



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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www.portland.gov/bds

Date: September 16, 2022
To: Interested Person
From: David Besley, Land Use Services
503-865-6715/David.Besley@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 October 7, 2022. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 22-165696 AD, 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 22-165696 AD

Applicant: Kim Olson, Mahlum Architects
1380 SE 9th Ave
Portland, OR 97214

Owner: The Black United Fund Of ORegon Inc
2828 NE Alberta St
Portland, OR 97211-6351

Site Address: 2828 NE ALBERTA ST

Legal Description: BLOCK 3 LOT 19-22, ELBERTA
Tax Account No.: R242300550
State ID No.: 1N1E24BC 00100
Quarter Section: 2533

Neighborhood: Concordia, contact Ben Taylor at landuse@concordiapdx.org
Business District: Alberta Main Street, contact at infor@albertamainstreet.org, Soul District Business Association, contact at Info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact at info@necoalition.org

Plan District: None

Zoning: CM2h (Commercial/Mixed Use 2 zone with Aircraft Landing Overlay zone "h")

Case Type: AD (Adjustment Review)

Procedure: Type II, an administrative decision with appeal to the Adjustment Committee

Proposal:

The applicant is proposing a new 3-4 story, approximately 35,000 square foot office building with limited retail sales and service use on the ground floor. One “Standard A” loading space is required for buildings with at least 20,000 and up to 50,000 square feet of net building area in uses other than Household Living (Section 33.266.310.C.2.b). A Standard A loading space must be at least 35 feet long, 10 feet wide, and have a clearance of 13 feet. Due to space limitations, the applicant is proposing a “Standard B” loading space (18 feet long, 9 feet wide, and with a clearance of at least 10 feet) instead of a Standard A loading space. An Adjustment is therefore requested to allow a Standard B loading space in place of a required Standard A loading space.

Relevant Approval Criteria:

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

- A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and
- B. If in a residential, CI1, or IR zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, I, or CI2 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 (*not applicable*); and
- D. City-designated scenic resources and historic resources are preserved (*not applicable*); and
- 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 July 21, 2022 and determined to be complete on September 9, 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. Please note that due to COVID-19 and limited accessibility to files, only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a

digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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.

