



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: October 3, 2016
To: Interested Person
From: Don Kienholz, Land Use Services
503-823-7771 / Don.Kienholz@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, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-242379 AD, in your letter. It also is helpful to address your letter to me, Don Kienholz. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 16-242379 AD

Applicant: Ken Wiesler
624 NE 64th Ave
Portland, OR 97213

Owner: Nathan A Cornell
87 NE Morris St
Portland, OR 97212-3016

Site Address: 87 NE MORRIS ST

Legal Description: BLOCK 10 E 1/2 OF LOT 13, WILLIAMS AVE ADD
Tax Account No.: R916403420
State ID No.: 1N1E27AA 22900
Quarter Section: 2730

Neighborhood: Eliot, contact Mike Warwick at 503-284-7010.
Business District: North-Northeast Business Assoc, contact at chair@nnebaportland.org.
District Coalition: Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-5070.

Plan District: Albina Community
Other: Eliot Conservation District
Zoning: R2a – Residential 2,000 with an Alternative Design Density (“a”) overlay zone.

Case Type: AD – Adjustment Review
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

Proposal:

The subject property is a corner lot in the R2 zone with an existing dwelling, but with no on-site parking space. The Off-Street Parking and Loading code requires new parking spaces for household living units to be 9x18-feet in dimension [33.266.120(D)] and, in the case of a corner lot, outside the required 5-foot street side setback [33.266.120(C)(1)]. The applicant is proposing to locate a 9x18-foot parking space five-feet into the required street side setback and as such is seeking an Adjustment to the Parking Space Location required under 33.266.120(C)(1).

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.

33.805.040 Approval Criteria

- 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 an 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 (*not applicable*)**
- D. City-designated scenic resources and historic resources are preserved; (*not applicable*)**
- 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; (*not applicable*)**

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 13, 2016 and determined to be complete on September 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.

