



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

Dan Ryan, Commissioner
Rebecca Esau, Director
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Date: September 8, 2022
To: Interested Person
From: Kate Green, Land Use Services
503-865-6428 / Kate.Green@portlandoregon.gov

NOTICE OF A TYPE Ix 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 45 days, **we need to receive your written comments by 5 p.m. on October 10, 2022. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 22-121441 RP, 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 22-121441 RP

Applicants/Agent: Tom Brugato / Pacific Coast Fruit Company
201 NE 2nd Avenue Portland OR 97232-2984

Owner/Agent: Darrell Anderson / Union Pacific Railroad Company
1400 Douglas St - Ms 1640 Omaha NE 68179-1640

Owner: City of Portland City (Leased Land/ROW)
PO Box 1659 Portland OR 97207-1659

Consultant: Li Alligood / Otak, Inc
808 SW 3rd Avenue #300 Portland OR 97204
503-415-2384 / li.alligood@otak.com

Site Address: 301 NE 2ND AVENUE

Legal Description: BLOCK 32 TL 300 DEPT OF REVENUE, EAST PORTLAND; BLOCK 33 LOT 1-8 TL 400 DEPT OF REVENUE, EAST PORTLAND; BLOCK 34&35 TL 1500, EAST PORTLAND; BLOCK 34&35 TL 1600, EAST PORTLAND

Tax Account No.: R226502070, R226502100, R226502140, R226502150, R226502160
State ID No.: 1N1E34DA 00300, 1N1E34DA 00400, 1N1E34DA 01500, 1N1E34DA 01600

Quarter Section: 3030

Neighborhood: Kerns, contact Jesse Lopez at yosoyjay@gmail.com
Business District: Central Eastside Industrial Council, contact ceic@ceic.cc.
District Coalition: Southeast Uplift, contact Matchu Williams at matchu@seuplift.org

- Zoning:** General Industrial 1(IG1)
- Plan District:** Central City - Central Eastside
- Other Designations:** 100-year floodplain
- Case Type:** Replat (RP)
- Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal: The Pacific Coast Fruit Company and Union Pacific Railroad Company propose to reconfigure the historic platted lots in their ownerships into 2 parcels through a Replat.

Additionally, these property owners have requested the vacation of a portion of the abutting NE Everett Street right-of-way west of NE 2nd Avenue (through a separate process: RWA File No. 8824) and intend to transfer the entire vacated area to the Pacific Coast Fruit Company in conjunction with this replat. The subject properties and the vacated area will be configured as shown on the attached plat survey.

Parcel 1 will include the Union Pacific Railroad Company property, which is developed with an office building and parking. Parcel 2 will include the Pacific Coast Fruit Company property, which is developed with an industrial building and parking, and the vacated right-of-way, which is also currently developed with parking. All existing development is proposed to remain.

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are 33.675.300, Replat.

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 10, 2022 and determined to be complete on September 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

