



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

Dan Ryan, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portland.gov/bds

Date: September 13, 2021
To: Interested Person
From: Hillary Adam, Land Use Services
503-823-8953/Hillary.Adam@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 October 4, 2021. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 21-080340 DZ, 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 21-080340 DZ – NEW WINDOWS

Applicant: Ethan Gray
Merryman Barnes Architects
4713 N Albina Ave
Portland, OR 97217

Owners Agent: Vanessa Robinson
Shiels | Obletz | Johnsen
421 SW 6th Ave., Ste 750
Portland, OR 97204

Owner/ Agent: Tracy Capellen
VLF LLC
1800 SW 1st Ave., Ste 600
Portland, OR 97210

Site Address: 245 SW LINCOLN ST

Legal Description: LOT 2 TL 1302, PARTITION PLAT 1997-180
Tax Account No.: R649777180
State ID No.: 1S1E03CB 01302
Quarter Section: 3229

Neighborhood: Portland Downtown, contact Wendy Rahm at wwrahm@aol.com
Business District: NONE
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Plan District: Central City - University District & South Auditorium

1900 SW 4th Avenue, Suite # 5000, Portland, OR 97201

Zoning: RXd – Central Residential with Design overlay

Case Type: DZ – Design Review

Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

The applicant proposes exterior alterations on the existing building in the University/South Downtown subdistrict of the Central City Plan District to include: replacement of all existing vinyl windows and doors with new vinyl windows and doors. The existing casement windows are proposed to be revised to sliding windows.

Design Review is required because the proposal is for non-exempt exterior alterations with the 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:

- Central City Fundamental Design Guidelines

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 August 23, 2021 and determined to be complete on September 7, 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 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
Elevations