

CITY OF PORTLAND

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December 2, 2013

NOTICE OF DECISION

RE CASE FILE: LU 13- 115249 CP ZC

Consider the proposal of Firenze Development Inc. et al, and the recommendation from the Hearings Officer for approval to change the Comprehensive Plan Map designation from High Density Single Dwelling to Attached Residential and the Zoning Map designation from R5a to R2.5 for property located in the vicinity of NE 14th Ave and NE Fremont St (Hearing; LU 13-115249 CP ZC)

To Whom It May Concern:

On November 27, 2013, at approximately 9:30 a.m., at a regularly scheduled meeting in Council Chambers, the Council voted 5-0 and passed Ordinance No.186358.

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) for further information on filing an appeal.

Yours sincerely,

LaVonne Griffin-Valade
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Enc.

ORDINANCE No. 186358

Amend the Comprehensive Plan Map designation and change zoning of property at 3607, 3617, 3623 and 3637 NE 14th Ave at the request of Peter Kusyk of Firenze Development Inc., Kevin Palmer and Dawn M. Meaney (Ordinance; LU 13-115249 CP ZC)

The City of Portland ordains:

Section 1. Council finds:

1. The Applicant seeks, in the vicinity of property at 3607, 3617, 3623 and 3637 NE 14TH AVE, the following:
 - a. a Comprehensive Plan Map Amendment from High Density Single Dwelling Residential to Attached Residential for the properties identified as State ID Nos. 1N1E23CD 19700, 1N1E23CD 19600, 1N1E23CD 19500, 1N1E23CD 19400, legally described as Block 13, Lots 13, 14, 15, and 16, LINCOLN PK, a recorded plat in Multnomah County (hereinafter referred to as the "Property"); and
 - b. a Zoning Map Amendment from R5a to R2.5 for the Property; and
2. An application complying with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland seeking amendment of the Comprehensive Plan Map and Zoning Map has been received with the proper fee for filing paid.
3. The Hearings Officer held a duly noticed public hearing on September 9, 2013, and a Recommendation was issued on October 21, 2013, (BDS File No. LU 13-115249 CP ZC). The Hearings Officer recommended approval of the requested Comprehensive Map Amendment and Zoning Map Amendment, with conditions.
4. The requested Comprehensive Plan Amendment and Zoning Map Amendment, based on the findings contained in the Recommendation of the Hearings Officer, are found to be in conformance with the Comprehensive Plan and relevant Title 33 approval criteria.

NOW THEREFORE, the Council directs:

- a. City Council adopts the facts, findings, conclusions and recommendations of the Hearings Officer in BDS File No. LU 13-115249 CP ZC.
- b. The Comprehensive Plan Map Amendment and Zoning Map Amendment for the Property legally described as Block 13, Lots 13, 14, 15, and 16, LINCOLN PK, a recorded plat in Multnomah County, are approved as follows:
 1. A Comprehensive Plan Map Amendment from High Density Single Dwelling Residential to

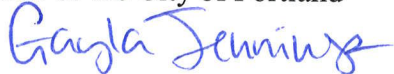
Attached Residential for the Property.

