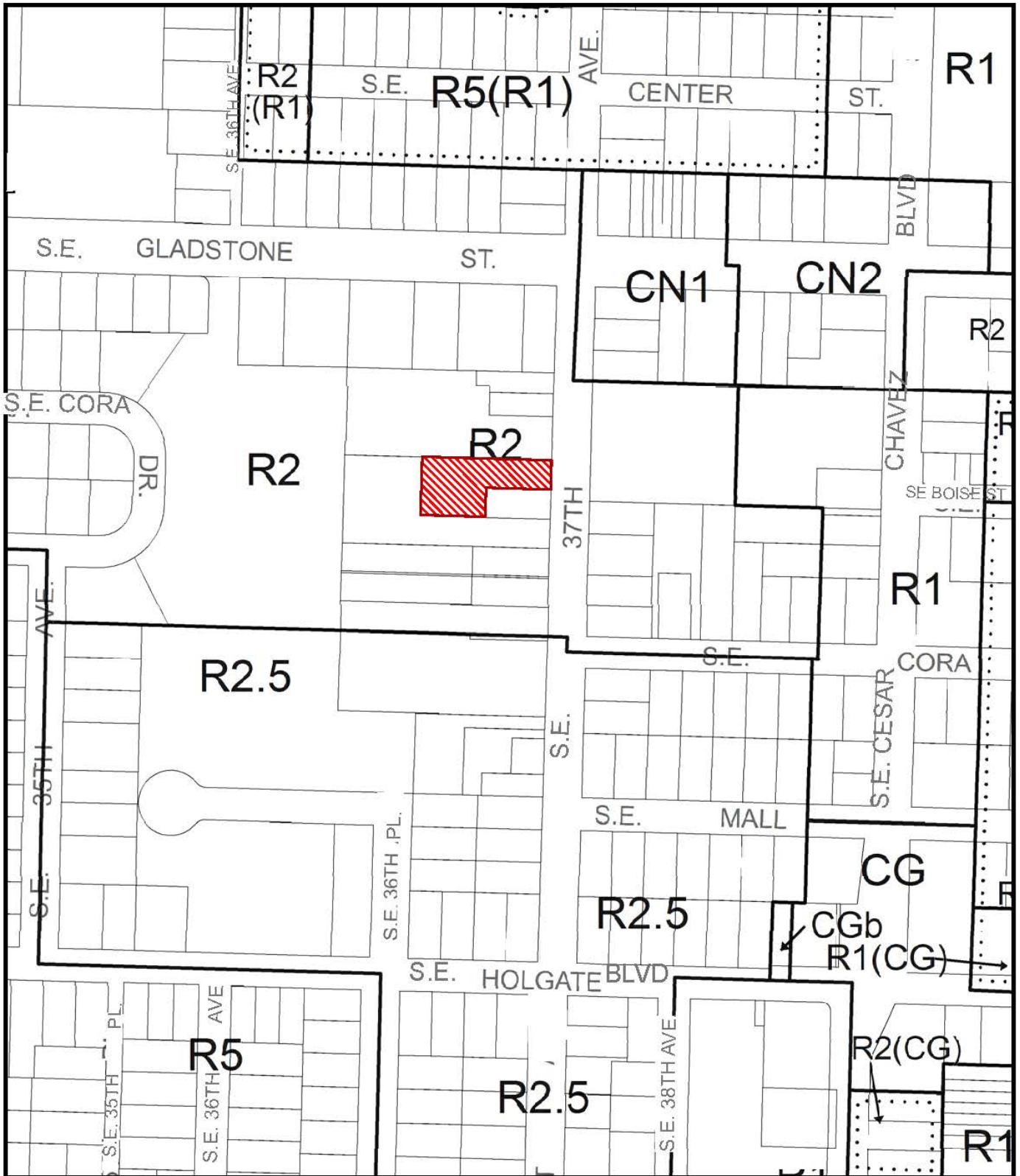
APPEAL OF THE FINAL CITY DECISION

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
Elevation Drawings



ZONING



Site



NORTH

This site lies within the:
 SOUTHEAST UPLIFT NEIGHBORHOOD
 CRESTON-KENILWORTH
 GREATER BROOKLN