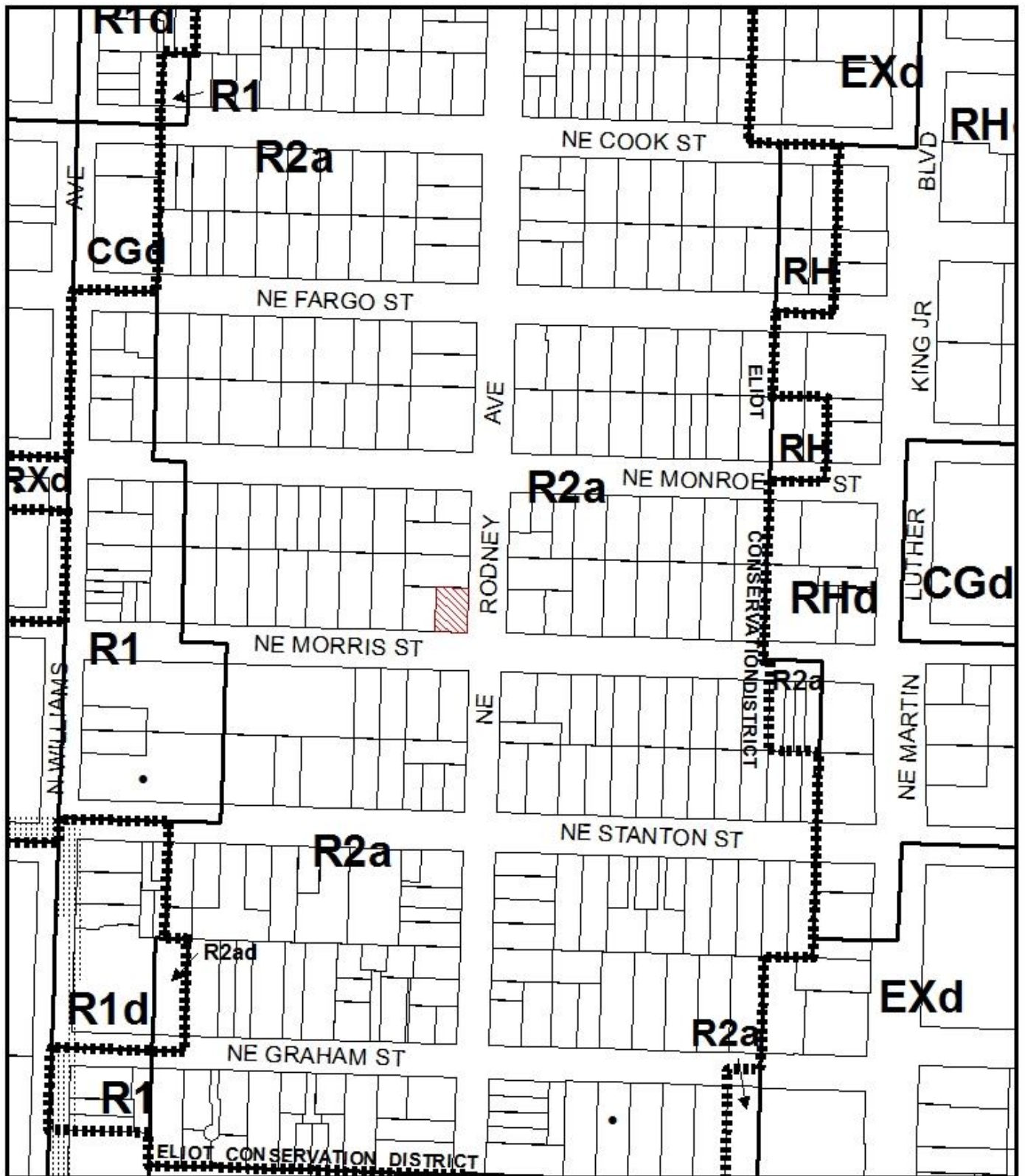
APPEAL OF THE FINAL CITY DECISION

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



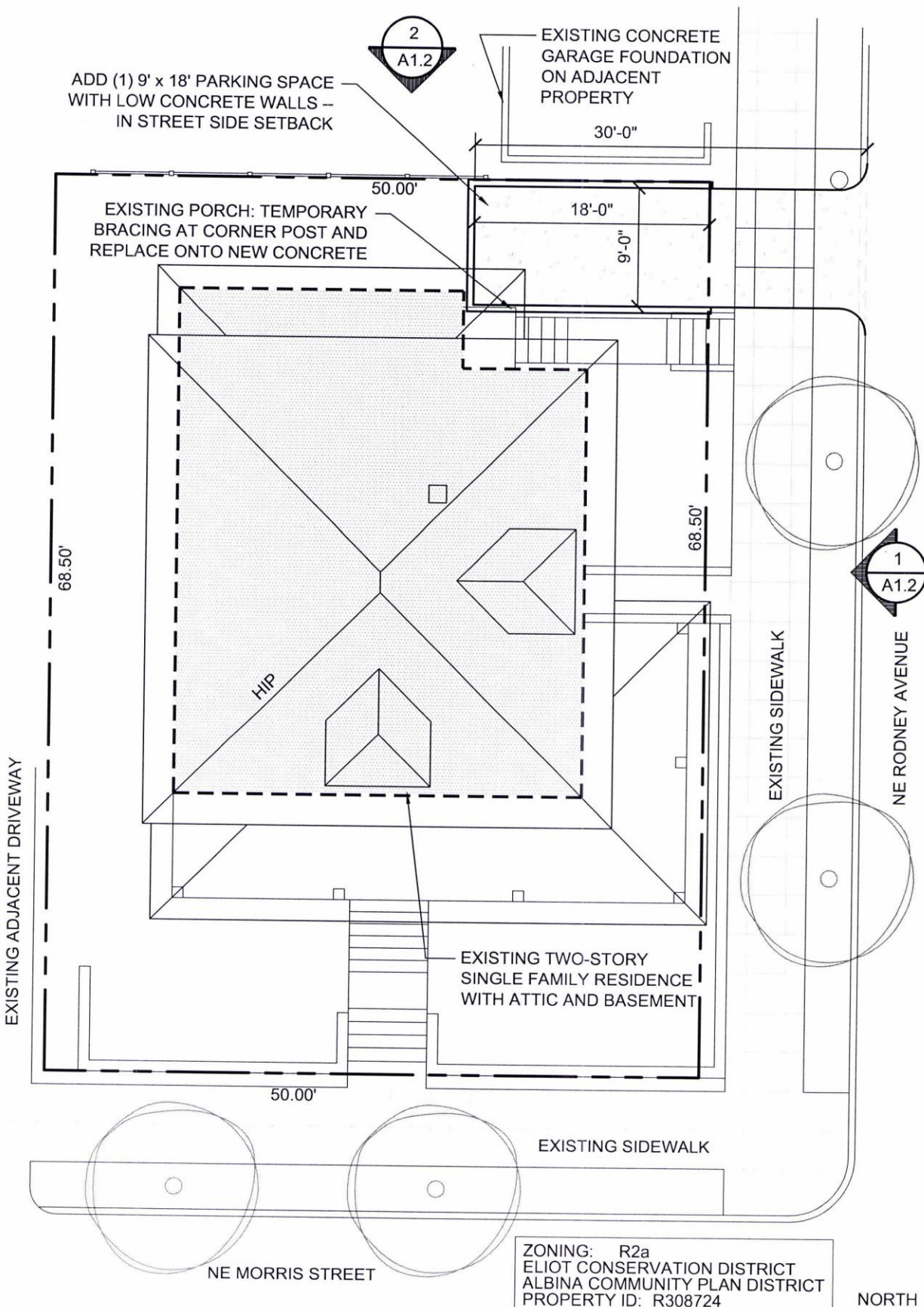
ZONING

-  Site
-  Historic Landmark



This site lies within the:
 ALBINA COMMUNITY PLAN DISTRICT
 Eliot CONSERVATION DISTRICTS

File No.	<u>LU 16-242379 AD</u>
1/4 Section	<u>2730</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E27AA 22900</u>
Exhibit	<u>B (Sep 15, 2016)</u>



ADD (1) 9' x 18' PARKING SPACE WITH LOW CONCRETE WALLS -- IN STREET SIDE SETBACK

EXISTING CONCRETE GARAGE FOUNDATION ON ADJACENT PROPERTY

EXISTING PORCH: TEMPORARY BRACING AT CORNER POST AND REPLACE ONTO NEW CONCRETE

EXISTING TWO-STORY SINGLE FAMILY RESIDENCE WITH ATTIC AND BASEMENT

EXISTING ADJACENT DRIVEWAY

EXISTING SIDEWALK

EXISTING SIDEWALK

NE MORRIS STREET

NE RODNEY AVENUE

1 SITE PLAN
1" = 10'-0"

ZONING: R2a
ELIOT CONSERVATION DISTRICT
ALBINA COMMUNITY PLAN DISTRICT
PROPERTY ID: R308724
LOT SIZE: 3,425 SF



16 - 2 4 2 3 7 9

Ken Wiesler
Residential Design
and Consulting
503.866.9535
ken@spiretech.com

CORNELL PARKING SPACE
NATHAN CORNELL 87 NE MORRIS STREET PORTLAND, OR 97212

SITE PLAN

ADJUSTMENT REVIEW
09/13/16

REVS:
A1.1