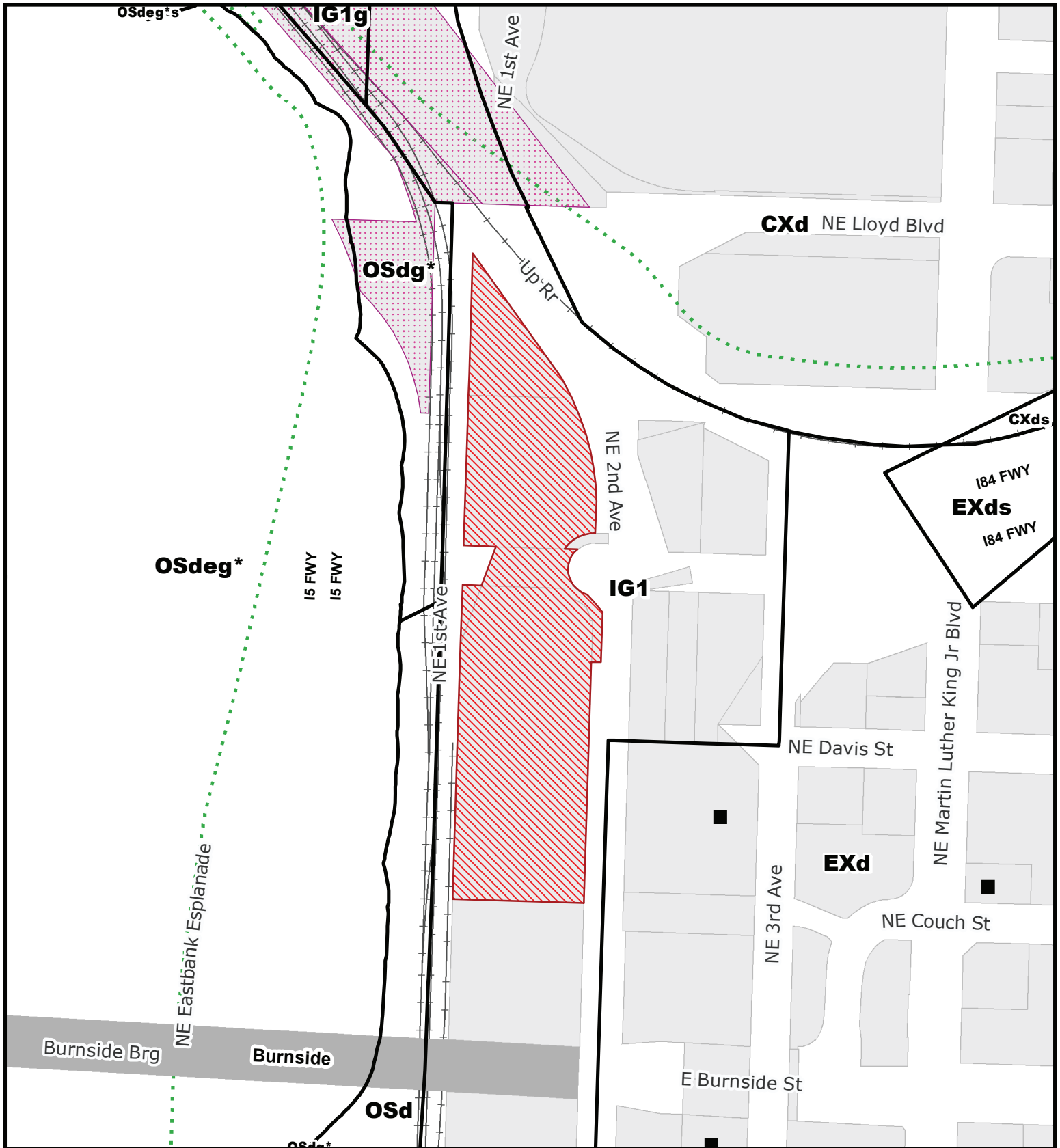
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may 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

Preliminary Partition Plan



ZONING



For Zoning Code in effect Post August 1, 2021

CENTRAL CITY PLAN DISTRICT
CENTRAL EASTSIDE SUB DISTRICT

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

File No.	LU 22 - 121441 RP
1/4 Section	3030
Scale	1 inch = 200 feet
State ID	1N1E34DA 400
Exhibit	B Mar 11, 2022

CURVE DATA

CURVE#	LENGTH	RADIUS	DELTA	CHORD
C1	88.54'	278.34'	181°33'1"	514.06'±35'E 88.16'
C1 [C]	(88.54')	(278.34')	(181°33'12")	
C2	54.66'	55.00'	56°56'38"	561°31'40"W 52.44'
C2 [F]	(54.66')	(55.00')	(56°56'38")	(561°31'40"W 52.44')
C3	62.94'	59.00'	61°07'28"	500°00'00"W 60.00'
C4	32.03'	55.00'	33°21'50"	549°44'20"E 31.58'
C4 [E]	(32.03')	(55.00')		(549°44'20"E 31.58')
C5	34.78'	30.00'	66°25'12"	533°12'39"E 32.86'
C5 [E]	(34.78')	(30.00')		(533°12'39"E 32.86')

