



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: July 12, 2019
To: Interested Person
From: Andrew Gulizia, Land Use Services
503-823-7010/Andrew.Gulizia@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 2, 2019.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-138361 NU, in your letter. Please address your letter to me, Andrew Gulizia. You can also e-mail your comments to me at the e-mail address above. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 19-138361 NU

Applicant: Peter F. Fry
303 NW Upton Terrace #1B
Portland, OR 97210
(503) 703-8033
peter@finleyfry.com

Property Owner: Chuck Kaady
Kaady Car Washes
2545 SW Spring Garden St. #200
Portland, OR 97219

Site Address: 1909 W Burnside St.

Legal Description: BLOCK 277&278 TL 7300 LAND ONLY SEE R141210 (R180227421)
FOR IMPS, COUCHS ADD

Tax Account No.: R180227420
State ID No.: 1N1E33DB 07300
Quarter Section: 3028

Neighborhood: Northwest District, contact John Bradley at 503-313-7574
Business District: Nob Hill, contact Nob Hill at nobhillportland@gmail.com
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212
Plan District: Central City - Goose Hollow
Zoning: CXd – Central Commercial with Design (“d”) overlay zone
Case Type: NU – Nonconforming Situation Review
Procedure: Type II, an administrative decision with appeal to the Hearings Officer

Proposal:

The applicant proposes to remodel the existing car wash on this site. The existing car wash building would be expanded and two new cashier booths outside the main building would be constructed. The existing vacuums outside the car wash building would be removed, and the two existing driveways onto West Burnside would be consolidated into one.

This Nonconforming Situation Review is required because although this car wash was established legally in 1972, the current Zoning Code would not allow a new car wash to be established at this location.

The applicant also applied for a Design Review for this project (case file LU 19-119690 DZM). The Design Review will also trigger a public notice, but the applicant is waiting to proceed with the Design Review until the decision on this Nonconforming Situation Review is issued.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are in Zoning Code Section 33.258.080.B.

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 March 26, 2019 and determined to be complete on July 9, 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 calling (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 Hearings Officer. The Hearings Officer 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 Hearings Officer

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.

