



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner
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www.portlandoregon.gov/bds

Date: February 24, 2017
To: Interested Person
From: Stephanie Beckman, Land Use Services
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Andrew Gulizia, Land Use Services
503-823-7010 / Andrew.Gulizia@portlandoregon.gov

**NOTICE OF A PUBLIC HEARING ON A PROPOSAL
IN YOUR NEIGHBORHOOD**

CASE FILE: LU 16-179844 PD CU
REVIEW BY: Hearings Officer
WHEN: April 5, 2017, 9 A.M.
(postponed from previously scheduled date)
WHERE: 1900 SW Fourth Ave., Suite 3000
Portland, OR 97201

It is important to submit all evidence to the Hearings Officer. City Council will not accept additional evidence if there is an appeal of this proposal.

Development has been proposed in your neighborhood requiring 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 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.

Applicant/Owner: YMCA of Columbia-Willamette
9500 SW Barbur Blvd., ste. 200
Portland, OR 97219

**Applicant's
Representatives:** Mike McKenna (Project Manager) 503-223-7666
Summit Real Estate Management
3811 SW Barbur Blvd.
Portland, OR 97239

Robert Leeb (Architect) 503-228-2840
Leeb Architects
308 SW First Ave. #200
Portland, OR 97204

Catherine Corliss (Planner) 503-227-3674
Angelo Planning Group
921 SW Washington St., ste. 468
Portland OR 97205

Site Address: 6036 SE FOSTER RD

Legal Description: TL 10600 0.28 ACRES, SECTION 07 1S 2E; TL 8100 1.26 ACRES LAND & IMPS SEE R332991 (R992071781) FOR BILLBOARD, SECTION 07 1S 2E

Tax Account No.: R992071370, R992071780

State ID No.: 1S2E07DD 10600, 1S2E07DD 08100

Quarter Section: 3436

Neighborhood: Creston-Kenilworth, contact Zachary Smith at 503-866-8575.

Business District: Foster Area, contact Venture Portland at 503-477-9648.

District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Zoning: R2.5 (Single-Dwelling Residential 2,500) and CG (General Commercial)

Case Type: PD CU – Planned Development Review and Conditional Use Review

Procedure: Type III, with a public hearing before the Hearings Officer. The decision of the Hearings Officer can be appealed to City Council.

Proposal:

The applicant proposes to redevelop this 1.45 acre site with a new daycare facility, 54 multi-dwelling residential units, and 55 parking spaces. All existing structures would be removed. Two buildings are proposed on the site: a 4-story mixed use building that includes the daycare on the ground floor and 52 units above fronting on SE Foster Road, and a 3-story 12-unit residential building located in the interior of the site. Vehicle access is proposed via a two-way drive aisle that runs through the site between SE Foster Road and SE Holgate Blvd. The parking area will serve both the daycare and residential uses. A 6-foot high cedar fence and landscaping is proposed along the east and west property lines. Protection of existing trees (on and off-site) is proposed along the western property line.

Land use reviews are required because a portion of the site is within the single-dwelling residential (R2.5) zone. The proposed uses are allowed by right in the commercial (CG) zoned portion of the site along SE Foster. The land use reviews requested are described below.

A Conditional Use Review is required to locate a new daycare facility in the R2.5 zone (Zoning Code Sections 33.110.100, 33.815.070). The proposed daycare is approximately 13,000 square feet (replacing the current 13,882 square foot facility). Capacity is not expected to change. The daycare will be on the first level of the proposed mixed-use building. A 1,465 square foot outdoor play area is proposed at the rear of the daycare, with access from the indoor play area located at the rear of the building. Van and parent drop-off areas are identified on the site plans.

A Planned Development Review is required to locate multi-dwelling residential development (and related vehicle access, parking and amenities) in the R2.5 zone. The Planned Development Review would not increase the allowable number of dwelling units on the site, but allows alternative housing types to be considered. As noted above, a 3-story 12-unit multi-dwelling residential building is proposed within the interior of the site (up to 19 units could be allowed within the R2.5 portion of the site based on site area). The residential component of the 4-story building is located completely in the commercial zone. In addition to parking, outdoor amenities for residents located in the R2.5 zone include a seating/gathering space and a dog walk area.