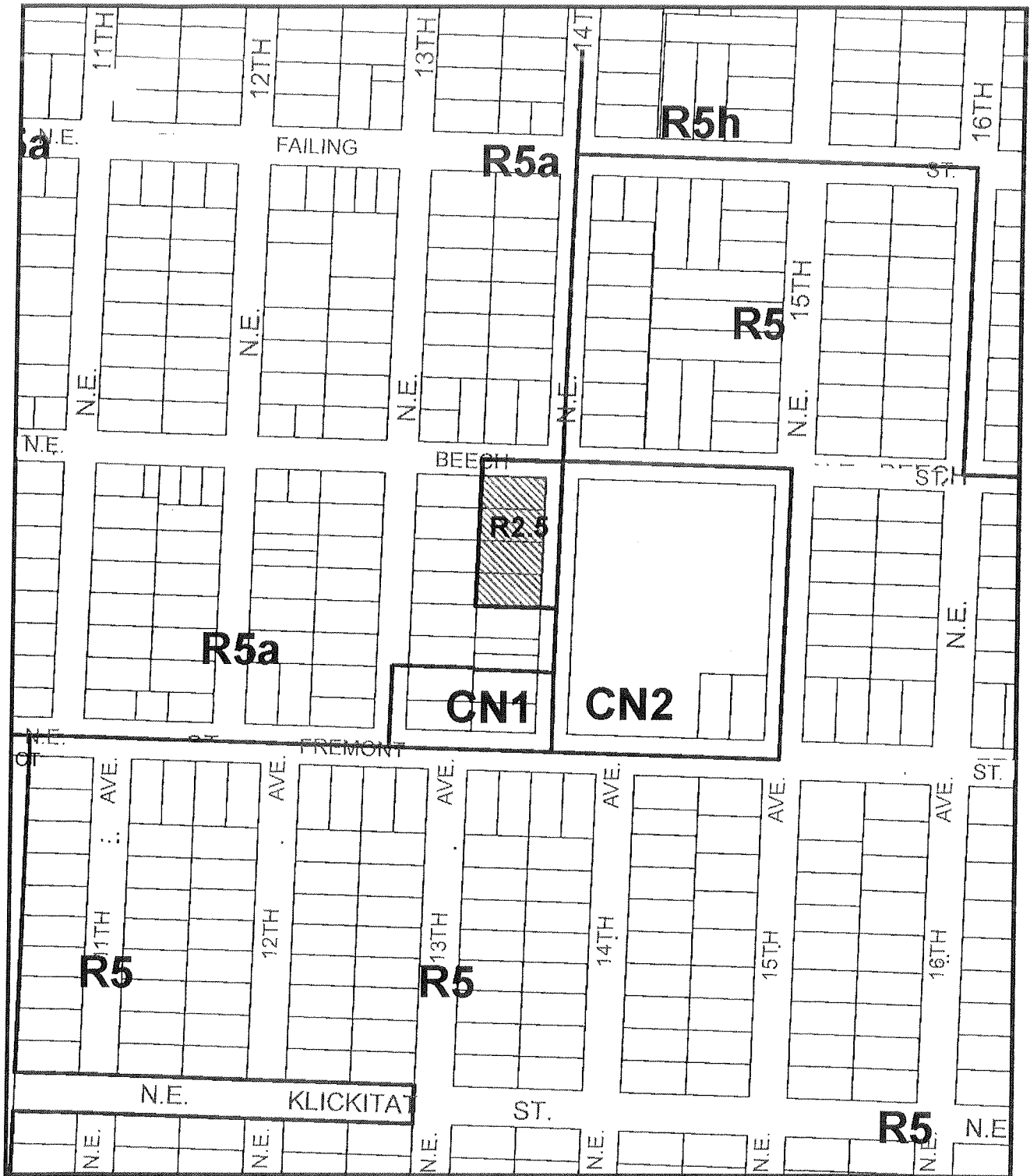
2. Zoning Map Amendment from R5a to R2.5 for the Property.
3. The Zoning Map Amendment is subject to the conditions below. Any violation of these conditions shall be subject to the enforcement procedures in the City code, but will not void the Comprehensive Plan Map and Zoning Map Amendments:
 - A. As part of the building permit application submittal, each of the four required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibit B-2. The sheets on which this information appears must be labeled, "Proposal as approved in Case File # LU 13-115249 CP ZC."
 - B. The zone map amendment is subject to the following Condition of Approval:
 - Driveways proposed for access to the residential units on the Subject Property shall be paired. There shall be a maximum of four total driveways and each paired driveway shall not exceed 22-feet in width.
 - The distance between driveway wings along NE 14th Avenue shall be a minimum of 22-feet.
 - Approval of a Design Exception from PBOT will be necessary if the driveway location does not satisfy the minimum 25-foot dimension requirement from the intersection of the Subject Property's NE 14th Avenue and NE Beech Street property lines.

Passed by the Council: NOV 27 2013

Commissioner Amanda Fritz
Prepared by: Sylvia Cate, BDS
Date Prepared: November 21, 2013

LaVonne Griffin-Valade
Auditor of the City of Portland

By 
Deputy



ZONING PROPOSED



File No. LU 13-115249 CP,ZC
 1/4 Section 2631
 Scale 1 inch = 200 feet
 State_Id 1N1E23CD 19400
 Exhibit B2 (Mar 26, 2013)