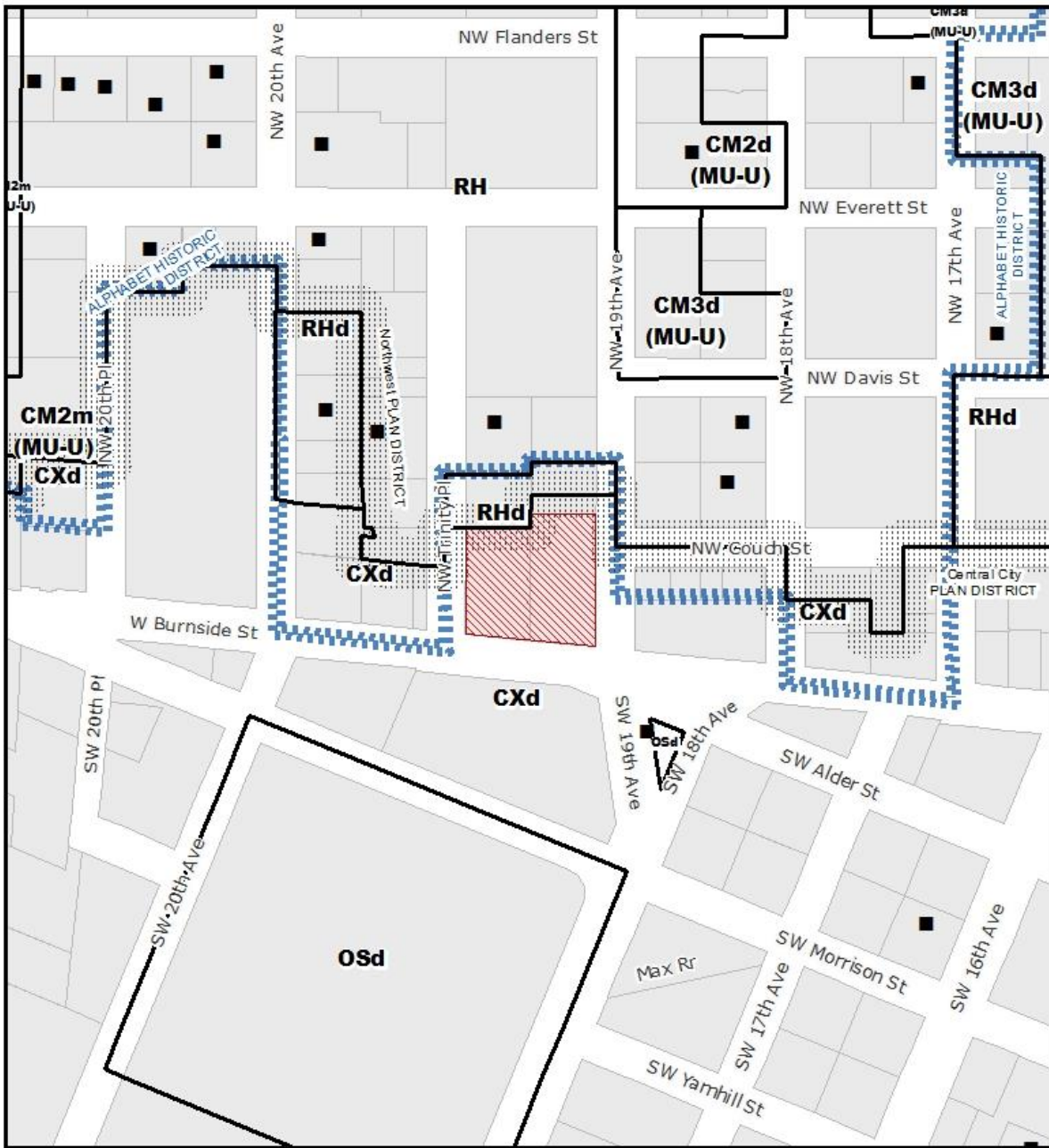
APPEAL OF THE FINAL CITY DECISION

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 elevations



ZONING



THIS SITE LIES WITHIN THE:
CENTRAL CITY PLAN DISTRICT
GOOSE HOLLOW SUBDISTRICT

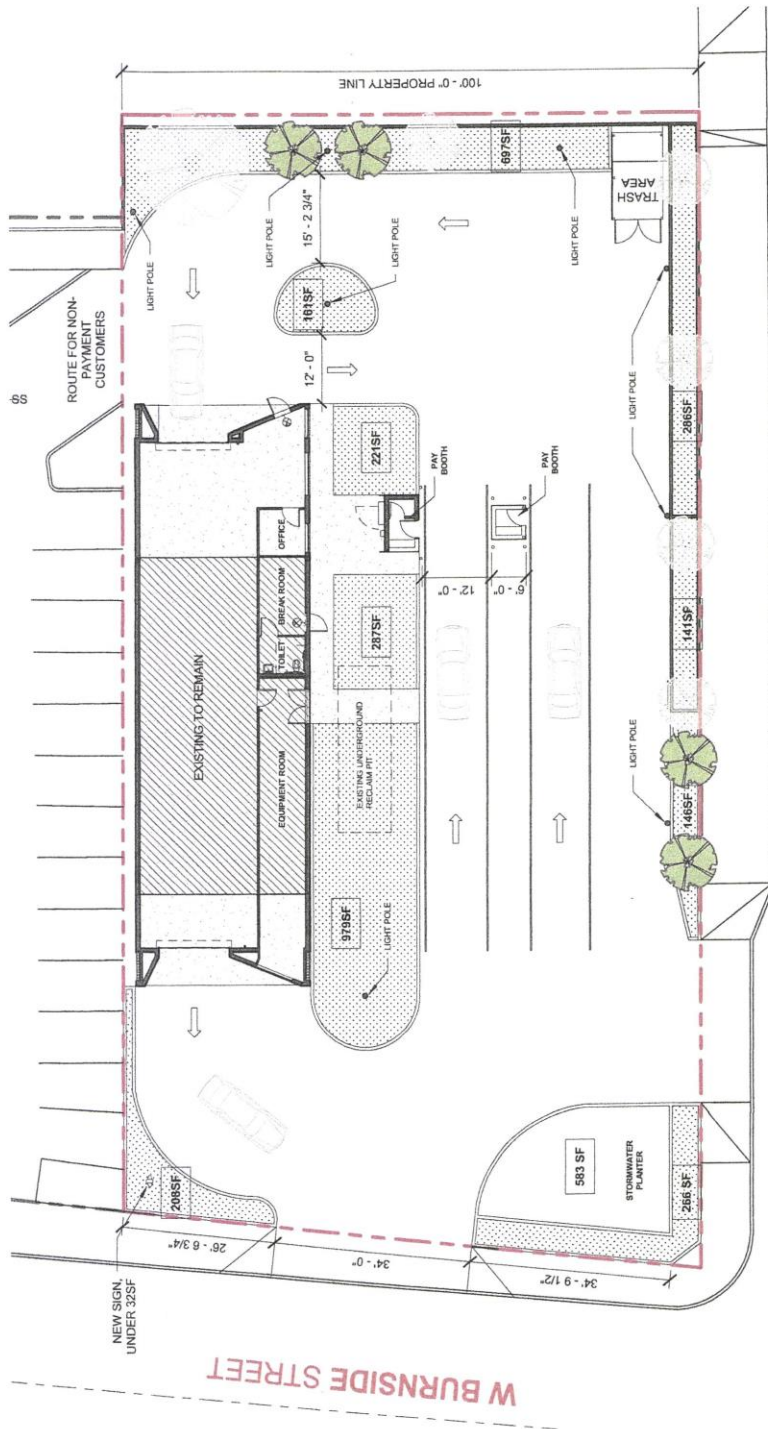


Site



Historic Landmark

File No.	LU 19-138361 NU
1/4 Section	3028
Scale	1 inch = 200 feet
State ID	1N1E33DB 7500
Exhibit	B Mar 29, 2019



NW 19TH AVENUE

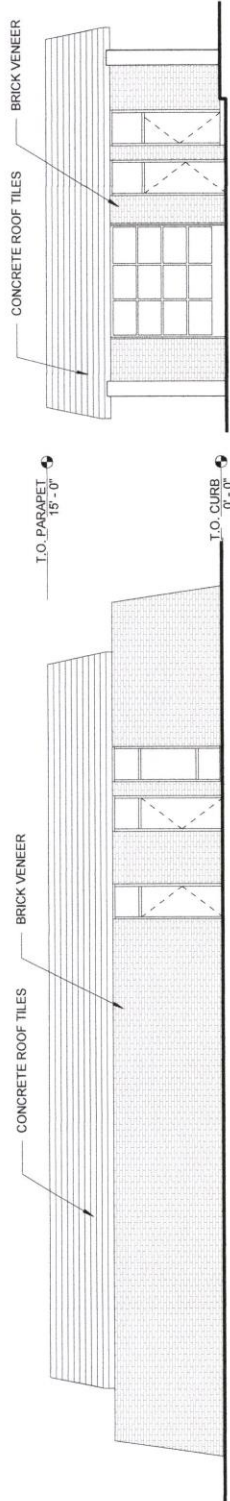


lva architects inc.
 505 SW 64th Avenue | Suite 1000 | Portland, Oregon 97004
