



**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:** December 30, 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 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 January 20, 2022. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 21-081513 GW, 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 21-081513 GW**

**Applicant:** Dylan Bass, Maul Foster Alongi, Inc.  
109 E 13th Street  
Vancouver WA 98660  
[dbass@maulfoster.com](mailto:dbass@maulfoster.com) / 360-927-6469

**Party of Interest:** Richard Larsen, Temco, Llc.  
800 N River Street  
Portland OR 97227

**Property Owner:** Cargill Inc  
Po Box 5626  
Minneapolis MN 55440-5626

**Site Address:** 800 N RIVER STREET

**Legal Description:** TL 500 6.24 ACRES LAND & IMPS SEE R646344 (R941270391) & R680849 (R941270392) FOR MACH & EQUIP SPLIT LEVY R514906 (R941270810), SECTION 27 1N 1E

**Tax Account No.:** R941270390  
**State ID No.:** 1N1E27CD 00500  
**Quarter Section:** 2829 & 2929

**Neighborhood:** Eliot, contact Jonathan Konkol at [info@eliotneighborhood.org](mailto:info@eliotneighborhood.org) or Brad Baker at [lutcchair@eliotneighborhood.org](mailto:lutcchair@eliotneighborhood.org)

**Business District:** NONE  
**District Coalition:** Northeast Coalition of Neighborhoods, contact at [info@necoalition.org](mailto:info@necoalition.org)

- Plan District:** Central City - Lower Albina  
**Other Designations:** Flood Hazard Area, Landslide Hazard Area
- Zoning:** General Industrial 1 (IG1)  
 Greenway River Industrial (i)  
 Prime Industrial (k)
- Case Type:** Greenway Review (GW)  
**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**Proposal:** The applicant proposes the following work activities and alterations to the existing bulk storage and transloading facility:

- Construct stormwater infrastructure landward of the greenway setback. The improvements are mandated by a Tier II Corrective Action under the facility's NPDES Permit No. 1200-Z; and include the installation of stormwater conveyance piping, an above-ground storage tank, and an above-ground filtration unit (to be connected to an existing outfall). Portions of the existing vehicle area paving will be cut and removed to accommodate the new piping system. Additionally, minor site work may need to be conducted to verify the location of the existing outfall.
- Remove 2 unpermitted storage containers and an overhead structure located within the greenway setback (south of the maintenance shop).
- Install trees, shrubs and groundcover plantings within the greenway setback (south of the maintenance shop).

The applicant also requests approval to allow unpermitted chain link fencing to be retained within the greenway setback area adjacent to an existing conveyor system.

The proposed development and site alterations trigger a **Greenway Review**, since they will occur within 75 feet of the top of the riverbank or riverward (33.440.310).

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

- **33.440.350, Approval Criteria for Greenway Reviews**
- **Willamette Greenway 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 27, 2021 and determined to be complete on December 23, 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 Hearings Officer. 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  
Demolition Site Plan-South  
Proposed Development Site Plan-South