The applicant is also requesting two modifications to development standards as part of the Planned Development Review:

- Maximum building setback from SE Foster Road (33.130.215.C). Fifty percent of the street facing façade of the building is required to be within 10 feet of the transit street. The proposed building has 42 percent the façade within 10 feet of SE Foster. The remainder of the building is setback 33.5 feet. The applicant proposes an entry plaza and landscaping north of the driveway to provide safe entry for pedestrians and improved visibility for vehicles entering and exiting the site.

- Minimum landscaped area in the CG zone (33.130.225). Fifteen percent of the site area in the CG zone is required to be landscaped and up to 1/3 of that area may be hard-surfaced in plaza, pathways or other amenities. The proposal is deficient in in-ground landscaped area by 144 square feet in the CG zone portion of the site. However, the remainder of the site in the R2.5 zone far exceeds the 25% required landscaped area.

Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are:

- Zoning Code Section 33.665.310, .320 and .340 (Planned Development Review)
- Zoning Code Section 33.815.105 (Conditional Use 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 filed, provided that the application is complete at the time of filing, or complete within 180 days. This application was filed on May 27, 2016, and determined to be complete on November 23, 2016.

DECISION MAKING PROCESS

The Bureau of Development Services will be making a recommendation on this proposal; our report and recommendation will be available 10 days before the hearing. The Staff report will be posted on the Bureau of Development Services website. Look at www.portlandonline.com. On the left side of the page use the search box to find Development Services, then click on the Zoning/Land Use section select Notices and Hearings. Land use review notices are listed by the District Coalition shown at the beginning of this document. 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 <http://www.portlandonline.com/auditor/index.cfm?c=28197>

The neighborhood association, listed on the first page of this notice, may take a position on this application and may have scheduled 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.

We are seeking your comments on this proposal. The evidentiary proceeding before the Hearings Officer will be the only opportunity for the parties to submit oral and written evidence in this matter. Any appeal to the City Council will be limited to legal arguments concerning the Hearings Officer decision and the evidence in the record compiled by the Hearings Officer in support of that decision.

To comment, you may write to the Land Use Hearings Officer, 1900 SW Fourth Ave., Suite 3100, Portland, OR 97201 or FAX your comments to 503-823-4347; or you may testify at the hearing. In your comments, you should address the approval criteria. Please refer to the file number when seeking information or submitting testimony. Written comments must be received by the end of the hearing. The applicant and Planning staff will be at the hearing to answer questions and respond to comments. The general order of appearance for oral testimony at the hearing is as follows: Bureau of Development Services staff report, applicant testimony, testimony of interested parties who wish to ask questions or testify, staff response and closing comments, and applicant's closing comments. The Hearings Officer will make a decision about this proposal within 17 days of the close of the record.

The applicant and proponents have the burden of proof to show that each and every element of the approval criteria are satisfied. In order to prevail, the opponents must persuade the Hearings Officer to find that the applicant has not carried the burden of proof with regard to one or more of the approval criteria. The opponents may also explain to the Hearings Officer how or why the

facts asserted by the applicant are not supported by evidence in the record. Opponents may wish to recommend conditions of approval which will make the proposal more acceptable, if approved.

Prior to the conclusion of the hearing before the Hearings Officer, any participant may request an opportunity to present additional evidence or testimony regarding the application. If such a request is made, the record will be held open for seven days to receive the new evidence and the record shall be held open for at least an additional seven days to provide the other parties an opportunity to respond to that new evidence.

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.

APPEAL PROCESS

You can appeal the Hearings Officer decision to City Council. However, the appeal to City Council will be conducted as an on-the-record review of the Hearings Officer decision. The City Council will consider legal arguments (for example arguments pointing out ways the Hearings Officer decision improperly interprets or applies relevant approval criteria). The City Council will also consider arguments that the Hearings Officer findings are not supported by the evidence submitted to the Hearings Officer. However, the City Council will not accept or consider new evidence that was not submitted to the Hearings Officer.

