



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

Ted Wheeler, Mayor
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: May 31, 2019
To: Interested Person
From: Amanda Rhoads, Land Use Services
503-823-7837/Amanda.Rhoads@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 June 21, 2019**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-114212 AD, in your letter. It also is helpful to address your letter to me, Amanda Rhoads. You can also e-mail your comments to me at my e-mail address identified above. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 19-114212 AD

Applicant: Terry Kim | Ankrom Moisan Architects
1505 5th Ave, Ste 300 | Seattle, WA 98101

Owner: CBC Moreland, LLC
1610 SE Tolman St | Portland, OR 97202

Site Address: 1610 SE TOLMAN ST

Legal Description: BLOCK 2 LOT 1&2, WESTMORELAND
Tax Account No.: R899000400
State ID No.: 1S1E14DC 13600
Quarter Section: 3632

Neighborhood: Sellwood-Moreland, contact chair.landuse.smile@gmail.com.
Business District: Sellwood-Westmoreland, contact Emily Pinkstaff at emily.pinkstaff@newseasonsmarket.com
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.
Plan District: None
Zoning: CM2d,m – Commercial/Mixed Use 2 zone with “d” Design and “m” Centers Main Street Overlay Zones

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

Proposal:

The applicant proposes to substantially alter the existing Dairy Queen building on the site in order to convert it to a Chase Bank branch. The drive-through facility will be retained, as will the general footprint and location of the building. The applicant will retain parking on the site, but will close two curb cuts and re-route vehicles through the site to enter only on SE Milwaukie Ave and exit only on SE Tolman.

To proceed with the new layout, the applicant requests the following three Adjustments to Zoning Code Standards:

- Adjustment to 33.266.130.G.2.d and Table 266-5 to reduce the required perimeter parking lot landscaping from 5 feet to 3 feet;
- Adjustment to 33.130.240.B.1.a(2) to increase the maximum length of the pedestrian path from the main entrance to SE Milwaukie from 50 feet to 56 feet; and
- Adjustment to 33.266.130.C.1 and Table 266-3 to allow new vehicle area between the building and SE Tolman.

Relevant Approval Criteria:

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

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, CI1, or IR zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, I, or CI2 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
- D. City-designated scenic resources and historic resources are preserved;
- 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 January 31, 2019 and determined to be complete on May 24, 2019.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. After we consider your comments we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- 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 by making a request online or contacting me.

- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please visit <https://www.portlandoregon.gov/bds/54732>. The fee for this service varies based on the size of the case file and how long it would take to scan or copy documents.
- I can provide some information over the phone or through email.

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.portlandoregon.gov.

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.

