



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

Chloe Eudaly, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** March 3, 2017  
**To:** Interested Person  
**From:** Lauren Russell, Land Use Services  
503-823-7817/Lauren.Russell@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 March 24, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-119464 AD, in your letter. It also is helpful to address your letter to me, Lauren Russell. You can also e-mail your comments to me at my e-mail address identified above.

## **CASE FILE NUMBER: LU 17-119464 AD**

**Applicant:** Julio Rocha / LRS Architects  
720 NW Davis St Suite 300  
Portland, OR 97209

**Owner:** Tom Moyer Theatres  
760 SW 9th Ave #2250  
Portland, OR 97205

**Owner's Agent:** Robert Pile / TMT Development Co., Inc  
760 SW 9th Ave #2250  
Portland, OR 97205

**Site Address:** 2390 SE HAWTHORNE BLVD

**Legal Description:** BLOCK 4 LOT 1 EXC PT IN ST LOT 2&13 LOT 14 EXC PT IN ST,  
COLONIAL HTS; BLOCK 4, CANCEL INTO R138052 / COLONIAL HTS,  
BLOCK 4, LOT 13

**Tax Account No.:** R172100450, R172100570  
**State ID No.:** 1S1E02DA 00100, 1S1E02DA 00200  
**Quarter Section:** 3232  
**Neighborhood:** Hosford-Abernethy, contact [chair@handpdx.org](mailto:chair@handpdx.org).  
**Business District:** Hawthorne Blvd. Bus. Assoc., contact Greg Moon at  
[gmoon@westernseminary.edu](mailto:gmoon@westernseminary.edu)  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.

**Zoning:** CS – Storefront Commercial  
**Case Type:** AD – Adjustment Review

**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee.

**Proposal:**

The applicant proposes to build a new 4-story mixed use building including 59 living units over retail and 22 parking stalls at the ground floor level. Per Zoning Code Section 33.266.130.F.2 and Table 266-4, the minimum width of a parking space that is oriented 90° from the aisle is 8'-6". Structural columns result in a width of 8'-0" for 13 of the 22 stalls. Because 13 stalls have a width of 8'-0", the applicant requests an Adjustment to reduce the minimum parking space width from 8'-6" to 8'-0".

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33.805.040.

**33.805.040 Approval Criteria**

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. below have been met.

- 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; **(not applicable)** and
- D.** City-designated scenic resources and historic resources are preserved; **(not applicable)** 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. **(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 February 10, 2017 and determined to be complete on February 27, 2017.

