



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

Chloe Eudaly, Commissioner
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: July 13, 2017
To: Interested Person
From: Rodney Jennings, Land Use Services
503-823-5088/Rodney.Jennings@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 August 3, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-286841 AD, in your letter. It also is helpful to address your letter to me, Rodney Jennings. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 16-286841 AD

Applicant: Nancy Merryman
Merryman Barnes Architects. Inc
1231 NW Hoyt #403
Portland, OR 97209
503-222-3753 | Nmerryman@Merrymanbarnesarchitects.Com

Owner: City of Portland
c/o Bobby Daniels, Portland Housing Bureau
421 SW 6th Ave #500
Portland OR 97204
503-823-3277 | Bobby.Daniels@Portlandoregon.Gov

Site Address: 6445 NE M L KING BLVD

Legal Description: BLOCK 60 INC STRIP E OF & ADJ LOT 5 INC STRIP E OF & ADJ LOT
6 EXC PT IN ST, PIEDMONT

Tax Account No.: R657809000
State ID No.: 1N1E15DA 00100
Quarter Section: 2430

Neighborhood: Piedmont, contact landuse@piedmontemerald.com.
Business District: North-Northeast Business Assoc, contact at chair@nnebaportland.org
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at
503-823-4099.

Plan District: None

Zoning: CMd,h (Mixed Commercial/Residential zone; design overlay zone; aircraft landing overlay zone)

Case Type: AD Adjustment

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

Proposal:

The applicant is proposing a 70-unit affordable housing project at this site. The proposal also includes 24 parking spaces and one loading space located off the alley that extends along the west side of the site between NE Rosa Parks Way and NE Highland Street. The parking spaces and the loading space are aligned so that vehicles will back out onto the alley and then exit the site using either NE Rosa Parks Way or NE Highland Street. Because it is a public right-of-way, the alley is considered a roadway. Portland Zoning Code Section 33.266.130.F.1.b requires that parking areas be designed to allow vehicles to enter and exit the roadway in a forward motion. An Adjustment to this section is required to allow vehicles to exit from the 24 parking spaces by backing out onto the alley. Portland Zoning Code Section 33.266.310.F requires that loading spaces be designed to allow vehicles to enter and exit the roadway in a forward motion. An Adjustment to this section is required to allow vehicles to exit the loading space by backing out onto the alley.

Relevant Approval Criteria:

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:

- 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; and *(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.

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 December 15, 2016 and determined to be complete on July 10, 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.

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.

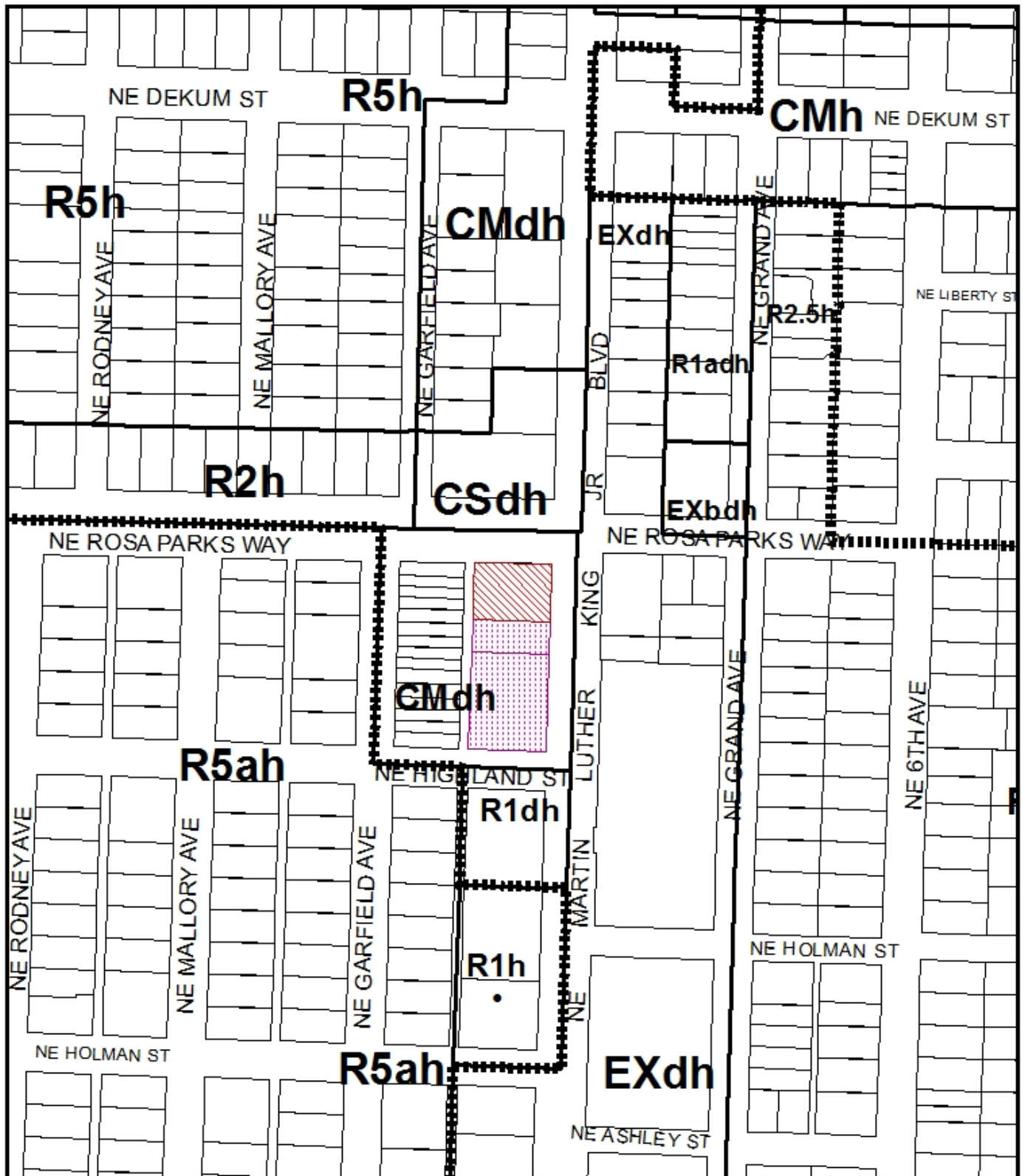
APPEAL OF THE FINAL CITY DECISION

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
-  Also Owned Parcels
-  Historic Landmark



File No.	<u>LU 16-286841 AD</u>
1/4 Section	<u>2430</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1N1E15DA 100</u>
Exhibit	<u>B</u> (Dec 22, 2016)

