



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: April 27, 2022
To: Interested Person
From: Andrew Gulizia, Land Use Services
503-865-6714/Andrew.Gulizia@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 contact 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 May 18, 2022. Your comments must be emailed to the assigned planner listed above;** please include the Case File Number, LU 22-129548 CU, in your email. 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 22-129548 CU

Contact Person: Hillary Harris
Harper Houf Peterson Righellis
205 SE Spokane St., Ste. 200
Portland, OR 97202
(503) 221-1131
hillaryh@hhpr.com

Applicant: Julie Elkins
McDaniel Alumni Association
1915 Palisades Terrace Drive
Lakwe Oswego, OR 97034

Property Owner: School District No 1
PO Box 3107
Portland, OR 97208-3107

Site Address: 2735 NE 82nd Ave.

Legal Description: BLOCK 4-6 TL 100 SPLIT MAP R170390 (R325500700), ALBIE'S SUBDIVISION; BLOCK 7-9 TL 3200 SPLIT MAP R101730 (R009301000), GLENHAVEN PK & SUB

Tax Account No.: R009301000, R325500700

State ID No.: 1N2E29DA 00100, 1N2E29AD 03200

Quarter Section: 2738, 2838

Neighborhood: Roseway, contact Ted Carlson at tedcarlston2@yahoo.com

Business District: None

District Coalition: Central Northeast Neighbors, contact Alison Stoll at 503-823-2778
Plan District: None

Zoning: R5/R5c/R5h – Single-Dwelling Residential 5,000 base zone with portions of the site also in the Environmental Conservation (“c”) and Aircraft Landing (“h”) overlay zones

Case Type: CU – Conditional Use Review
Procedure: Type II, an administrative decision with appeal to the Hearings Officer

Proposal:

The applicant proposes to construct a 5,000-square-foot, indoor baseball hitting facility on the McDaniel High School campus. The metal-clad, 100-foot by 50-foot building would be located on the south side of the campus, between the existing football field and the existing baseball/soccer field. On school sites, more than 2,000 square feet of new building area requires Conditional Use Review approval (Zoning Code Sections 33.281.050.A.3, 33.281.050.B.4).

Relevant Approval Criteria:

To be approved, this proposal must comply with the approval criteria of Title 33, the Portland Zoning Code. The relevant criteria are in Zoning Code Section 33.815.105.A-E.

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 April 5, 2022 and determined to be complete on April 22, 2022.

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
Site plan
Building elevations
Rendering