A fee is charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver. City Council's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA).

Failure to raise an issue, in person or by letter, by the close of the record by the Hearings Officer in this case may preclude an appeal to LUBA on that issue. Also, if you do not provide enough detailed information to the Hearings Officer, they may not be able to respond to the issue you are trying to raise. In such a situation, an appeal to LUBA on that issue may not be allowed.

Thank you for any information you can provide to help us make this decision. Please call me if you have any questions. My name and number are on the first page of this notice.

HEARING CANCELLATION

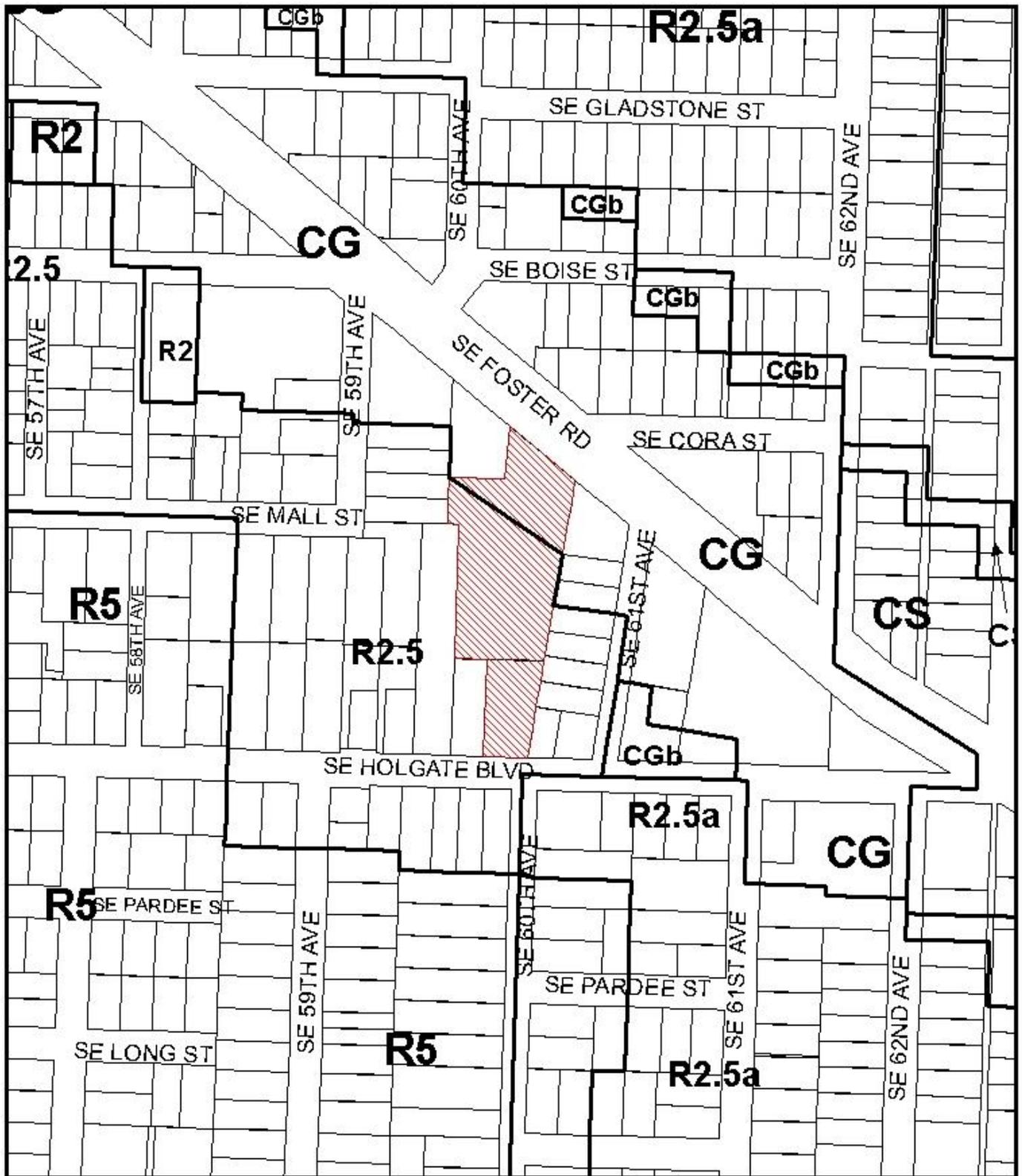
This public hearing will be cancelled if Portland Public Schools close due to inclement weather or other similar emergency. Check local television and radio reports for school closures. The hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent. Please call the Bureau of Development Services at 503-823-7617, for information regarding cancellations or rescheduling.