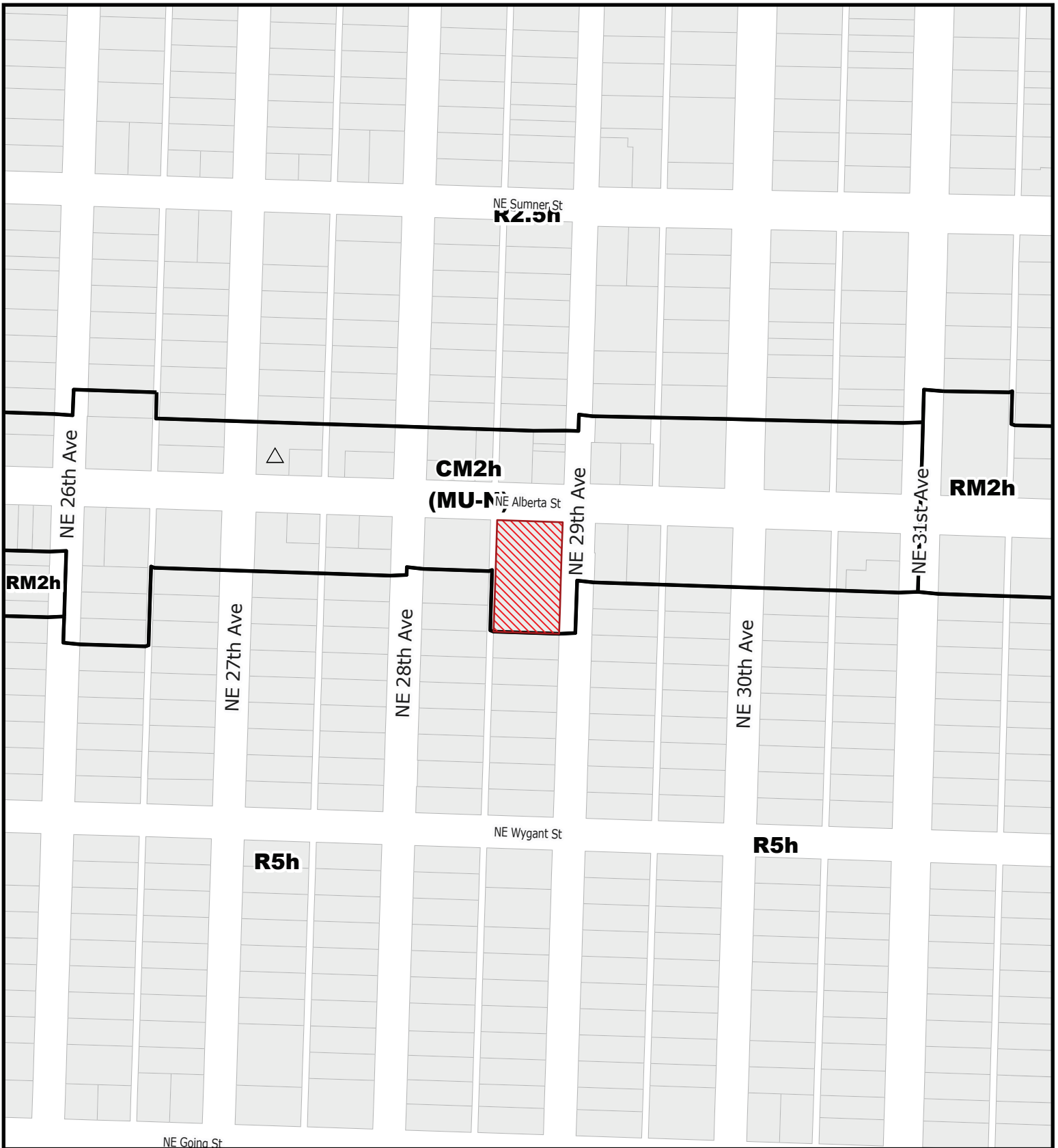
APPEAL OF THE FINAL CITY DECISION

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

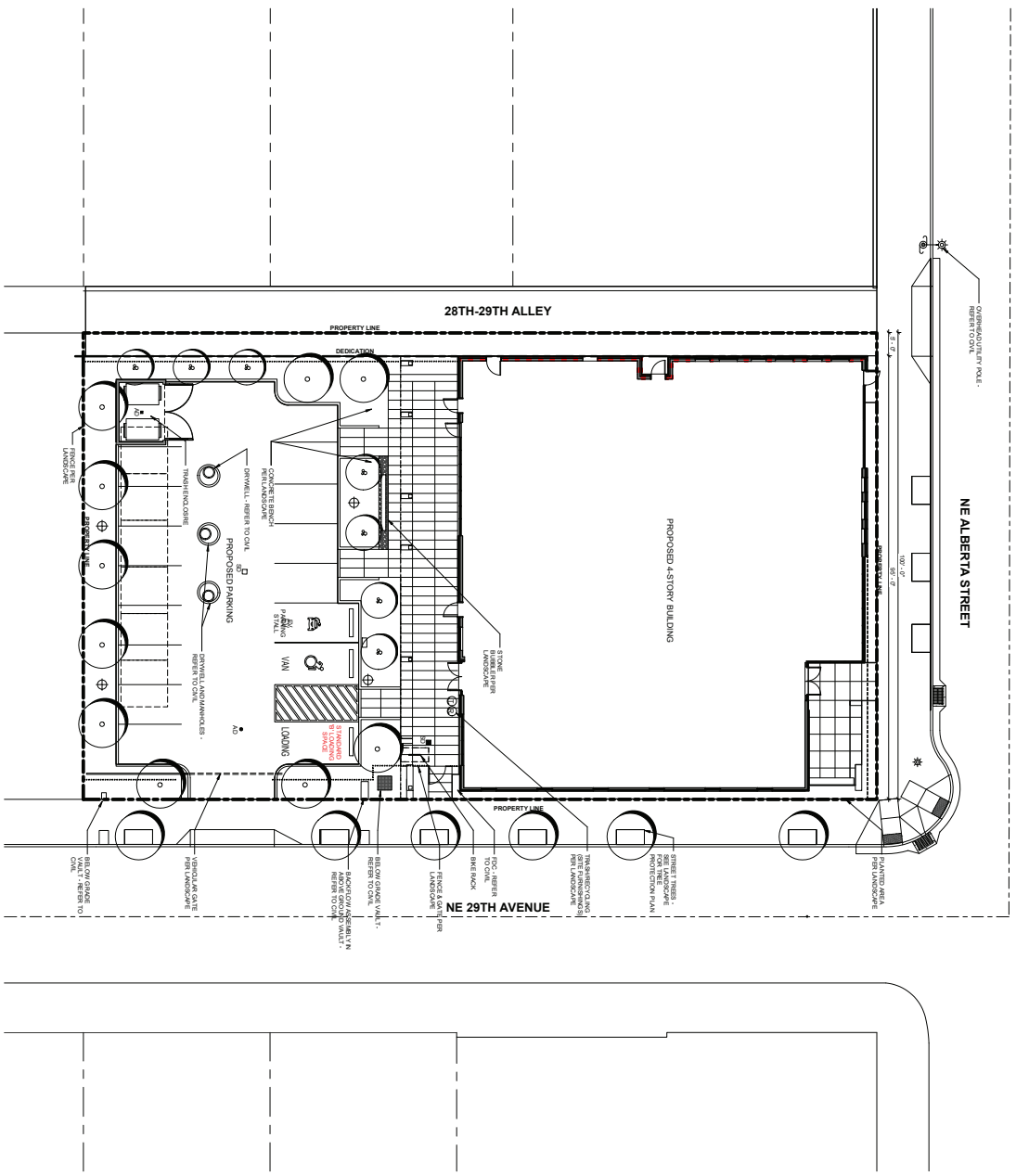


For Zoning Code in effect Post August 1, 2021

ZONING 

-  Site
-  Historic Landmark

File No. LU 22 - 165696 AD
 1/4 Section 2533
 Scale 1 inch = 200 feet
 State ID 1N1E24BC 100
 Exhibit B Jul 22, 2022



PRELIMINARY
SITE PLAN
A1

- GENERAL SITE NOTES**
1. SITE INFORMATION CONTAINED HEREIN IS UNLIMITED BY ANY LIMITS TO THE SURVEY PROVIDED BY THE SURVEYOR AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF MAHLUM ARCHITECTS INC.
 2. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF MAHLUM ARCHITECTS INC.
 3. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.
