



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: May 5, 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 26, 2022. Your comments must be emailed to the assigned planner listed above;** please include the Case File Number, LU 22-125058 AD, 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 22-125058 AD

Consultant: Trisha Clark
NW Land Planning
PO Box 1073
Goldendale, WA 98620
(503) 330-2019
trisha_clark@hotmail.com

Applicant: Jason Rucker & Reed Kirk, 52 Hive LLC
6740 SW Raleighwood Lane
Portland, OR 97225

Owners: Sydney Deal and Ryan Walker
4142 SE 52nd Ave
Portland OR, 97206

Site Address: vacant lot immediately south of 4142 SE 52nd Ave.

Legal Description: BLOCK 2 LOT 3 TL 11900, BICKFORD PK
Tax Account No.: R077800390
State ID No.: 1S2E07DC 11900
Quarter Section: 3436
Neighborhood: Creston-Kenilworth, contact Seth Otto at ckna.landchair@gmail.com
Business District: None
District Coalition: Southeast Uplift, contact Matchu Williams at matchu@seuplift.org

Zoning: RM1 – Residential Multi-Dwelling 1,000

Case Type: AD – Adjustment Review
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee

Proposal:

The applicant proposes to construct 8 attached, 2-story townhomes on this property. In the RM1 zone, the minimum building setback from the front (west) lot line is 10 feet (Zoning Code Section 33.120.220.B.1, Table 120-3). The applicant's proposal would place the building 10 feet from the current west lot line, but the development will require a street dedication which moves the west lot line 1.5 feet further east. Therefore, the applicant requests an Adjustment to reduce the minimum building setback requirement from the front (west) lot line from 10 feet to 8.5 feet.

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 in Historic, Conservation and National Register Districts and within the boundaries of Historic, Conservation and National Register Landmarks 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 March 22, 2022 and determined to be complete on May 2, 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 Adjustment Committee. 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.

