



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

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

**Date:** November 13, 2017  
**To:** Interested Person  
**From:** Jeff Mitchem, Land Use Services  
503-823-7011/Jeffrey.Mitchem@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 December 4, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-263403 DZM, in your letter. It also is helpful to address your letter to me, Jeffrey Mitchem. You can also e-mail your comments to me at my e-mail address identified above.

### **CASE FILE NUMBER: LU 17-263403 DZM** **FOLLOW-UP REVIEW – DRIVE AISLE WIDTH**

**Applicant:** Bob Thompson | TVA Architects  
920 SW 6th, Ste 1500  
Portland, OR 97204

**Owner:** Phil Morford | ANIVA  
5320 SW Macadam Ave  
Portland, OR 97239

**Site Address:** 5009-5017 N INTERSTATE AVE

**Legal Description:** BLOCK 12 LOT 11 EXC PT IN ST, RIVERSIDE ADD; BLOCK 12 LOT 12 EXC PT IN ST, RIVERSIDE ADD; BLOCK 12 LOT 13&14 EXC PT IN ST, RIVERSIDE ADD; BLOCK 12, CANCEL ACCOUNT/ RIVERSIDE ADD, BLOCK 12, LOT 13&14 EXC PT IN ST, BILLBOARD SEE R257267 (R709604880)

**Tax Account No.:** R709604840, R709604860, R709604880, R709604881

**State ID No.:** 1N1E21AA 17800, 1N1E21AA 17900, 1N1E21AA 22500, 1N1E21AA 22500A1

**Quarter Section:** 2528

**Neighborhood:** Overlook NA, contact [landuse@overlookneighborhood.org](mailto:landuse@overlookneighborhood.org).

**Business District:** None

**District Coalition:** North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

**Plan District:** None

**Zoning:** EXd, Central Employment with a Design Overlay

**Case Type:** DZM, Design Review w/Modifications  
**Procedure:** Type II, an administrative decision with appeal to the Design Commission.

**Proposal:**

The proposal is for a Modification to Portland Zoning Code Chapter 33.266.130.F. Parking Area Layouts (requiring 20' drive aisle width for two-way) allowing 17'-5/8". Design Review is necessary because the proposal is for new construction within a Design Overlay zone.

**Relevant Approval Criteria:**

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

- Community Design Guidelines
- 33.825 Design 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 submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on November 7, 2017 and determined to be complete on November 7, 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 Design Commission. 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**

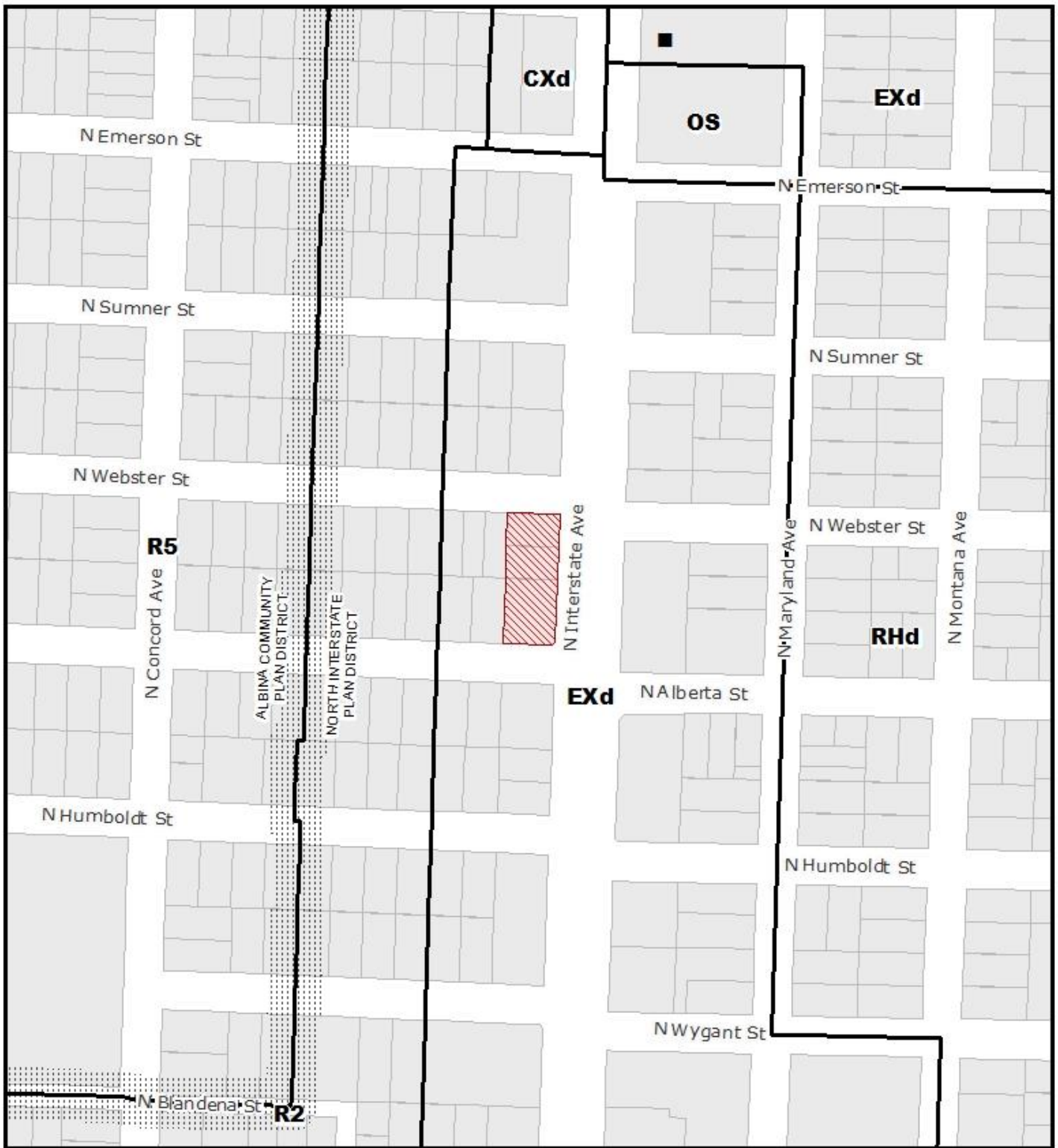
After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment 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

