



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: November 15, 2022

From: Leah Dawkins, Land Use Services
503-865-6734 / Leah.Dawkins@portlandoregon.gov

REQUEST FOR RESPONSE

Case File: LU 22-187796 APD AP
Pre App: PC # 22-144899

This notice is being sent to all service and technical review agencies for their input on the proposal described below. Neighborhood Associations also receive this advance notice via e-mail. Your timely response, as indicated below, will help the assigned planner determine if applicable approval criteria can be met, or what conditions might be required.

- The approval criteria are listed below. Although we are interested in any comments you may have, please consider your response in terms of these criteria.
- All agencies are encouraged to use this as an opportunity to inform the applicant of any additional requirements that may be imposed by your agency during building permit phase – especially those that would significantly affect the proposal.
- Please note in your response which requirements are specifically associated with the applicable land use review approval criteria, and which requirements you have the independent authority to impose at time of building permits.
- Neighborhood Associations are encouraged to submit comments by the deadline noted below. To comment, you may write to Leah Dawkins at 1900 SW Fourth Ave., Suite 4500, Portland, OR 97201. You can also e-mail your comments to me at my e-mail address identified above. After the staff report is published, please submit your comments to the Hearings Officer at 1900 SW Fourth Avenue, Portland, OR 97201 and fax them to 503-823-4347.

The Bureau of Development Services recommendation will be published ten days before the scheduled hearing date. You will also receive a Notice of Public Hearing for this proposal, with hearing date and time confirmed, mailed twenty days prior to the hearing.

- **Please send your response to BDS no later than: December 9, 2022** (If I receive comments after this date, I may not have enough time to include them in the staff report).
- **We must publish our report by: December 16, 2022**
- **A public hearing before the Hearings Officer is tentatively scheduled for December 28, 2022, at 2:00 pm.**

Applicant: Jesse Winterowd
Winterbrook Planning
610 SW Alder Street, #810
Portland, OR 97205
(503) 827-4422 / jesse@winterbrookplanning.com

Owner: SWS PDX LLC
15110 Boones Ferry Road, #500
Lake Oswego, OR 97035

Developer: Sean O'Neill
Scotia Western States Housing, LLC
15962 Boones Ferry Rd, Ste 202
Lake Oswego, OR 97035

Site Address: 1325 SW Gibbs Street

Legal Description: Partition Plat 2021-41, Lot 1, INC UND INT Tract A
Tax Account No.: R649931610
State ID No.: 1S1E09BD 02801
Quarter Section: 3327

Neighborhood: Homestead, contact Milt Jones at land-use@homesteadna.org
Business District: None
District Coalition: Office of Community & Civic Life, contact at CivicLife@portlandoregon.gov
Plan District: None
Other Designations: Potential Landslide Hazard
Zoning: Residential 7,000 (R7), Residential Multi-Dwelling 2 (RM2), Environmental Conservation Overlay (c), Constrained Sites Overlay (z)

Case Type: Planned Development Amendment (APD), Partition Amendment (AP)
Procedure: Type III, with a public hearing before the Hearings Officer. The decision of the Hearings Officer can be appealed to City Council.

Proposal:

The applicant received Land Use approval for a 5-story 27-unit multi-dwelling structure with 28 vehicle parking spaces and 30 long-term bike parking spaces through a Planned Development Review, a Land Division Partition, and Environmental Modifications submitted in 2019 (LU 19-258445 PD LDP ENM). The applicant is now proposing an amendment to the original Planned Development and Partition approvals to allow for an increase in the number of units from 27 to 43 units through the alteration of interior floor plans. The increased density is allowed under the current zoning on the site. The proposal will increase the number of bicycle parking spaces from 32 to 51 spaces. The building envelope, façade, site access, and circulation are not proposed to change. The environmental tract created in the 2019 land use review will not change. Previously approved utility access will not change.

To better meet the outdoor area requirements and comply with new façade articulation requirements, the applicant has requested the following modifications through the Planned Development Amendment:

- Reduce the area of street facing façade articulation from 25% to 22% of the total street facing surface area (33.120.230.C.2);
- Reduce the required common outdoor area dimensions for an upper common deck from a 20-foot by 20-foot square to dimensions of 17.5-feet by 20-feet (33.120.140.C.2.a);

- Reduce the required common outdoor area dimensions for a new lower common outdoor area from a 20-foot by 20-foot square to dimensions of 11.5-feet by 10-feet and reduce the minimum area from 500 square feet to 280 square feet (33.120.240.C.2.a);
- Increase the maximum distance between an outdoor common area and a building entrance from 20 feet to 45 feet (33.120.240.C.2.a).

This proposal is reviewed through a Type III procedure because an increase in density is considered a major change to an Approved Planned Development and the original Planned Development application was processed through a Type III procedure (33.854.500-.510). The Land Division Amendment is being processed concurrently through the Type III procedure.

Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of *Title 33*. The applicable approval criteria are found in sections:

- **33.854.310.E, Approval Criteria for Planned Developments**
- **33.854.320, Approval Criteria for Modifications of Site-Related Development Standards**
- **33.660.320.B, Approval Criteria for Other Changes to an Approved Preliminary Plan**

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 filed, provided that the application is complete at the time of filing, or complete within 180 days. This application was filed on September 28, 2022 and determined to be complete on November 7, 2022.

It is important to submit all evidence to the Hearings Officer. City Council will not accept additional evidence if there is an appeal of this proposal.

Enclosures: Zoning Map, Site Plans, Façade Plan