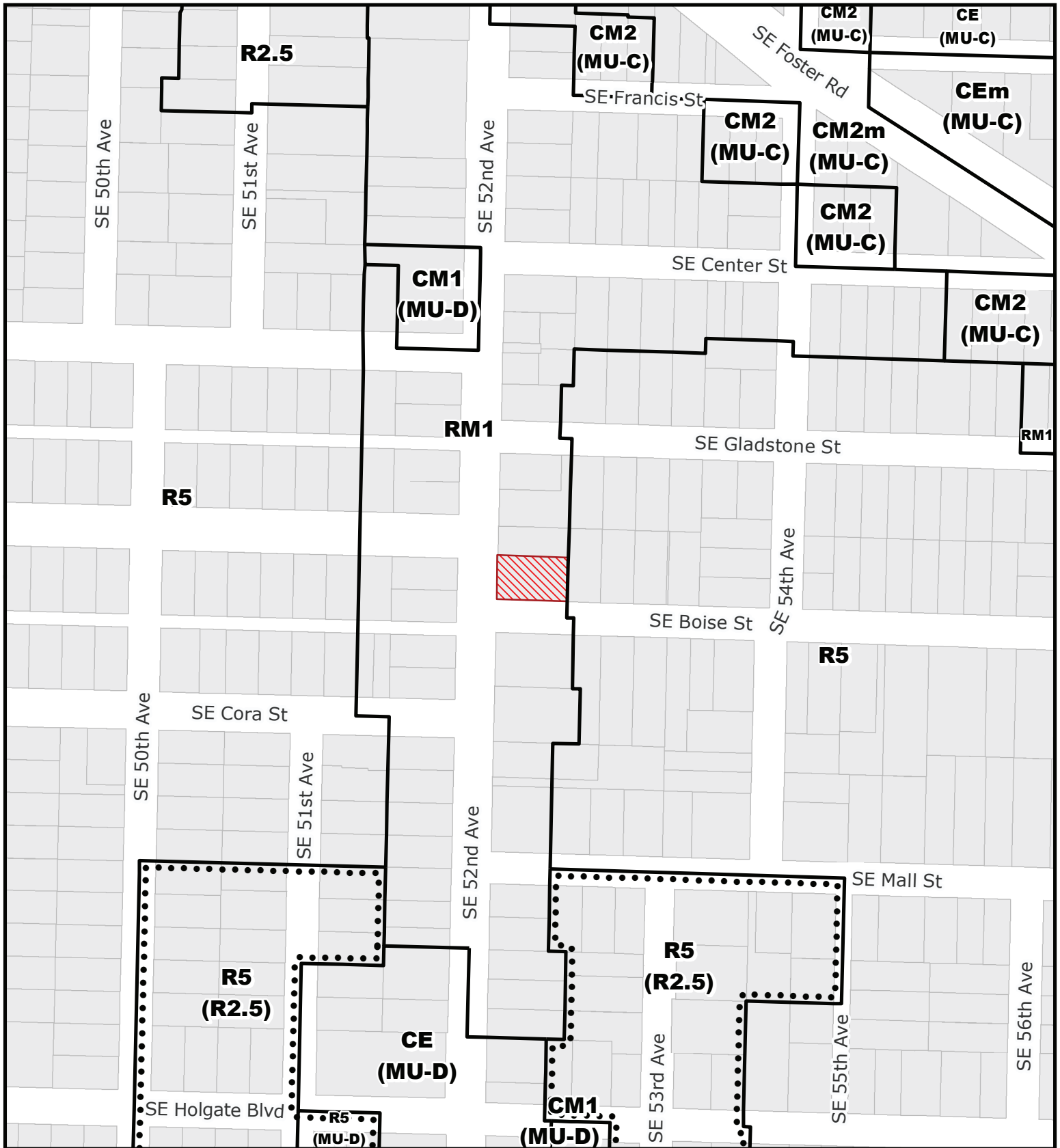
APPEAL OF THE FINAL CITY DECISION

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

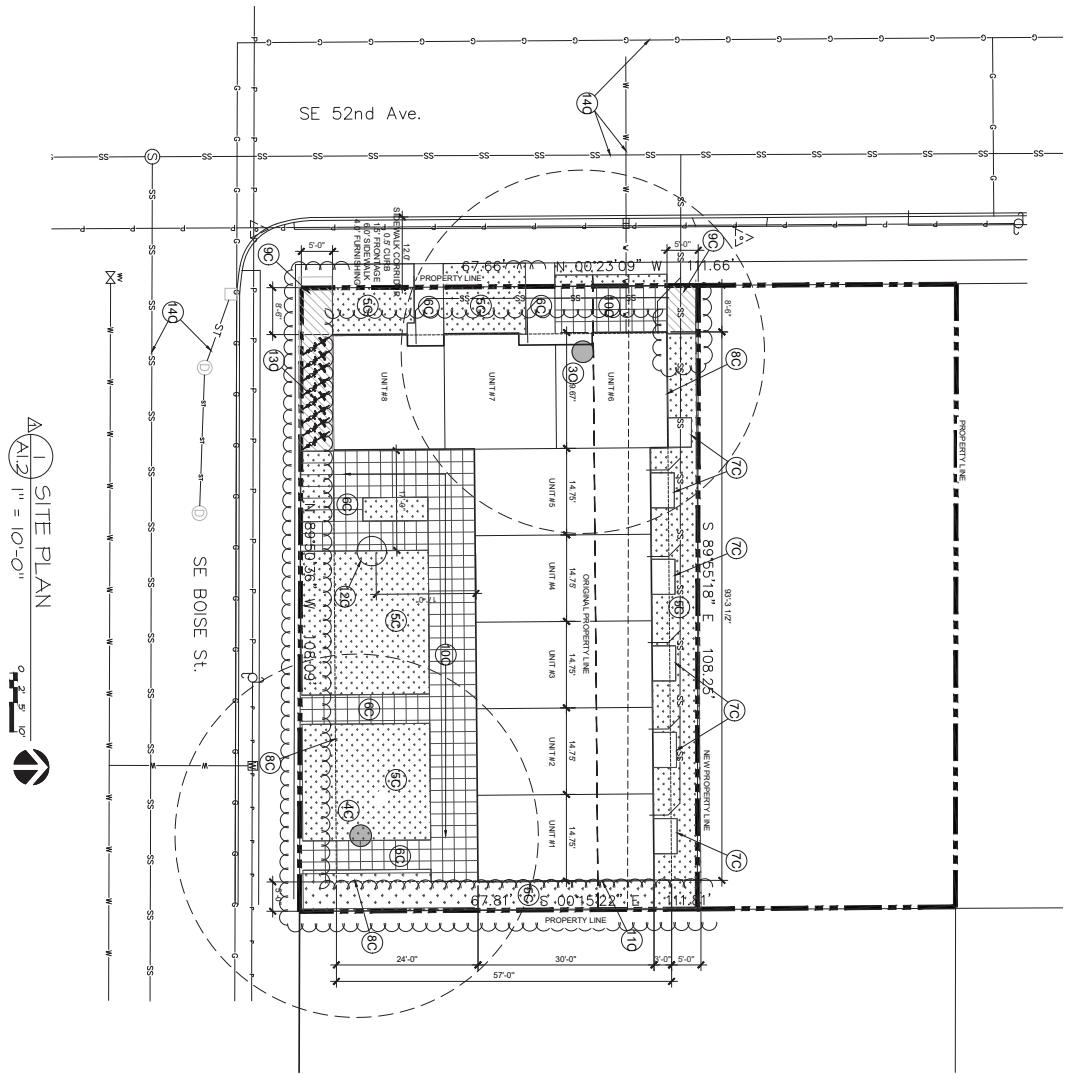


ZONING



For Zoning Code in effect Post August 1, 2021

File No.	LU 22 - 125058 AD
1/4 Section	3436
Scale	1 inch = 200 feet
State ID	1S2E07DC 11900
Exhibit	B Mar 22, 2022



A11 SITE PLAN
 A12 1" = 10'-0"
 0 2' 0"

GENERAL NOTES:

- AREA:
 LOT TOTAL 1330 sqft. +/-
 OVERALL BLDG. FLOOR 3330 sqft. +/-
 LANDSCAPED AREA 2310 sqft. +/-
1. GENERAL CONTRACTOR SHALL REVIEW ALL SITE CONDITIONS AND CONSTRUCTION WORK. REPORT ANY DISCREPANCIES IN THE IMMEDIATELY PROCEED ONLY AFTER WRITTEN CLARIFICATIONS ARE SUBMITTED.

KEY NOTES:

- NOTE:
 SOME NOTES DO NOT APPLY TO EACH SHEET
- (1) NOT USED
 - (2) NOT USED
 - (3) NOT USED
 - (4) EXISTING TREE TO BE REMOVED
 - (5) EXISTING TREE TO REMAIN
 - (6) LANDSCAPE & GRADES
