



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

Dan Ryan, Commissioner  
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[www.portland.gov/bds](http://www.portland.gov/bds)

**Date:** June 3, 2021  
**To:** Interested Person  
**From:** Kate Green, Land Use Services  
503-865-6428 / [Kate.Green@portlandoregon.gov](mailto:Kate.Green@portlandoregon.gov)

## **NOTICE OF A TYPE Ix 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 45 days, **we need to receive your written comments by 5 p.m. on July 5, 2021. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 20-220712 RP, in your e-mail.

If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Please note that all correspondence received will become part of the public record.

### **CASE FILE NUMBER: LU 20-220712 RP**

**Consultant:** Li Alligood / Otak, Inc  
808 SW 3rd Avenue #300  
Portland OR 97204  
503-415-2384 / [li.alligood@otak.com](mailto:li.alligood@otak.com)

**Owner/Applicant:** Tom Brugato / Pacific Coast Fruit Company  
201 NE 2nd Avenue  
Portland OR 97232-2984

Darrell Anderson / Union Pacific Railroad Company  
1400 Douglas St - Ms 1640  
Omaha NE 68179-1640

**Owner:** City of Portland City (Leased Land/ROW)  
PO Box 1659  
Portland OR 97207-1659

**Site Address:** 301 NE 2ND AVENUE

**Legal Description:** BLOCK 32 TL 300 DEPT OF REVENUE, EAST PORTLAND; BLOCK 33 LOT 1-8 TL 400 DEPT OF REVENUE, EAST PORTLAND; BLOCK 34&35 TL 1500, EAST PORTLAND; BLOCK 34&35 TL 1600, EAST PORTLAND

**Tax Account No.:** R226502070, R226502100, R226502140, R226502150, R226502160

**State ID No.:** 1N1E34DA 00300, 1N1E34DA 00400, 1N1E34DA 01500, 1N1E34DA 01600, 1N1E34DA 03700  
**Quarter Section:** 3030  
**Neighborhood:** Kerns, contact Jesse Lopez at [yosoyjay@gmail.com](mailto:yosoyjay@gmail.com)  
**Business District:** Central Eastside Industrial Council, contact [ceic@ceic.cc](mailto:ceic@ceic.cc).  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010 x313  
**Zoning:** General Industrial 1(IG1)  
**Case Type:** Replat (RP)  
**Plan District:** Central City - Central Eastside  
**Other Designations:** 100-year floodplain  
**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:** The Pacific Coast Fruit Company and Union Pacific Railroad Company propose to reconfigure the historic platted lots in their ownerships into 2 parcels through a **Replat**. Additionally, these property owners have requested the vacation of a portion of the abutting NE Everett Street right-of-way west of NE 2nd Avenue (*through a separate process: RWA File No. 8824*) and intend to transfer the entire vacated area to the Pacific Coast Fruit Company in conjunction with this replat. The subject properties and the vacated area will be configured as shown on the attached plat survey.

Parcel 1 will include the Union Pacific Railroad Company property, which is developed with an office building and parking. Parcel 2 will include the Pacific Coast Fruit Company property, which is developed with an industrial building and parking, and the vacated right-of-way, which is also currently developed with parking. All existing development is proposed to remain.

**Relevant Approval Criteria:** In order to be approved, this proposal must comply with the approval criteria of Title 33. **The relevant approval criteria are 33.675.300, Replat.**

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 3, 2020 and determined to be complete on May 27, 2021.

**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.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital

copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

**APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may 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  
Plat Survey