ABBREVIATIONS

BR/PBG BOOK AND PAGE PER MULTINOMAH
 COUNTY DEED RECORDS
 DOC. NO. DOCUMENT NUMBER, MULTINOMAH
 COUNTY DEED RECORDS
 I.R. IRON ROAD
 ORD. CITY OF PORTLAND RIGHT OF WAY
 VACATION ORDINANCE
 R/W RIGHT OF WAY LINE
 S.F. SQUARE FEET
 SN SURVEY NUMBER, MULTINOMAH
 COUNTY SURVEY RECORDS
 WYPC WITH YELLOW PLASTIC CAP

REFERENCES

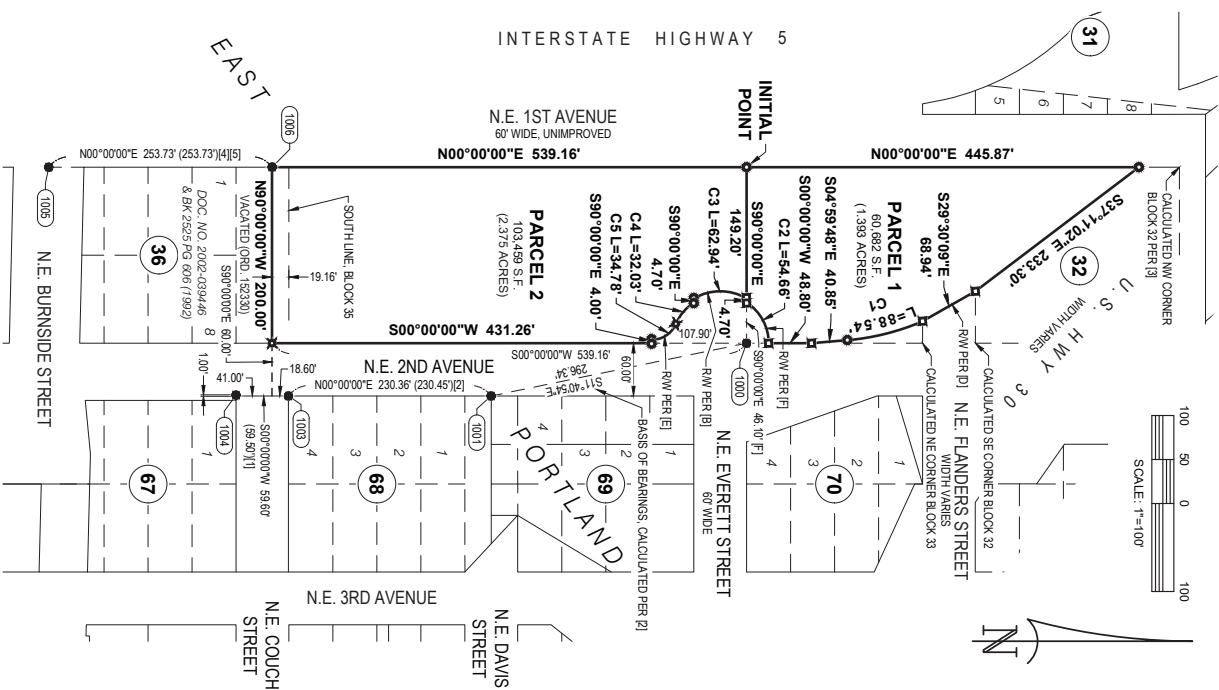
- [1] SN 65419
- [2] SN 62489
- [3] SN 54471
- [4] SN 49897
- [5] SN 48143
- [6] SN 48271
- [7] "EAST PORTLAND", BK 1, PG 54
- [A] DEED DOC. NO. 202 - _____
- [B] ORD. NO. _____
- [C] DOC. NO. 202 - _____
- [C] STATUTORY WARRANTY DEED DOC. NO. 2011-051286
- [D] ORD. NO. 186822 DOC. NO. 95-86142
- [E] DEDICATION DEED BK 2132, PG. 1613, RECORDED 08-29-1988
- [F] DEDICATION DEED BK 1979, PG. 2289, RECORDED 08-29-1988
- [G] DEED BK 13293 PG. 277, RECORDED 08-04-1988
- [G] BARGAN AND SALE DEED BK 1796, PG. 906, RECORDED 12-28-1984