To attend the hearing, public transportation is available. Tri-Met buses stop near the BDS building at SW Fifth or Sixth Ave. at SW Hall St. and SW Harrison St. Call Tri-Met at 503-238-7433 (or www.trimet.org/schedule/allroute.htm) for routes and times. Hourly rated public parking is available a half block south of the building on Fourth Ave.

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, Landscaping Plan, Building Elevations



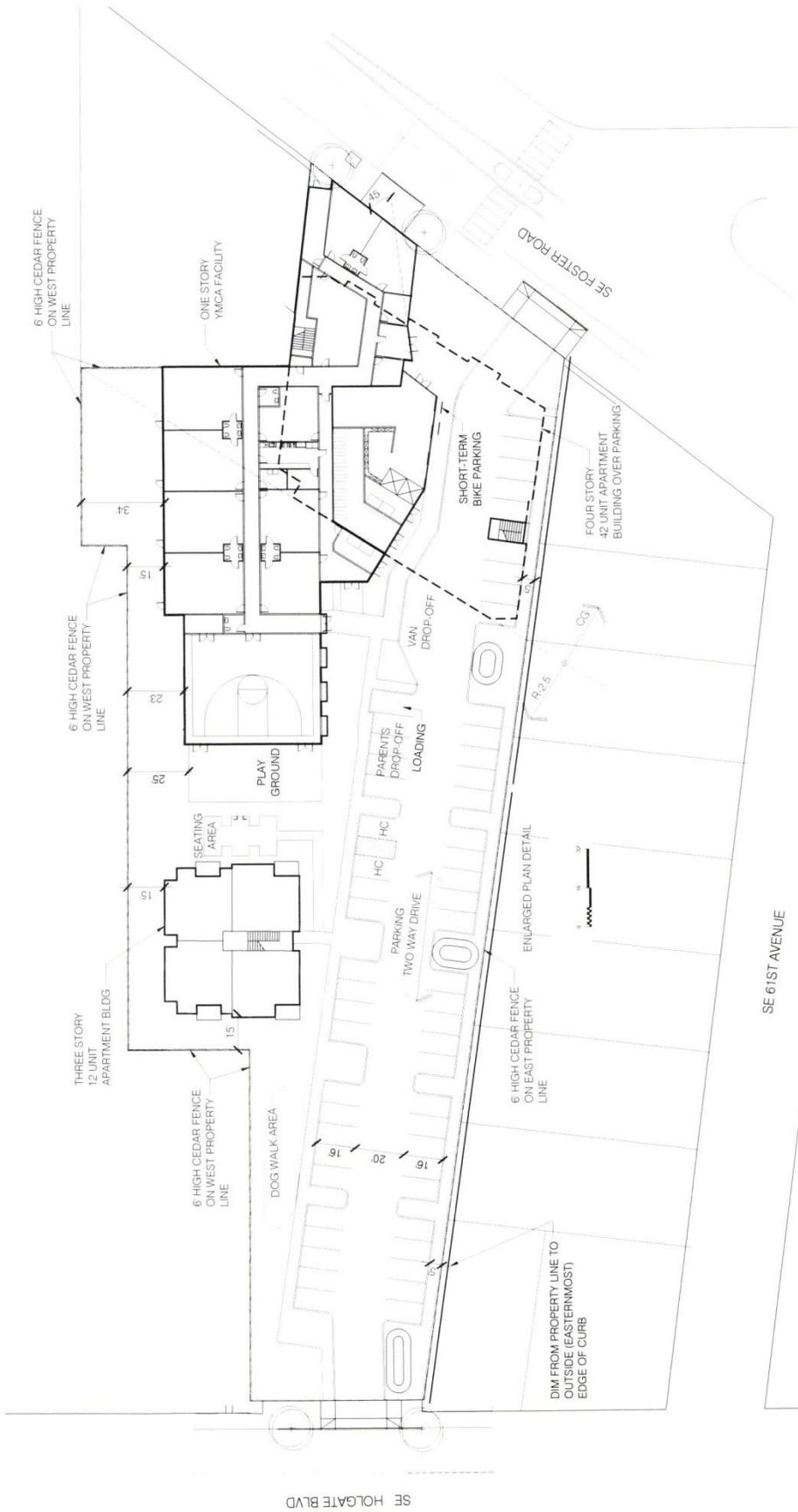
ZONING

 Site



NORTH

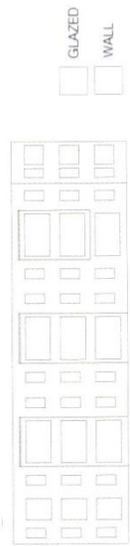
File No.	<u>LU 16-179844 PD CU</u>