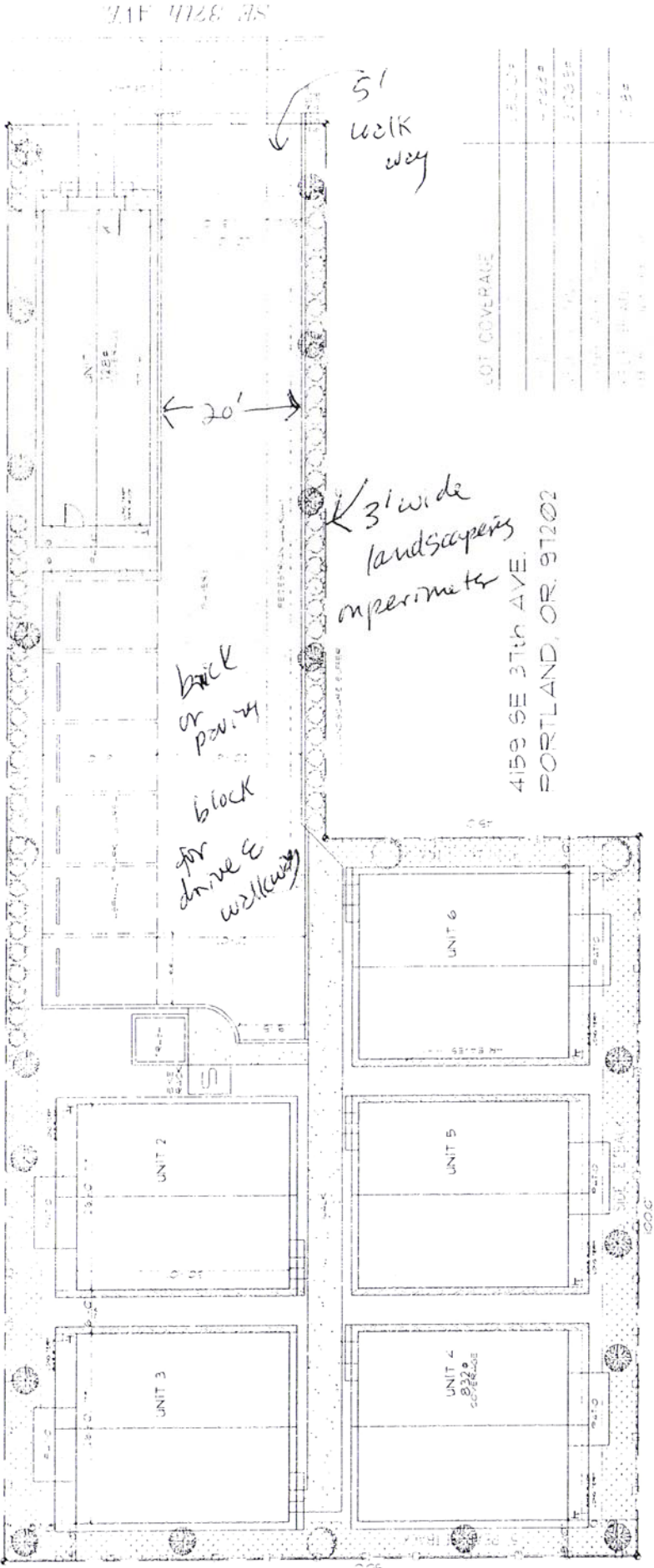
File No. LU 14-112341 AD

1/4 Section 3434

Scale 1 inch = 200 feet

State_Id 1S1E12DD 17900

Exhibit B (Feb 05, 2014)



SE 37th AVE

| | |
|--------------|-----|
| LOT COVERAGE | 50% |
| | 75% |
| | 75% |
| | 75% |
| | 75% |
| | 75% |

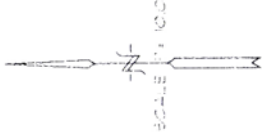
OWNER:

DAN GRUNEWALD
 PO BOX 1100
 WILSONVILLE, OR 97107
 Cell: 503-705-0708
 Fax: 503-658-0425

LEGAL DESCRIPTION:

151E12DD 17900
 R308464
 MAP: 3434 OLD
 PORTLAND, ORE.
 MULTNOMAH CO.

4159 SE 37th AVE.
 PORTLAND, OR. 97202



| DATE | REVISION | DESCRIPTION |
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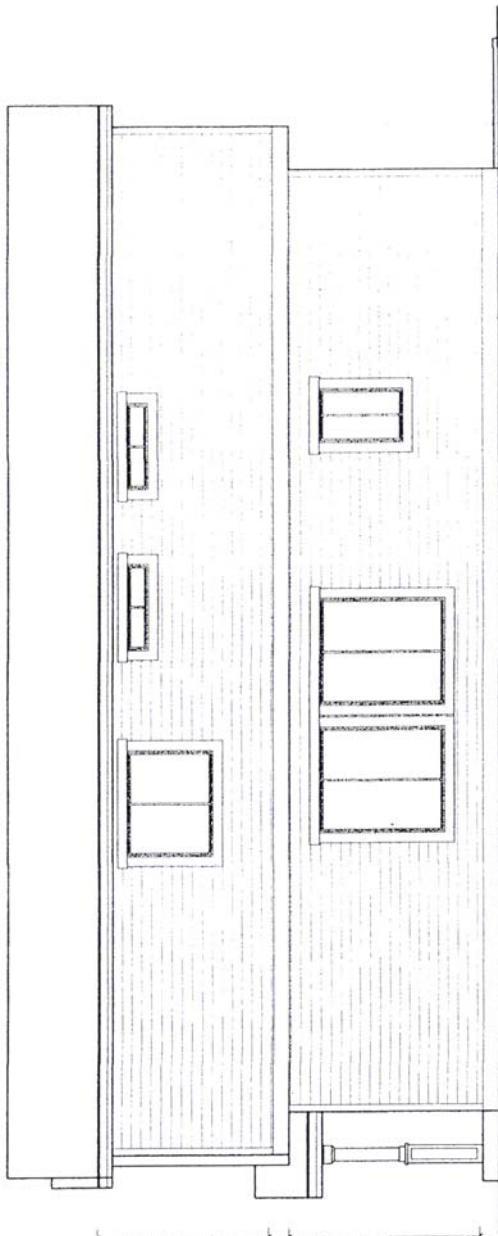
DAN GRUNEWALD