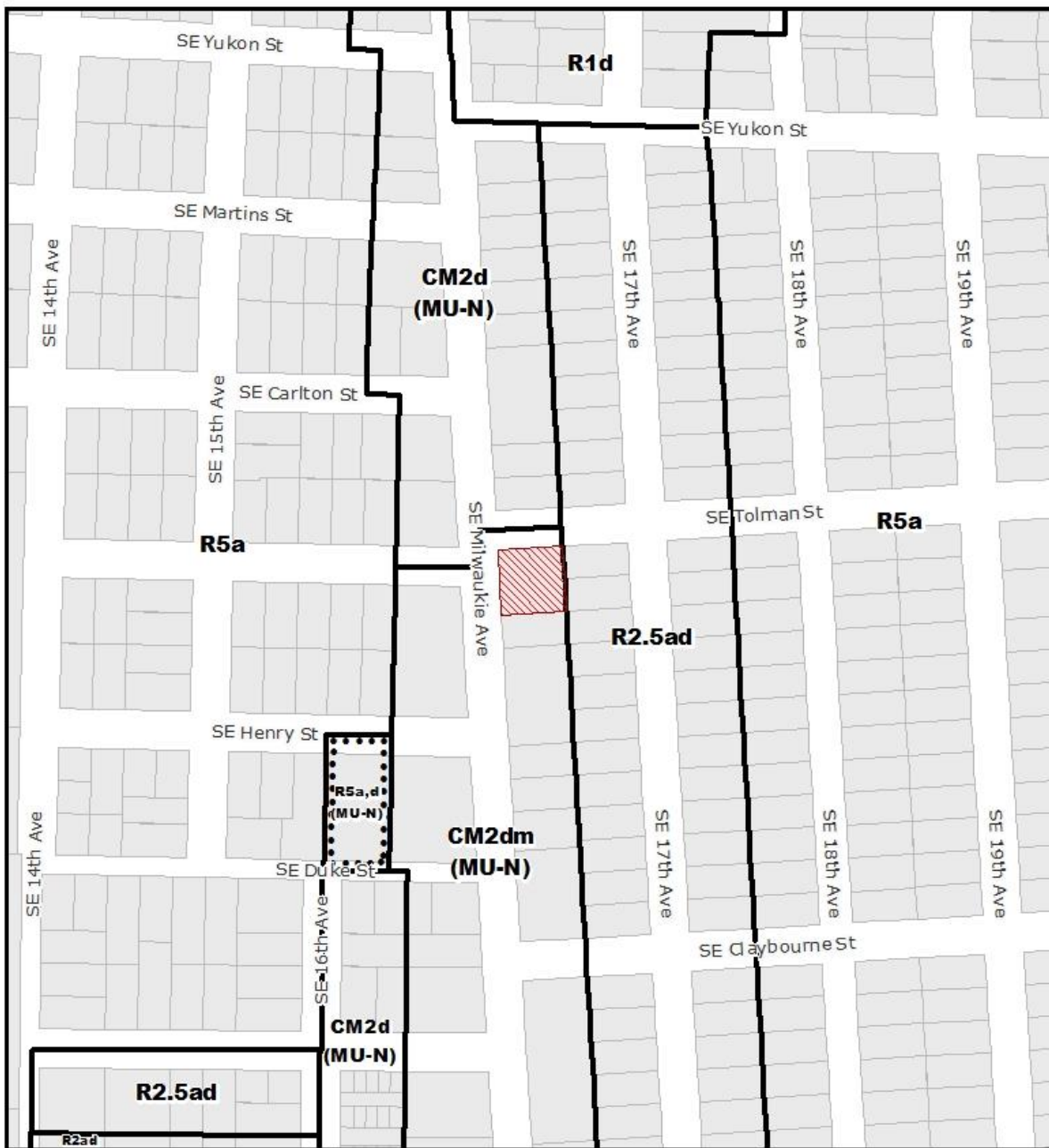
APPEAL OF THE FINAL CITY DECISION

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
Building Renderings

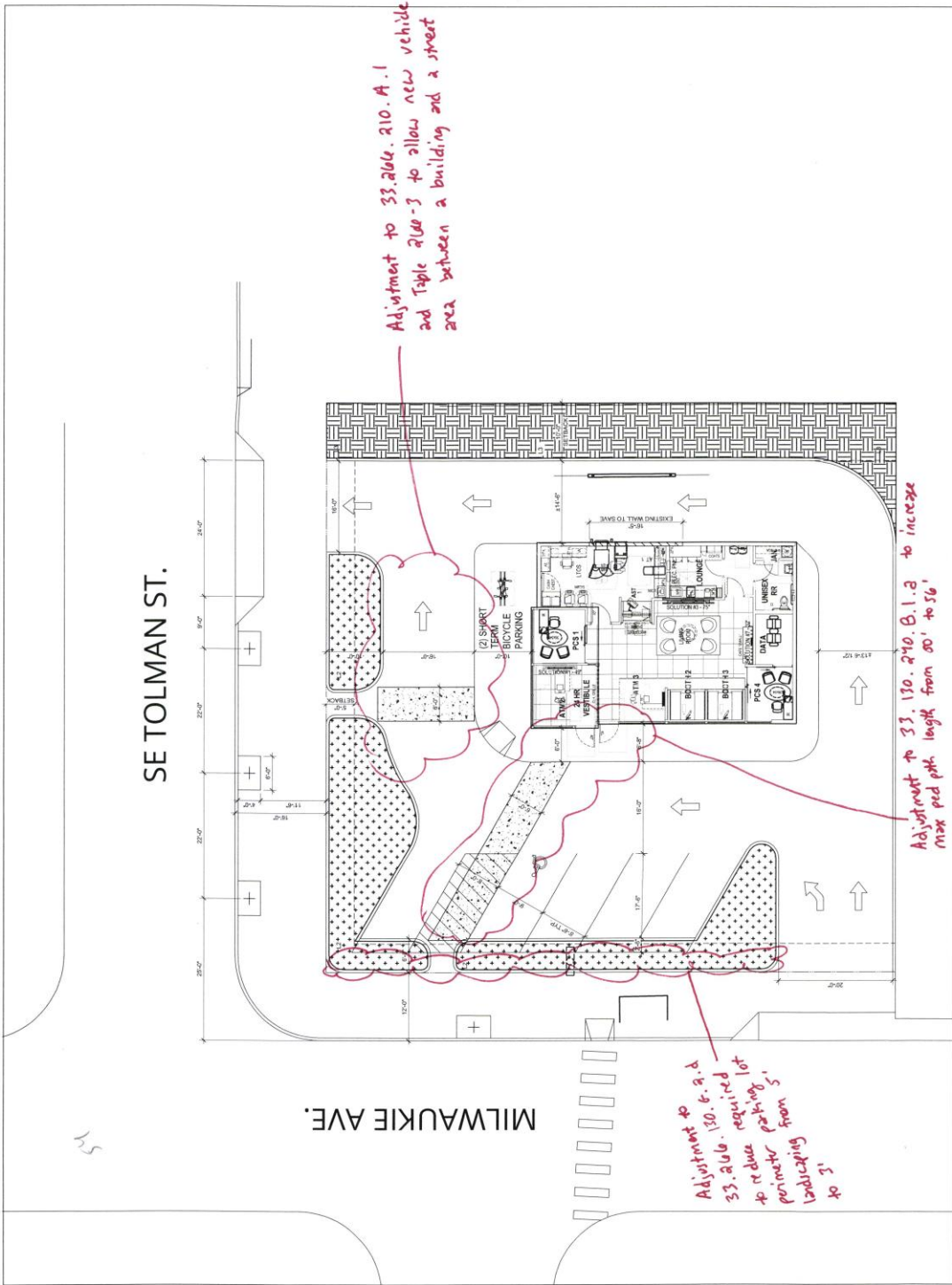


ZONING



File No.	LU 19-114212 AD
1/4 Section	3632
Scale	1 inch = 200 feet
State ID	1S1E14DC 13600
Exhibit	B Feb 05, 2019

 <p>Ankrom Moisan 1615 NW 24th Street, Suite 300 Portland, OR 97209 T: 503-245-7100 1505 SW Avenue, Suite 300 Portland, OR 97201 T: 503-245-7100 1024 Howard Street San Francisco, CA 94103 T: 415-252-7963 © ANKROM MOISAN ARCHITECTS, INC.</p>	<p>CHASE SELWOOD BRANCH BUILDING CONVERSION 1619 SE Tolman St. Portland, Oregon 97202</p>	
	<p>PROPOSED SITE PLAN</p>	<p>REVISION LOG</p> <p>RECEIVED MAY 23 2019 By</p>
