



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: April 29, 2020
To: Interested Person
From: Don Kienholz, Land Use Services
503-823-7771/Don.Kienholz@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 May 20, 2020. **During the COVID-19 pandemic, your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number in your e-mail. If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 20-134467 AD

Applicant: Agustin Enriquez
GBD Architects
1120 NW Couch St, Suite 300
Portland, OR 97209

Owner: Second & Ash Operations LLC
733 SW Oak St
Portland, OR 97205

Site Address: Immediately West of 201 SE 3rd Ave

Legal Description: BLOCK 5 LOT 1&4 LOT 2&3 EXC E 43', FRUSHES SQUARE ADD
Tax Account No.: R299100640
State ID No.: 1N1E34DD 02700
Quarter Section: 3030

Neighborhood: Buckman, contact Richard Johnson at
buckmanlandusepdx@gmail.com

Business District: Central Eastside Industrial Council, contact ceic@ceic.cc.
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010 x313.

Plan District: Central City - Central Eastside
Zoning: IG1 – General Industrial 1

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

Proposal:

The applicant is proposing to construct an 83,045-sf building with approximately 59,000-sf of industrial office, 5,000 sf of traditional office, some ground floor retail and structured parking in the basement. Loading space requirements are found in Portland Zoning Code Section 33.266.310.C. Buildings with more than 50,000-sf in uses other than Household Living are required to have two on-site Standard A loading spaces, with each space being 35-ft long, 10-foot wide, and having a clearance of 13-feet (33.266.310.C.2.c). The applicant is seeking to locate one Standard A loading space located in the Right-of-Way of SE Ash and to reduce the size of the other required Standard A loading space to the size of a Standard B loading space (18-feet long, 9-feet wide, and a clearance of 10-feet). Reduction of the size of the loading space would effectively replacing one required Standard A loading space for a Standard B. Because the applicant is requesting to reduce the required loading spaces on site from two to one and replace that Standard A on-site loading space with a Standard B space, two Adjustments are required.

Relevant 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;**
- 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;**
- 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; 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 practical. (*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 April 6, 2020 and determined to be complete on April 27, 2020.

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.

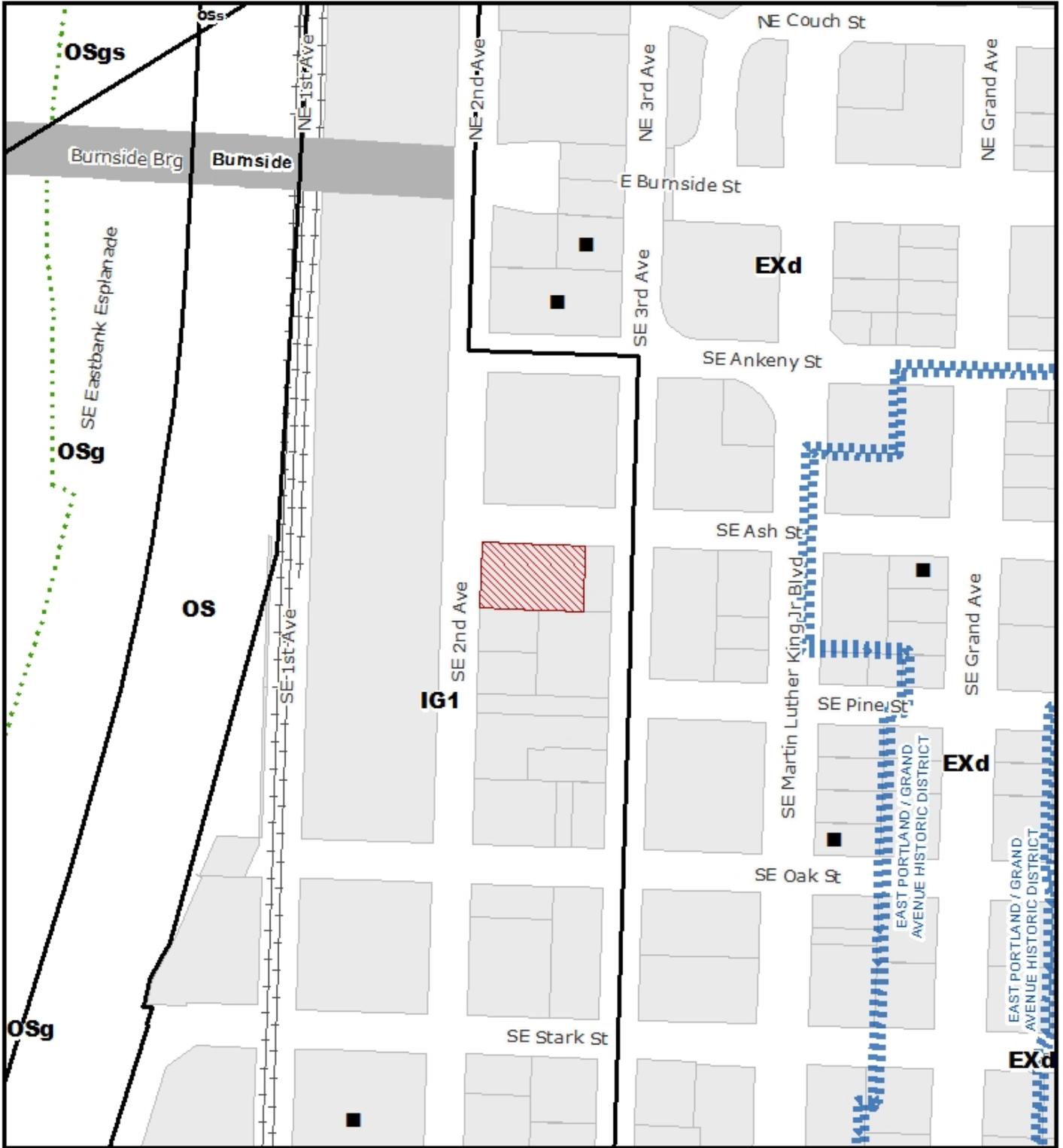
APPEAL OF THE FINAL CITY DECISION

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



ZONING

CENTRAL CITY PLAN DISTRICT
 CENTRAL EASTSIDE SUB DISTRICT



-  Site
-  Historic Landmark
-  Bridge
-  Recreational Trails

File No.	LU 20 - 134467 AD
1/4 Section	3030
Scale	1 inch = 200 feet
State ID	1N1E34DD 2700
Exhibit	B Apr 20, 2020