**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](http://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.

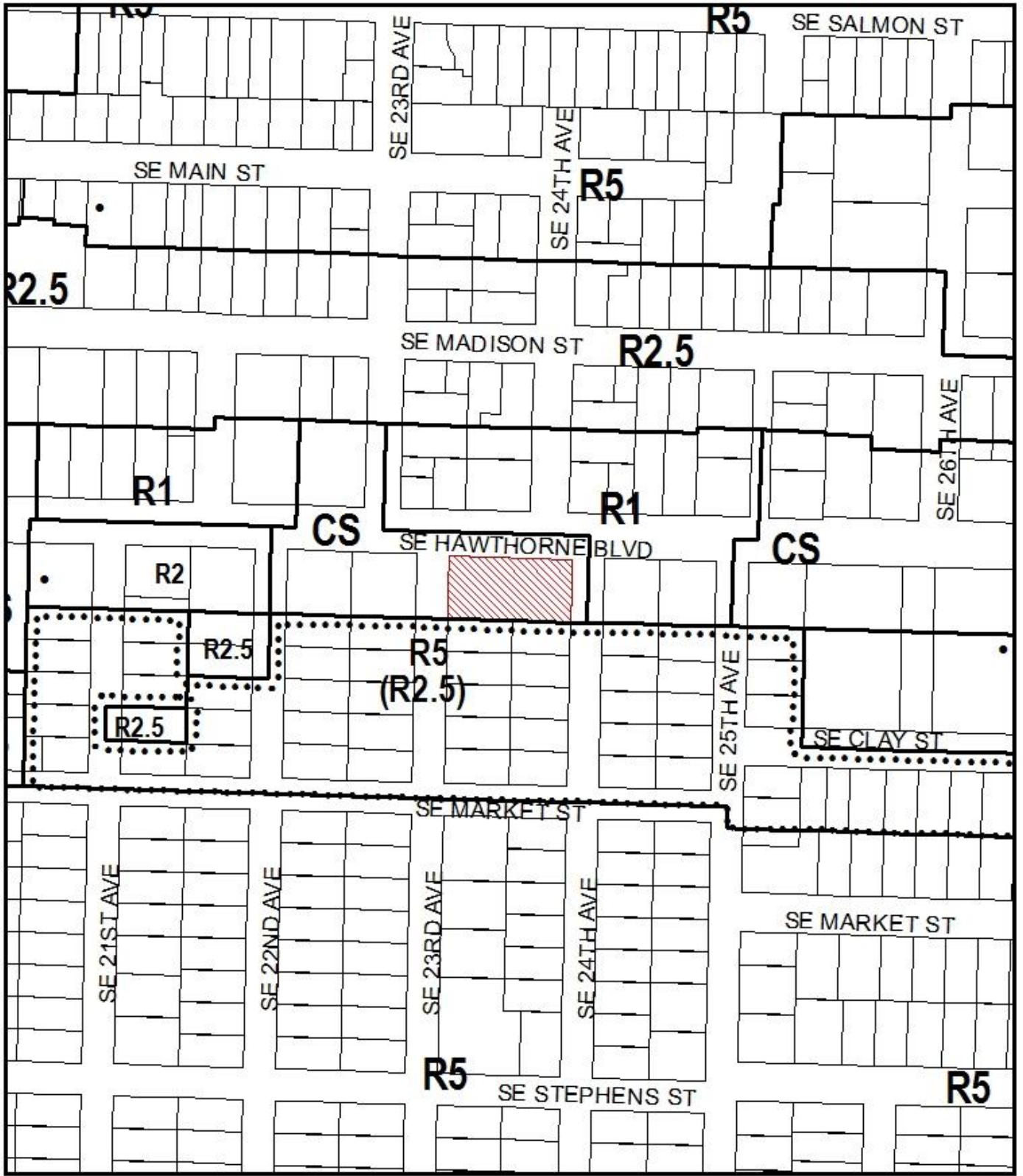
**APPEAL OF THE FINAL CITY DECISION**

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



# ZONING

- Site
- Historic Landmark



File No.	<u>LU 17-119464 AD</u>
1/4 Section	<u>3232</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S1E02DA 100</u>
Exhibit	<u>B (Feb 14, 2017)</u>







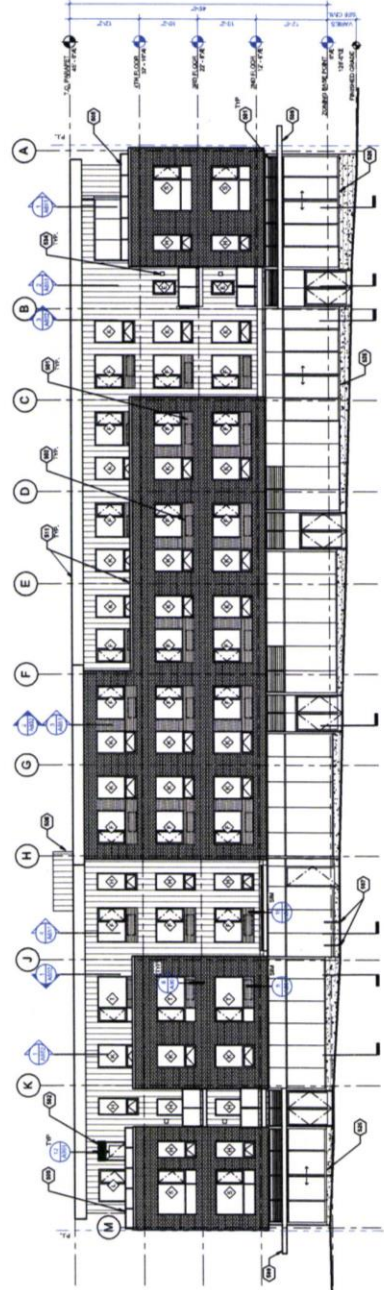
- KEYNOTES**
- 1. CONTROL CLIMATE REGULATIONS
  - 2. PROVIDE THERMAL BREAK AT FLOOR
  - 3. PROVIDE THERMAL BREAK AT WALL
  - 4. PROVIDE THERMAL BREAK AT ROOF
  - 5. PROVIDE THERMAL BREAK AT WINDOW
  - 6. PROVIDE THERMAL BREAK AT DOOR
  - 7. PROVIDE THERMAL BREAK AT BALCONY
  - 8. PROVIDE THERMAL BREAK AT TERRACE
  - 9. PROVIDE THERMAL BREAK AT PORCH
  - 10. PROVIDE THERMAL BREAK AT STAIR
  - 11. PROVIDE THERMAL BREAK AT ELEVATOR
  - 12. PROVIDE THERMAL BREAK AT MECHANICAL
  - 13. PROVIDE THERMAL BREAK AT SIGN
  - 14. PROVIDE THERMAL BREAK AT LIGHT
  - 15. PROVIDE THERMAL BREAK AT VENT
  - 16. PROVIDE THERMAL BREAK AT RAMP
  - 17. PROVIDE THERMAL BREAK AT CURB
  - 18. PROVIDE THERMAL BREAK AT DRIVE
  - 19. PROVIDE THERMAL BREAK AT PARKING
  - 20. PROVIDE THERMAL BREAK AT LANDSCAPE