LEGEND

- FOUND MONUMENT AS NOTED
- SET 5/8 INCH x 30 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED "OTAK INC. ON JANUARY 7, 2021"
- ✕ SET 1 INCH COPPER DISK MARKED "OTAK INC. ON JANUARY 7, 2021"
- ✕ SET 5/8 INCH x 30 INCH IRON ROD WITH 2 INCH ALUMINUM CAP MARKED "OTAK INC. ON JANUARY 19, 2021"

FOUND MONUMENTS

DESCRIPTION	MARKINGS	SET IN	NOTES
1000 5/8" IR. NO. CAP FLUSH IN ASPHALT	NONE	[4]	HELD FOR SE CORNER BLOCK 33
1001 5/8" IR. WYPC, UP 0.1'	"WESTLAKE CONSULTANTS"	[2]	ON R/W
1003 5/8" IR. WYPC, FLUSH	"WESTLAKE CONSULTANTS"	[2]	0.06' WEST OF R/W
1004 1.5/8" COPPER DISK IN CURB	"BLUESHOT GROUP"	[1]	HELD AS 1.00' OFFSET (58.00' FROM WEST R/W)
1005 5/8" IR. WYPC PLASTIC CAP, DOWN 0.6'	"WEDDES LS 874"	[9]	HELD FOR EXTENSION OF WEST BLOCK LINE (0.08 WEST [9])
1006 5/8" IR. WYPC ALUMINUM CAP DOWN 1.0'	"MARIS PL. S 880"	[9]	0.09' NORTH, 0.08' WEST (0.09' NORTH, 0.12' WEST [9])



PARTITION PLAT NO. _____

A REPLAT OF BLOCK 35 AND PORTIONS OF BLOCKS 32, 33 AND 34, EAST PORTLAND, TOGETHER WITH ADJOINING VACATED RIGHTS OF WAY, IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
 DATE: SEPTEMBER 1, 2022

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

REGISTERED PROFESSIONAL LAND SURVEYOR
 NOVEMBER 12, 2013
 MICHAEL D. SPELTZ
 57473783
 RENEWED JUNE 30, 2024

Otak
 808 SW 34th Ave., Ste. 800
 Portland, Oregon 97204
 Phone: (503) 287-8625
 www.otak.com
 Project: 18708

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO REPLAT AND CONSOLIDATE INTO A SINGLE PARCEL PORTIONS OF BLOCKS 32 AND 33 OF EAST PORTLAND TOGETHER WITH THE ADJOINING VACATED RIGHT OF WAY AS DESCRIBED IN STATUTORY WARRANTY DEED TO UNION PACIFIC RAILROAD RECORDED APRIL 29, 2011 AS DOC. NO. 2011-051286 (G) EXCEPT THAT PORTION DESCRIBED AS PARCEL 1 IN [F].

AND TO REPLAT AND CONSOLIDATE INTO A SINGLE PARCEL BLOCKS 34 AND 35 OF EAST PORTLAND TOGETHER WITH THE ADJOINING VACATED RIGHTS OF WAY AS DESCRIBED IN BARGAN AND SALE DEED TO PACIFIC COAST FRUIT COMPANY RECORDED DECEMBER 28, 1984 IN BOOK 1796, PAGE 906 (G) EXCEPT THAT PORTION DESCRIBED IN [E], ALSO TOGETHER WITH THE ADJOINING 80 FOOT WIDE PORTION OF THE NE EVERETT STREET RIGHT OF WAY VACATED PER [B], THE NORTH HALF CONVEYED TO PACIFIC FRUIT BY [A].

THE BASIS OF BEARINGS IS A LINE BETWEEN MONUMENT (1000) FOUND AT THE SOUTHEAST CORNER OF BLOCK 33 AND MONUMENT (1001) FOUND ON THE EAST LINE OF NE 2ND AVENUE BETWEEN BLOCKS 67 AND 68 OF SAID PLAT AS SHOWN. THIS BEARING IS SOUTH 11°40'54" EAST AS CALCULATED FROM DATA SHOWN ON [2].

