



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

Dan Ryan, Commissioner
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Date: January 11, 2022
To: Interested Person
From: Timothy Novak, Land Use Services
503-823-5395/Timothy.Novak@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 February 1, 2022. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 21-059883 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 21-059883 GW

Applicant: Dan Williams | *Faster Permits*
2000 SW 1st Ave, Suite 420
Portland OR. 97201
Dan@fasterpermits.com | (503) 819-7754

Owner: Sakrete Of Pacific Northwest, INC
16310 E Marietta Ave
Spokane Valley, WA. 99216-1837

Engineer: Daniel Scarpine | *Aquarius Environmental, LLC*
2117 NE ORegon Street, Suite 502
Portland OR. 97232

Site Address: 1402 N RIVER ST

Legal Description: TL 200 3.23 ACRES LAND & IMPS SEE R646404 (R941280351) FOR MACH & EQUIP, SECTION 28 1N 1E

Tax Account No.: R941280350

State ID No.: 1N1E28D 00200

Quarter Section: 2728, 2828

Neighborhood: Overlook NA, contact Brian Yarne at landuse@overlookneighborhood.org

Business District: None

District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-8877.

Plan District: None
Other Designations: Resource Site 14.3a Lower Albina Area (Shoreline), Rank V site. *Lower Willamette River Wildlife Habitat Inventory (1986).*

Zoning: **Base Zone:** Heavy Industrial (IH)
Overlay Zones: River Industrial Greenway Overlay Zone (i)
 Prime Industrial Overlay Zone (k)
 Scenic Resource Zone (s)

Case Type: Greenway Review (GW)
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal:
 The applicant proposes to construct stormwater management improvements to reduce potential discharges of total suspended solids to address 1200-Z Industrial Stormwater Permit Requirements. The improvements include a lined stormwater planter, approximately 10.4 feet wide by 77.5 feet long, with a treated effluent and overflow bypass connection to an existing storm-drain gravity pipe that leads to an existing outfall located riverward of the proposed planter. No trees are proposed for removal.

In the River Industrial (i) zone, alterations to existing development that are less than 75 feet from top of bank require Greenway Review (33.440.310.A). Since a substantial portion of the work area and the stormwater planter are within 75 feet of top of bank, Greenway Review is required.

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

- ❖ **33.440.350.A – All Greenway Reviews**
- ❖ ***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 June 23, 2021 and determined to be complete on November 3, 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
Proposed Development Plan