



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

Date: November 23, 2021
To: Interested Person
From: Amanda Rhoads, Land Use Services
503-865-6514/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 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 December 14, 2021. Your comments must be emailed to the assigned planner listed above;** please include the Case File Number, LU 21-100161 AD, in your e-mail. If you do not have access to email, 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 21-100161 AD

Applicant: Gerald Gotschall
Portland State University
617 SW Montgomery St., Ste 302
Portland, OR 97201
(503) 725-4306
grg4@pdx.edu

Property Owner: Oregon State (Bd Higher Education Campus Planning Office)
PO Box 751
Portland, OR 97207-0751

Site Address: 2000 SW 5th Avenue, 1914 SW Park Avenue, 310 SW Lincoln Street

Legal Description: BLOCK 21 LOT 5-8 TL 500, CARUTHERS ADD; INC VAC ST BLOCK 197&198, PORTLAND; BLOCK C LOT 1 TL 800, SOUTH AUDITORIUM ADD

Tax Account No.: R140902090, R667720870, R777501150, R667720870

State ID No.: 1S1E04DD 00500, 1S1E04DA 07000, 1S1E03CC 00800, 1S1E04DA 07000

Quarter Section: 3228 & 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

Zoning: CXd – Central Commercial with Design (“d”) overlay

Case Type: AD – Adjustment Review

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

Proposal:

The Portland Zoning Code requires upgrades to existing development when existing development does not meet certain Zoning Code standards and when site improvements with a valuation exceeding a certain threshold (currently \$306,300) are proposed (Zoning Code Section 33.258.070.D.2). These improvements are called nonconforming upgrades. In 2016, Portland State University (PSU) entered into a covenant with the City of Portland to complete nonconforming upgrades to existing development on the campus within a period of 5 years (PR 16-205228). While most of the required upgrades have been completed, some required landscape screening for three existing parking lots has not been completed. Due to the pandemic and a planned construction project, PSU requests an Adjustment to Zoning Code Section 33.258.070.D.2.d.2 to extend the time limit for these nonconforming upgrades for an additional two years, to December 31, 2023.

Relevant Approval Criteria:

To be approved, this proposal must comply with the approval criteria of Title 33, the Portland Zoning Code. Adjustment requests will be approved if the applicant has shown that approval criteria A through F of Zoning Code Section 33.805.040 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 zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I 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 *(not applicable)*
- 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 practicable. *(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 October 26, 2021 and determined to be complete on November 19, 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.

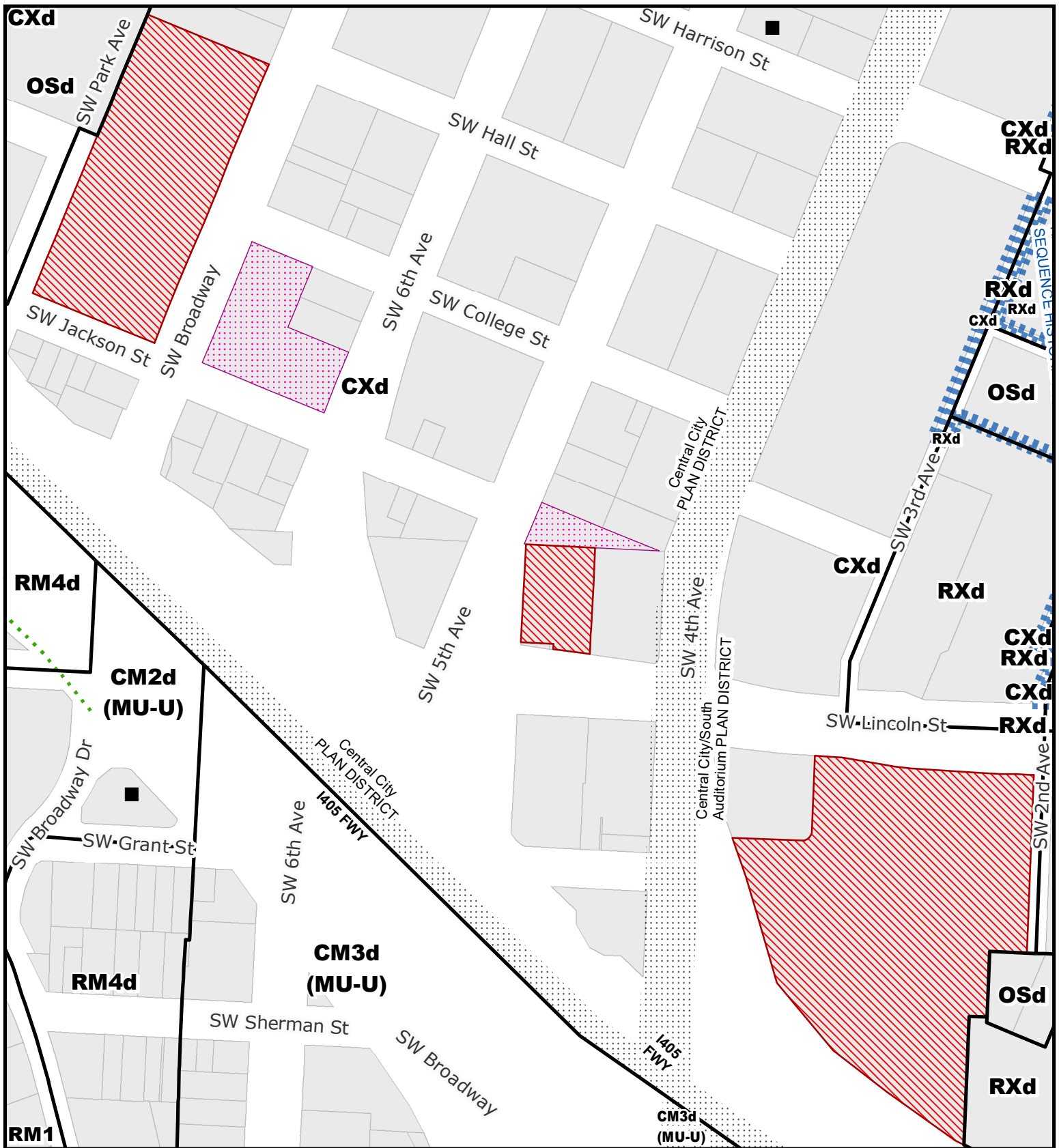
APPEAL OF THE FINAL CITY DECISION

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



ZONING



For Zoning Code in effect Post August 1, 2021

CENTRAL CITY PLAN DISTRICT
UNIVERSITY DISTRICT/SOUTH
DOWNTOWN SUB DISTRICT

-  Site
-  Also Owned Parcels
-  Historic Landmark
-  Recreational Trails

File No.	LU 21 - 100161 AD
1/4 Section	3228,3229
Scale	1 inch = 200 feet
State ID	1S1E04DD 500
Exhibit	B Oct 27, 2021