

## IMPACT STATEMENT

### Proposal:

The request is not for a legislative action, but instead is a Type III Quasi-Judicial Comprehensive Plan Map Amendment from Low-Density Multi-Dwelling to Neighborhood Commercial, and a Zoning Map Amendment from Residential 2,000 (R2) to Neighborhood Commercial 1 (CN1).

**Contact name:** Amanda Rhoads, Land Use Services  
**Contact phone:** 503-823-7837  
**Presenter name:** Amanda Rhoads

### Purpose of proposal and background information:

The request is not for a legislative action, but instead is a Type III Quasi-Judicial Comprehensive Plan Map Amendment from Low-Density Multi-Dwelling to Neighborhood Commercial, and a Zoning Map Amendment from Residential 2,000 (R2) to Neighborhood Commercial 1 (CN1) for property located at 5901 SE Belmont Street. Quasi-Judicial Procedures described in Zoning Code Chapter 33.730, commonly known as "Land Use Reviews" are handled by the Bureau of Development Services. Quasi-judicial procedures specifically describe the City Council as the decision-maker for Type III Comprehensive Plan Map Amendment and concurrent review requests, per 33.730.030.E.3.

In this case, the Land Use Review includes a Comprehensive Plan Map Amendment and Zoning Map Amendment. The Hearings Officer has submitted a recommendation of approval. Staff will be presenting the Hearings Officer's recommendation at the hearing.

### Financial and budgetary impacts:

This is not a legislative action, but rather a Type III quasi-judicial land use review to change the Comprehensive Plan Map and Zoning Map designations on the site. The request comes from the property-owner of the subject site. As such, this request has no impact on generating or reducing revenue coming to the City.

### Community impacts and community involvement:

Any impacts associated with the requested Comprehensive Plan Map and Zoning Map Amendments are identified in the Hearings Officers recommendation on this land use review, which was forwarded to the City Council (LU 16-292724 CP ZC). Staff and the Hearings Officer have analyzed the anticipated impacts. The Hearings Officer's recommendation speaks to these under the applicable approval criteria. In summary, the Hearings Officer found the requested Comprehensive Plan Map Amendment was, on balance, equally or more supportive of the relevant Comprehensive Plan goals and policies than the existing designation on the site. The Hearings Officer found the request for a Zoning Map Amendment will have no impacts to public services.

The Zoning Code requires for a Type III Land Use Review that public notice be mailed to property owners within 400 feet of the subject site and that the site be posted for a minimum of 30 days prior to the first hearing before the Hearings Officer. The notice also goes to the

neighborhood association and any city-recognized business associations. Notice of the City Council hearing was also mailed to all the individuals and organizations described above. Hearings are also posted on the BDS website. There are no other public involvement efforts on the part of city staff.

A written Notice of Proposal was sent to the above-referenced entities notifying them of the proposal and requesting comment on the proposal. The notice also informed them of the opportunity to testify at the Hearings Officer public hearing. No written comments were received in response to the Notice of Proposal from area residents; a letter of support from the Mt. Tabor Neighborhood Association was included in the original application.

### Budgetary Impact Worksheet

**Does this action change appropriations?**

- ☐ **YES:** Please complete the information below.  
☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

SARAH RADELET  
STRATA LAND USE PLANNING  
PO BOX 90833  
PORTLAND OR 97290

AARON AND AMANDA TINKLE  
8345 SW 11<sup>TH</sup> AVE  
PORTLAND OR 97219

BUREAU OF DEVELOPMENT SVCS  
CASE FILE AMANDA RHOADS  
1900 SW 4TH AVE #5000  
PORTLAND OR 97201

EMAILED: AMANDA RHOADS, LAUREN KING, LINLY  
REES, MAJA HAIUM, BDS HEARINGS CLERKS,  
HEARINGS OFFICE CLERKS, DOUG MORGAN, KURT  
KRUEGER, DAWN KRANTZ, ROBERT HALEY, DAWN  
UCHIYAMA, STEPHEN HIMES, MARI MOORE, BPS-  
GIS, MEGHAAN DAVIS, TONI ANDERSON