1/4 Section	<u>3436</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S2E07DD 8100</u>
Exhibit	<u>B</u> (Jun 01, 2016)



1 SITE PLAN
SCALE 1" = 20'



1 NORTH ELEVATION



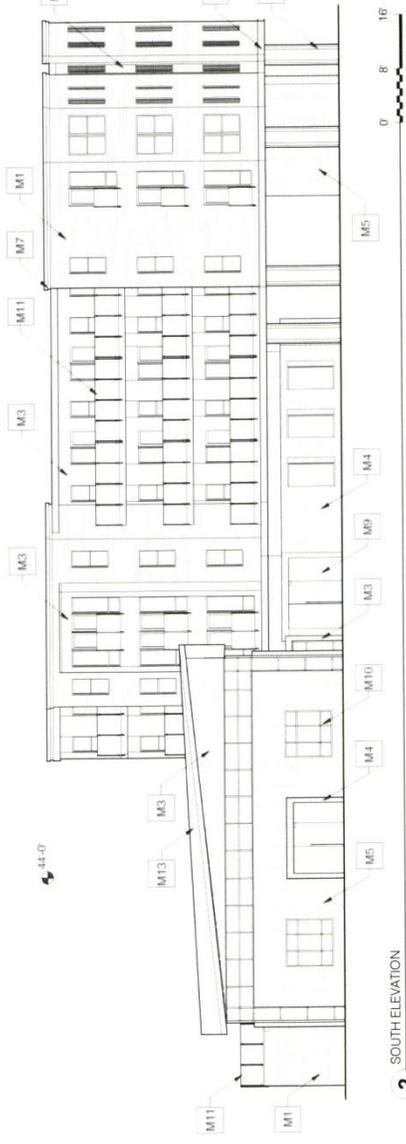
- MATERIAL KEYNOTE LEGEND**
- M1 FIBER CEMENT LAP SIDING - F REVEAL
 - M2 MED-DENSITY FIBER CEMENT PANEL SIDING
 - M3 PE SHIP LAP SIDING
 - M4 THIN GLAD STONE VENEER - LIGHT
 - M5 THIN GLAD STONE VENEER - DARK
 - M6 EXPOSED SMOOTH CONCRETE
 - M7 SHEET METAL COPING TRIM ELEMENTS
 - M8 PAINTED STEEL C-CHANNEL
 - M9 STOREFRONT GLAZING SYSTEM
 - M10 COMMERCIAL GRADE VINYL WINDOWS - BLACK
 - M11 GLASS GUARDRAIL
 - M12 METAL GUARDRAIL
 - M13 METAL ROOFING