 - (7) 4" CONC. LANDING
 - (8) 9" INCH PAVEMENT WALKWAY
 - (9) 4" CONC. LANDING
 - (10) SETBACK LINE
 - (11) REPAIR RECYCLED AREA (APPROX. LOWEST) EXISTING PLAN PER CITY CODE - SEE SHEET A14 LANDSCAPE PAVEMENT PATIO
 - (12) NON-BLDG. EXTERIOR WALL LINE
 - (13) PROPELL. - 60" / 10' DEEP - SEE INT. ILLUMINATION TEST SHEET A16
 - (14) UTILITIES - SEE SHEET A15 & A16

ADJUSTMENT SUBMITTAL



dba DAVID BISSETT ARCHITECT PC
 503.341.4445 davidb@dbaarch.com
 www.DBAarch.com

SITE PLAN
 52 HIVE TOWNHOMES
 Tract 2 of Multnomah Co.
 Document No. 2021-111530;
 A Portion of Lot's 3 & 4, Block 2,
 "BICKFORD PARK"

Revision
 A12 ADJUSTMENT SUBMITTAL
 3-14-22

Sheet No.	1A	Sheet of	DB
Project Name	52 HIVE		
Client	DB		
Scale	1/4" = 1'-0"		
Drawn By	DB		
Checked By	DB		
Project No.	52 HIVE		
Sheet Number	1A		

DATE: 3/14/22
 TIME: 10:00 AM
 DRAWN BY: DB
 CHECKED BY: DB

GENERAL NOTES:

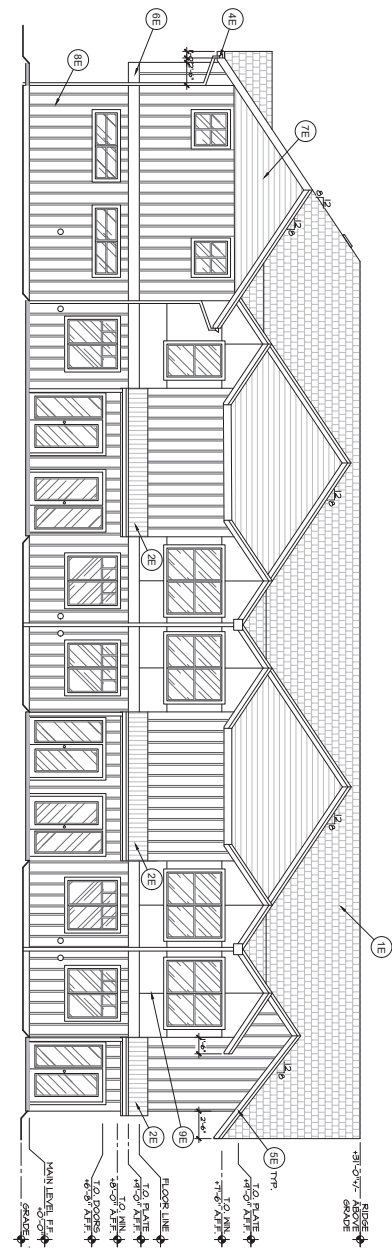
1. GENERAL CONTRACTOR SHALL REVIEW ALL SITE CONDITIONS AND CONSTRUCTION DOCUMENTS PRIOR TO COMMENCING WORK. REPORT ANY DISCREPANCIES IN THE DOCUMENTS TO THE ARCHITECT IMMEDIATELY. THE ARCHITECT'S WRITTEN CLARIFICATIONS ARE SUBMITTED.

KEY NOTES:

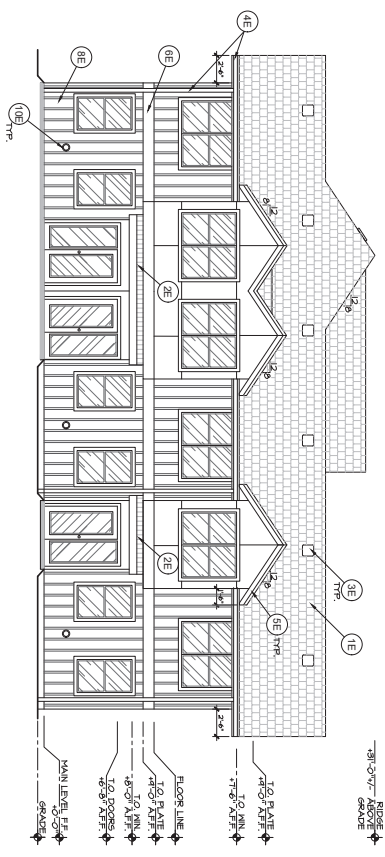
- NOTE: NOTES DO NOT APPLY TO EACH SHEET
- (1E) ARCHITECTURAL CORR. SHIELDS
 - (2E) SHED ROOF W/ VERTICAL SIDINGS
 - (3E) JACK VENT
 - (4E) GUTTER & DOWN SPOUT - CONNECT TO PUBLIC STORM SYSTEM PER CIVIL
 - (5E) 1/4" RAIN OVER 2x8 W/ PLYGA
 - (6E) 1/2" TRIM BAND
 - (7E) 6" HORIZONTAL SIDING
 - (8E) WOODIE BOARD & BATTEN SIDING
 - (9E) WOODIE BOARD PANEL SYSTEM BY RESVAL JOINTS
 - (10E) 6x6 FP of APPLIANCE EXHAUST

EXTERIOR NOTES:

1. PROVIDE HORIZONTAL METAL FLASHING AT ROOF EAVES AND TRANSITIONS BETWEEN SIDING MATERIALS, TYP.
2. PROVIDE RAINGREEN/EXTERIOR DRAINAGE MAT BEHIND ALL SIDING, TYP.



1 SOUTH ELEVATION
 3/16" = 1'-0"
 0 2' 4'



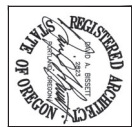
2 WEST ELEVATION
 3/16" = 1'-0"
 0 2' 4'

<p>PERMIT SET</p>	<p>RESIDENCES</p>
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EXTERIOR ELEVATIONS

52 HIVE TOWNHOMES
 Tract 2 of Multnomah Co.
 Document No. 2021-171530;
 A Portion of Lot's 3 & 4, Block 2,
 "BICKFORD PARK"

dba DAVID BISSETT ARCHITECT PC
 503.341.4445 davidb@dbaarch.com
 www.DBAarch.com



A3.1

DATE: 02/21/21
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NUMBER: [Number]