BUREAU OF DEVELOPMENT SERVICES  
HEARINGS CLERK  
1900 SW 4<sup>TH</sup> AVE #3100  
PORTLAND OR 97201

**LU 16-292724 CP ZC**  
**ORDER OF COUNCIL MAILED: 10/02/17**

*pn*



Portland City Auditor  
Council Clerk/Contracts Division

Auditor Mary Hull Caballero  
Council Clerk Karla Moore-Love

October 2, 2017

Sarah Radelet  
Strata Land Use Planning  
PO Box 90833  
Portland, OR 97290

Aaron and Amanda Tinkle  
8345 SW 11<sup>th</sup> Avenue  
Portland, OR 97219

**RE: LU 16-292724 CP ZC**

Consider the proposal Sarah Radelet of Strata Land Use Planning and the recommendation from the Hearings Officer for approval to change the Comprehensive Plan Map designation from Low-Density Multi-Dwelling to Neighborhood Commercial and the Zoning Map designation from Residential 2,000 to Neighborhood Commercial 1 for property at 5901 SE Belmont Street (Hearing; LU 16-292724 CP ZC)

Dear Applicant:

On September 27, 2017, at approximately 10:50 a.m., at a regularly scheduled meeting in Council Chambers, the Council voted 3-0 and passed Ordinance No.188612, effective October 27, 2017, 30 days from passage.

This Ordinance must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. **Please send a check to this office for \$51.00 payable to the Multnomah County Recorder, indicating the file number on your check.**

Yours sincerely,  
Mary Hull Caballero  
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Encl.





**NOTICE OF FINAL DECISION**

TO: All Interested Persons  
DATE: October 2, 2017  
RE: LU 16-292724 CP ZC

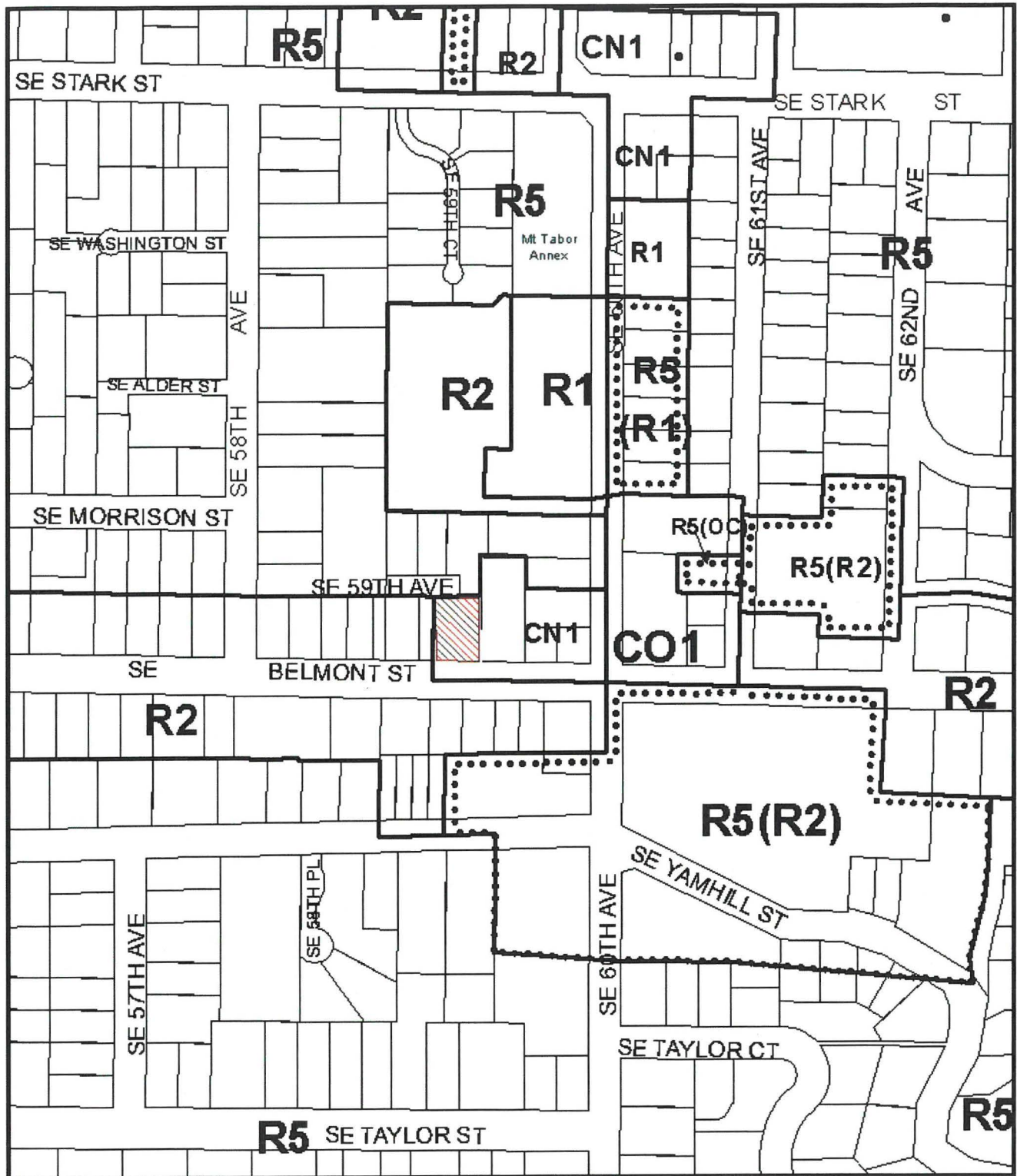
Consider the proposal Sarah Radelet of Strata Land Use Planning and the recommendation from the Hearings Officer for approval to change the Comprehensive Plan Map designation from Low-Density Multi-Dwelling to Neighborhood Commercial and the Zoning Map designation from Residential 2,000 to Neighborhood Commercial 1 for property at 5901 SE Belmont Street (Hearing; LU 16-292724 CP ZC)