project
 SE 37th Ave

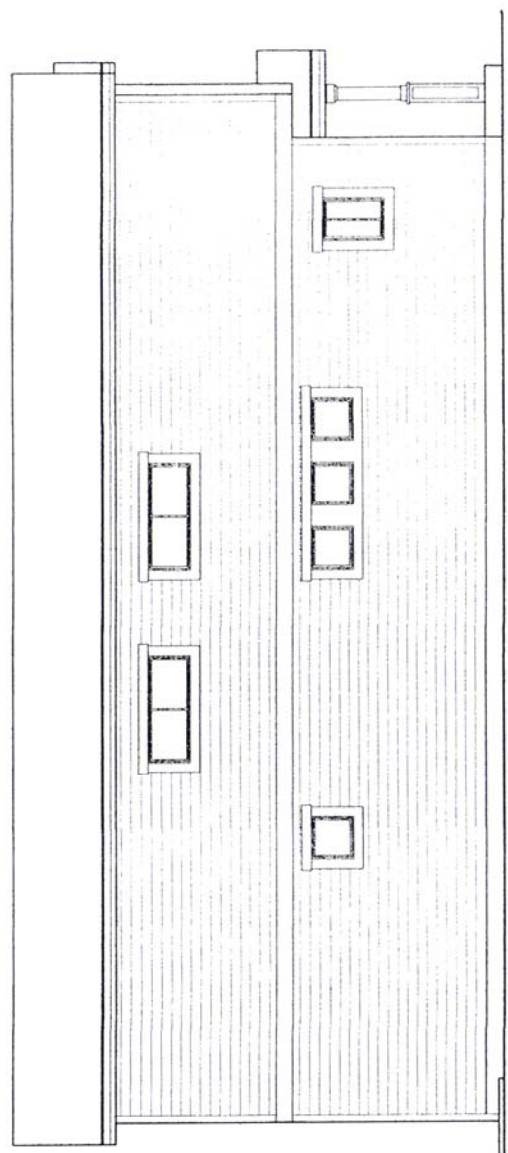
plan

SITE
 1/7/14

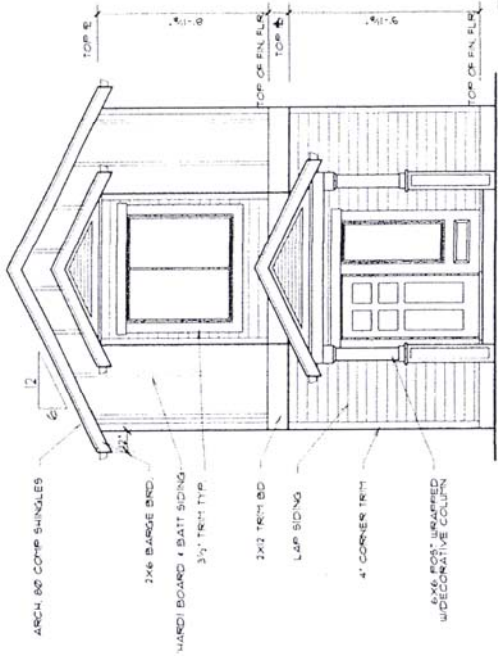
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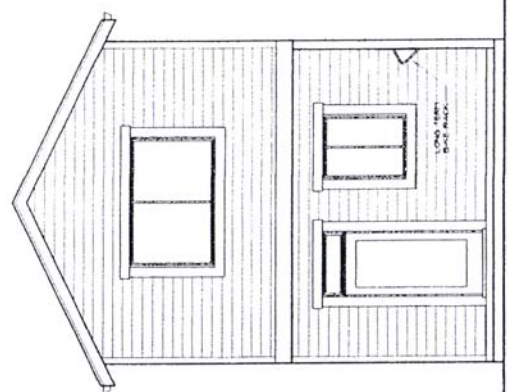
RIGHT ELEVATION



LEFT ELEVATION



FRONT ELEVATION
UNIT 1



REAR ELEVATION

Unit 1 elevation drawings
 2014-112341 AD