<p>DATE 05.08.2019</p>	<p>PROJECT # 182680</p>	<p>SHEET NO. A4</p>
<p>SCALE: 1/16" = 1'-0"</p>		



LU 19-114212 AD



Ankrom Moisan
 1500 AVENUE OF THE STARS, SUITE 300
 PORTLAND, OREGON 97201
 T: 503-245-7100
 1500 3RD AVENUE, SUITE 300
 PORTLAND, OREGON 97201
 T: 503-245-7100
 1024 Howard Street
 San Francisco, CA 94103
 T: 415-252-7893
 © ANKROM MOISAN ARCHITECTS, INC.

CHASE
SELLWOOD

PERSPECTIVES

REVISION LOG

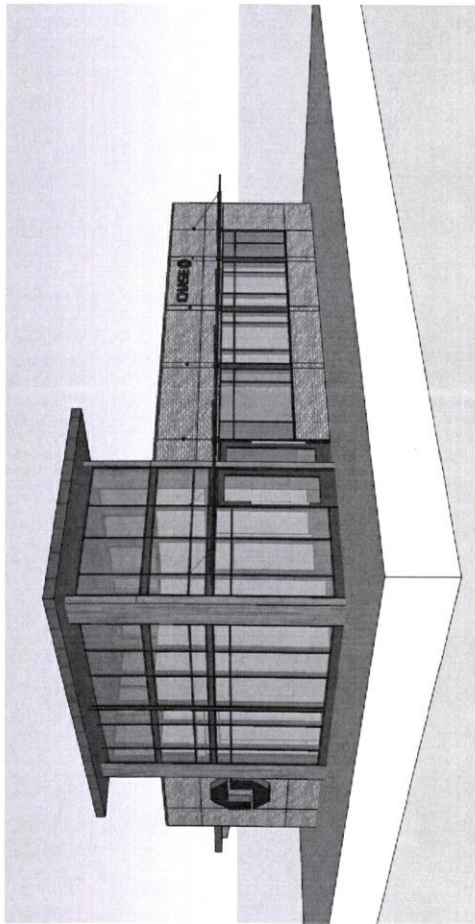


DATE
05.08.2019

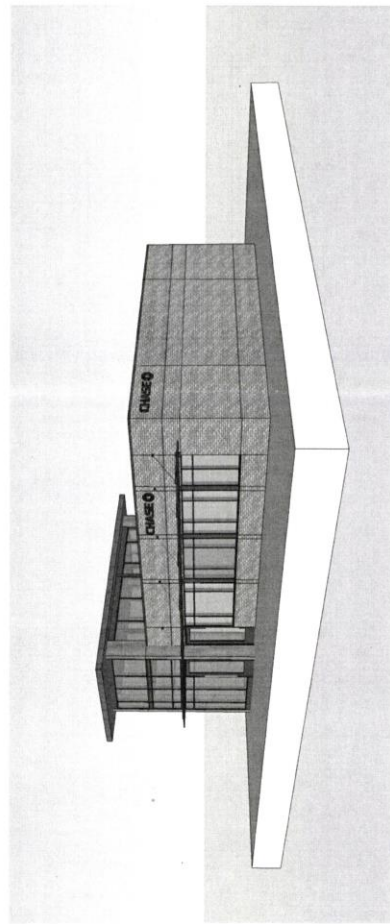
PROJECT #
182680

SCALE:
NTS

SHEET NO.
A10



1 REVISED NW STYLE – NORTHWEST PERSPECTIVE



2 REVISED NW STYLE – SOUTHWEST PERSPECTIVE