UPPER FLOORS WINDOW CALCULATIONS ALONG SE FOSTER ROAD

TOTAL WALL AREA	TOTAL GLAZED AREA	PERCENTAGE OF GLAZED AREA
3795 SQ FT	1371 SQ FT	36.1%

GROUND FLOOR WINDOW CALCULATIONS ALONG SE FOSTER ROAD

TOTAL WALL AREA	TOTAL GLAZED AREA	PERCENTAGE OF GLAZED AREA
466.80 SQ FT	236.80 SQ FT	50.7%



2 SOUTH ELEVATION



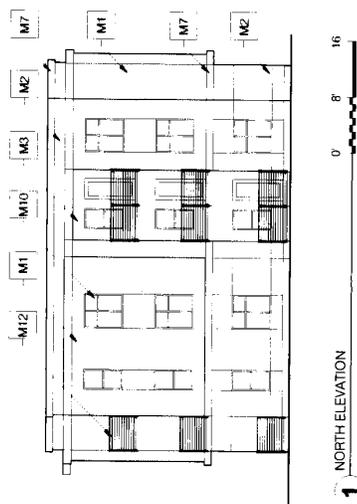
YMCA - FOSTER ROAD

6036 SE FOSTER ROAD
 PLANNED UNIT DEVELOPMENT
 24 JANUARY 2017
 LU 16-179844 PD CU

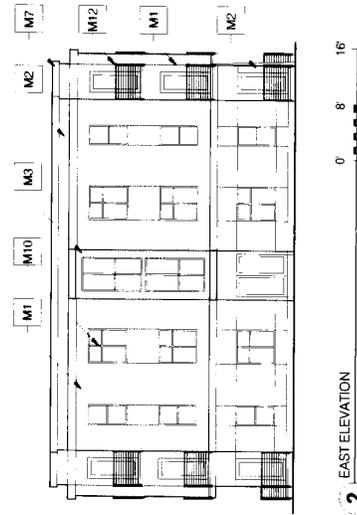
Exterior Elevations



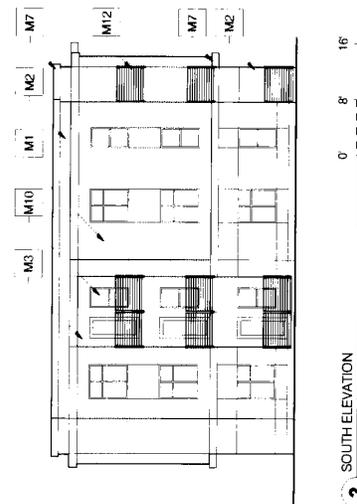
YMCA & 42 unit building



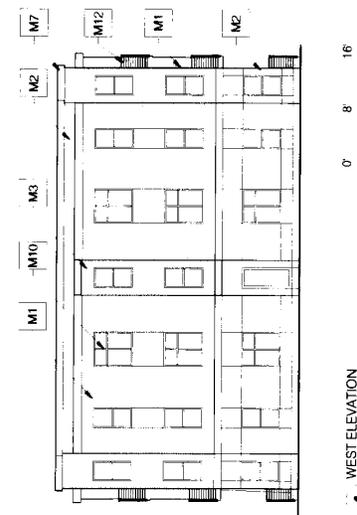
1 NORTH ELEVATION



2 EAST ELEVATION



3 SOUTH ELEVATION



4 WEST ELEVATION

MATERIAL KEYNOTE LEGEND

M1	FIBER CEMENT LAP
M2	SPONGE-FINISH
M3	MED. DENSITY FIBER CEMENT PANEL
M4	FIBER CEMENT LAP
M5	TAN GR. STONE VENEER LIGHT
M6	TAN GR. STONE VENEER DARK
M7	EXPOSED SMOOTH CONCRETE
M8	SHEET METAL COPING TRIM ELEMENTS
M9	PAINTED STEEL C CHANNEL
M10	STIFFFRONT GLAZING SYSTEM
M11	COMMERCIAL GRADE VINYL WINDOWS BLACK
M12	GLASS
M13	METAL CLADDING
M14	METAL ROOFING

YMCA - FOSTER ROAD

6036 SE FOSTER ROAD
 PLANNED UNIT DEVELOPMENT
 24 JANUARY 2017
 LU 16-179844 PD CU

Exterior Elevations

Exhibit
17

12-unit building