 4. FINISH GRADES AROUND BUILDING SHALL BE FINISHED OFF FRESH FLOOR FINISHES ON BOTTOM OF EXTERIOR WALLS AND FINISHES ON OTHER SIDE OF EXTERIOR WALLS ON TOP OF EXTERIOR WALLS.
 5. UNLESS OTHERWISE NOTED, DIMENSIONS ON THIS PLAN ARE TO FACE OF CURBS, EXTERIOR FACE OF BUILDING FOUNDATION AND CURBS.

mahlum

71 COLUMBIA | FLOOR 4
 BEATLE | VA 80104
 (571) 544-1515
 OFFICE
 1380 SE 9TH AVENUE
 PORTLAND OR 97214
 (503) 254-9924 OFFICE
 MAHLUM ARCHITECTS INC.

FOR REFERENCE ONLY

BUILDING UNITED FUTURES, LLC
 BUILDING UNITED FUTURES
 COMPLEX
 2925 NE ALBERTA ST
 PORTLAND, OR 97211

MARK	DATE	DESCRIPTION
DATE DATE	SEPTEMBER 03, 2022	
ROLE	DESIGN DEVELOPMENT	
DESIGNED BY	2022/08/02	
CHECKED BY	NO	
DATE	NO	

ARCHITECTURAL SITE PLAN

A-101