On September 27, 2017, at approximately 10:50 a.m., at a regularly scheduled meeting in Council Chambers, the Council voted 3-0 and passed Ordinance No.188612, effective October 27, 2017, 30 days from passage.

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. The Board's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call the Land Use Board of Appeals at 1-503-373-1265 or visit LUBA's website ([www.oregon.gov/LUBA](http://www.oregon.gov/LUBA)) for further information on filing an appeal.

Encl.





# PROPOSED ZONING



- Site
- Historic Landmark

File No.	LU 16-292724 CP ZC		
1/4 Section	3136		
Scale	1 inch = 200 feet		
State_Id	1S2E06AA 7804		
Exhibit	B	(Jan 05, 2017)	



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Office of the Director**  
**FROM CONCEPT TO CONSTRUCTION**

Chloe Eudaly, Commissioner  
 Rebecca Esau, Interim Director  
 Phone: (503) 823-7300  
 Fax: (503) 823-6983  
 TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**MEMORANDUM**

September 21, 2017

TO: Mayor Ted Wheeler  
 Commissioner Chloe Eudaly  
 Commissioner Nick Fish  
 Commissioner Amanda Fritz  
 Commissioner Dan Saltzman

FROM: Rebecca Esau, Interim Director *RE*  
 Bureau of Development Services

RE: City Council hearing on LU 16-292724 CP ZC Type 3 (5901 SE Belmont Street)

The purpose of this memorandum is to provide a summary and brief description of the land use review that will be presented to you in public hearing on September 21, 2017 at 3:30 pm, time certain.

**Site Address:** 5901 SE Belmont Street

**BDS Representative:** Amanda Rhoads, City Planner II

1. **Land Use Reviews Requested:** Request to change the Comprehensive Plan Map designation from Low-Density Multi-Dwelling to Neighborhood Commercial and the Zoning Map designation from Residential 2,000 (R2) to Neighborhood Commercial 1 (CN1) for property at 5901 SE Belmont Street (Hearing: LU 16-292724 CP ZC).
2. **Key Elements of Proposal:**
  - The applicant is Sarah Radelet of Strata Land Use Planning, representing Aaron and Amanda Tinkle, the property owners;
  - The site is 6,468 square feet in size;
  - The property owner plans to develop the site with a dental office for his practice. He is currently located two properties to the east;
  - No conditions of approval are recommended.
3. **Staff and Hearings Officer Recommendation:**  
 The Staff Report to the Hearings Officer and the Hearings Officer's recommendation to City Council is to approve the request with no conditions of approval.
4. **Alternatives Facing Council:**
  - Accept the Hearings Officer's recommendation, with no changes.
  - Accept the Hearings Officer's recommendation with modified conditions and findings.
  - Reject the Hearings Officer's recommendation and deny the proposal.