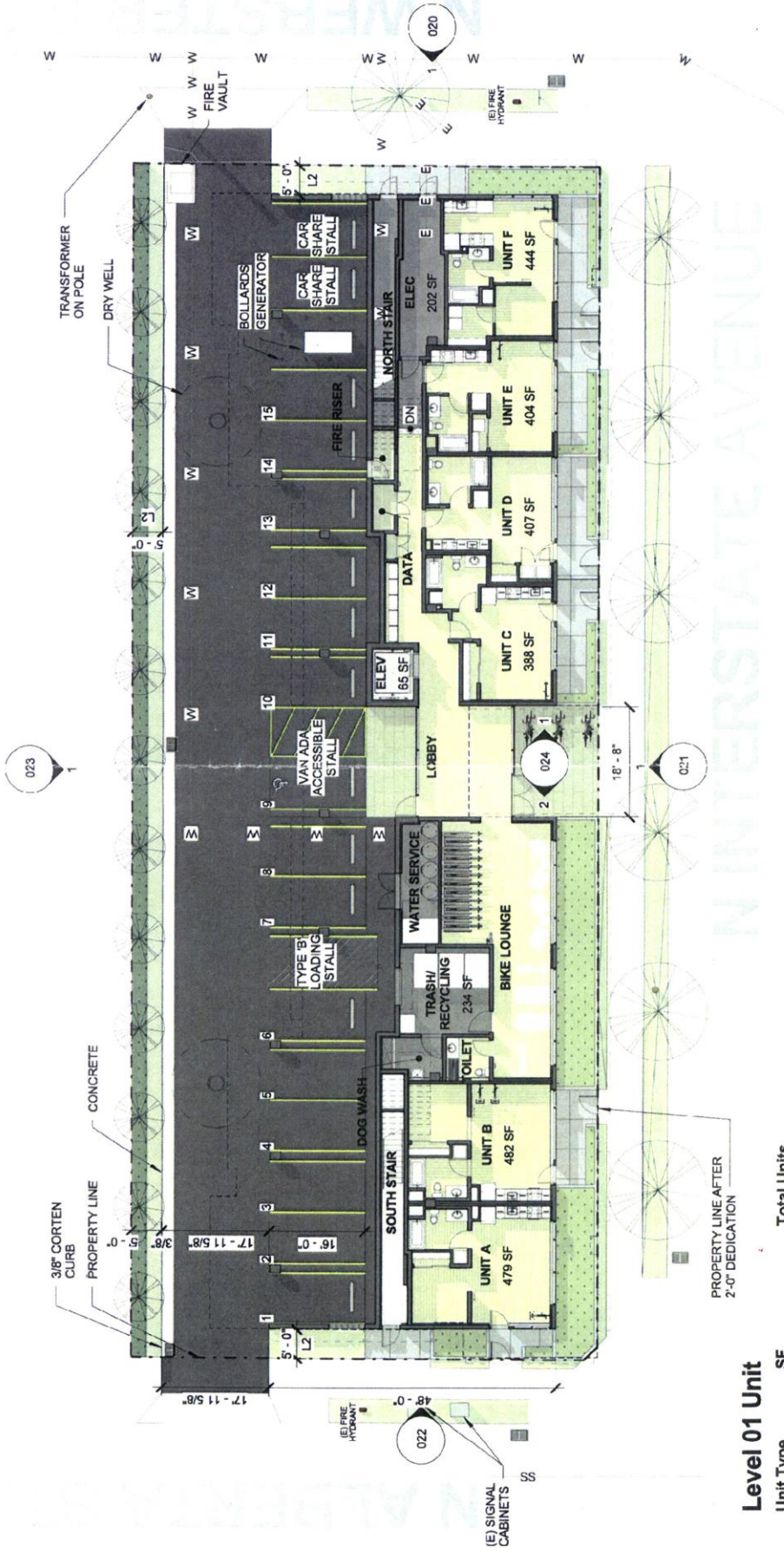
Site Plan



**ZONING**   
 NORTH  
 THIS SITE LIES WITHIN THE:  
 NORTH INTERSTATE PLAN DISTRICT

 Site  
 Historic Landmark

File No.	LU 17-263403 DZM
1/4 Section	2528
Scale	1 inch = 200 feet
State ID	1N1E21AA 22500
Exhibit	B Nov 01, 2017



**Level 01 Unit**

Unit Type	SF	Total Units
Studio	383 - 407sf	3 Total
1-Bedroom	444 - 479sf	3 Total



tva architects inc.  
 270 SW 54th Avenue | Suite 1000 | Portland, Oregon 97204  
 Phone: 503.220.3468 | www.tvaarchitects.com

**SITE PLAN / LEVEL 01 FLOOR PLAN 009 ANIVA APARTMENTS**

Type II Design Review - Modification  
 5009 N Interstate Ave  
 LU 17-263403 DZM

1/16" = 1'-0" 10.23.17