 phone: 503.225.8848 | www.lvaarchitects.com

A07
 SITE PLAN

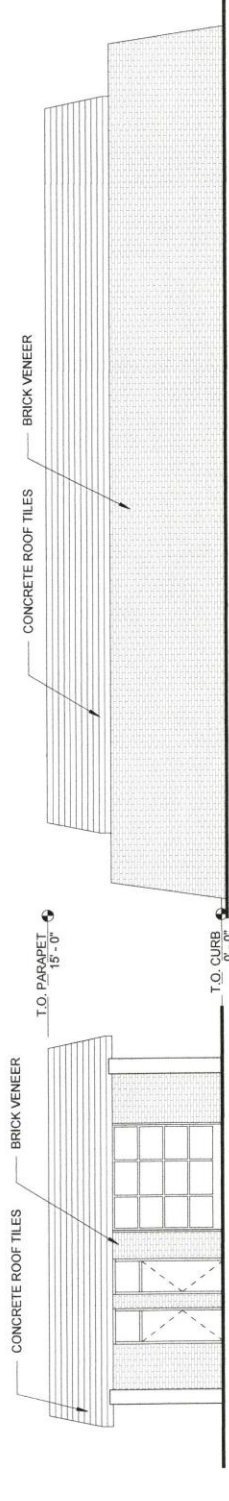
KAADY CAR WASH BURNSIDE
 Portland, Oregon

NW 19-138361 NU



① Existing - East
1/8" = 1'-0"

② Existing - South
1/8" = 1'-0"



③ Existing - North
1/8" = 1'-0"

④ Existing - West
1/8" = 1'-0"



tva architects inc.
1000 NE Oregon Street, Suite 100
Portland, OR 97232-3668 | www.tvaarchitects.com

A04.2
EXISTING ELEVATIONS

1/8" = 1'-0" KAADY CAR WASH BURNSIDE
3.12.2019 Portland, Oregon

AA 19 - 138 361 NU