- LEGEND**
- 1. CONTROL CLIMATE REGULATIONS
  - 2. PROVIDE THERMAL BREAK AT FLOOR
  - 3. PROVIDE THERMAL BREAK AT WALL
  - 4. PROVIDE THERMAL BREAK AT ROOF
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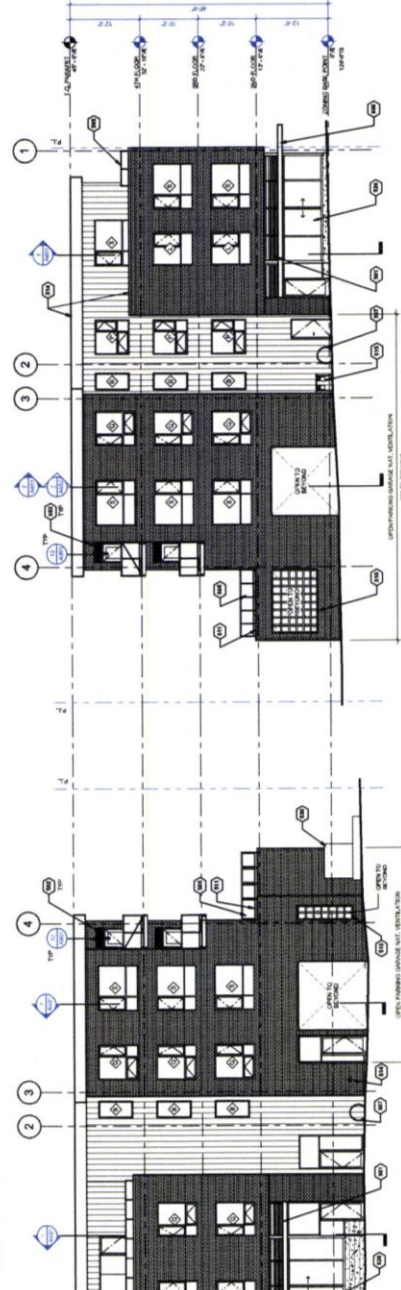
**NATURAL VENTILATION CALCULATIONS**

CONSTRUCTION AREA NATURAL VENTILATION

FLOOR	AREA (SQ FT)	PERCENT OPEN	PERCENT VENT	PERCENT NATURAL
1	10,000	10%	10%	10%
2	10,000	10%	10%	10%
3	10,000	10%	10%	10%
4	10,000	10%	10%	10%
5	10,000	10%	10%	10%
6	10,000	10%	10%	10%
7	10,000	10%	10%	10%
8	10,000	10%	10%	10%
9	10,000	10%	10%	10%
10	10,000	10%	10%	10%
11	10,000	10%	10%	10%
12	10,000	10%	10%	10%
13	10,000	10%	10%	10%
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98	10,000	10%	10%	10%
99	10,000	10%	10%	10%
100	10,000	10%	10%	10%



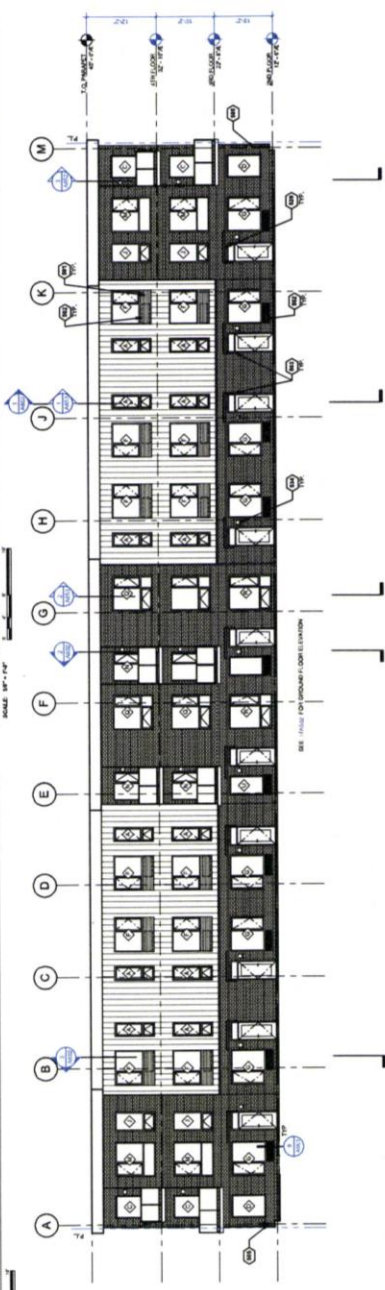
**1 NORTH ELEVATION**  
 SCALE: 1/8" = 1'-0"



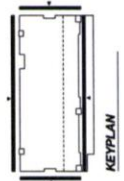
**2 EAST ELEVATION**  
 SCALE: 1/8" = 1'-0"



**3 WEST ELEVATION**  
 SCALE: 1/8" = 1'-0"



**4 SOUTH ELEVATION**  
 SCALE: 1/8" = 1'-0"



**KEYPLAN**