THE MOST EASTERLY LINE OF PARCELS 1 AND 2 WAS RESCUED HOLDING MONUMENT (1000) AT THE SOUTHEAST CORNER OF BLOCK 33 FROM 50.00 FEET WEST OF THE EAST LINE OF THE NORTH LINE OF PARCEL 1 TO 60.00 FEET WEST OF THE EAST LINE OF THIS LINE AS SHOWN ON SN 65419 AND MONUMENT (1001) IS 60.00 FEET EASTERLY OF THIS LINE AS SHOWN ON SN 69289. THESE MONUMENTS SUPPORT THE RESOLUTION OF THIS LINE. PREVIOUSLY THE EAST 28.09 FEET OF BLOCKS 34 AND 35 WAS DEDICATED AS RIGHT OF WAY AS SHOWN ON SN 48271 AND SN 49861. HOWEVER THIS EAST 28.09 FEET WAS VACATED BY ORDINANCE 152300, DOC. NO. 81-062864, BK. 1564, PG. 2301 (1981) AND ORDINANCE NO. 155112, DOC. NO. 83-072931, BK. 1702, PG. 947 (1983) WHICH RESTORED THE 200.00 FOOT EAST-WEST WIDTH PER THE PLAT.

THE WEST LINE OF PARCELS 1 AND 2 IS THE WEST LINE OF BLOCKS 32, 33, 34 AND 35 AND IS PARALLEL WITH AND 200.00 FEET WESTERLY OF SAID EAST LINE AND WAS EXTENDED NORTH TO THE NORTH LINE OF PARCEL 1. SAID 200.00 FEET IS THE ORIGINAL PLAT WIDTH. MONUMENT (1006) IS 0.08 FEET WEST OF THIS WEST LINE AND WAS NOTED AS 0.12 FEET WEST OF THIS LINE ON SN 49897 SINCE A FALLING WAS PREVIOUSLY NOTED AND WAS MINOR AND COMPARABLE TO THE MEASUREMENT SHOWN IT WAS DETERMINED NOT TO HOLD THE EASTING OF THIS MONUMENT.

FOR THE NORTHEASTERLY LINES OF PARCEL 1 THE DISTANCES FROM THE CORNERS OF BLOCKS 32 AND 33 AND OTHER DATA WAS HELD AS DESCRIBED IN [G] AS SHOWN ON SHEET 2. SAID BLOCK CORNERS WERE FOUND BY THE SURVEYOR AND THE DISTANCES FROM THE CORNERS OF BLOCKS 32 AND 33 ARE SHOWN ON SN 54471 AND DESCRIBED IN VACATION ORDINANCE [D].

FOR THE RIGHT OF WAY CURVE AT THE SOUTHEAST CORNER OF PARCEL 1 THE DATA IN DEDICATION DEED [F] WAS HELD.

THE LINE BETWEEN PARCELS 1 AND 2 IS AS DETERMINED BY CLIENT.

FOR THE RIGHT OF WAY LINES IN THE NORTHEAST PORTION OF PARCEL 2 THE DATA IN VACATION ORDINANCE [B] AND DEDICATION DEED [E] WAS HELD.

THE SOUTH LINE OF PARCEL 2 WAS HELD PERPENDICULAR TO SAID EAST AND WEST LINES OF BLOCKS 34 AND 35 AT A LOCATION 539.46 FEET SOUTHERLY OF THE SOUTHEAST CORNER OF BLOCK 33 CALCULATED FROM THE DESCRIPTION IN DEED [G]. MONUMENT (1006) IS 0.09 FEET NORTHERLY OF THIS LINE AGREEING WITH THE NORTHERLY FALLING AS NOTED ON SN 49897.

THE MONUMENT AT THE SOUTHEAST CORNER OF PARCEL 2 WAS SET AT THE INTERSECTION OF THE ABOVE DESCRIBED MOST EASTERLY LINE OF PARCELS 1 AND 2 AND THE ABOVE DESCRIBED SOUTH LINE OF PARCEL 2.

SHEET INDEX

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SHEET 1	BOUNDARY DETAILS
SHEET 2	BOUNDARY DETAILS
SHEET 3	EASEMENT DETAIL, NOTES
SHEET 4	SURVEYOR'S CERTIFICATE, DECLARATION, ACKNOWLEDGMENTS, APPROVALS

SHEET 1 OF 4

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