

**Moore-Love, Karla**

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**From:** Moore-Love, Karla  
**Sent:** Tuesday, January 24, 2012 10:06 AM  
**To:** Papaefthimiou, Jonna; Grumm, Matt; Schmanski, Sonia; Crail, Tim; Edwards, Kenneth; Oishi, Stuart  
**Subject:** FW: Memo to City Council for LU 11-103310 CP ZC AD (Barbur Safeway)  
**Attachments:** jan 24 memo to CC \_20120124093213.pdf

Council Offices - memo from staff is attached.

Karla

Karla Moore-Love  
Council Clerk - City of Portland  
Office of the City Auditor  
1221 SW 4th Ave Room 140  
Portland OR 97204-1900  
503.823.4086

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**From:** Frugoli, Sheila  
**Sent:** Tuesday, January 24, 2012 9:27 AM  
**To:** Moore-Love, Karla  
**Cc:** Beaumont, Kathryn; McKinney, Susan  
**Subject:** Memo to City Council for LU 11-103310 CP ZC AD (Barbur Safeway)

Karla,

Please transmit this memo to City Council. Also attached are replacement pages that incorporate corrections to the Hearings Officer's recommendation.

Thanks,

Sheila  
**Sheila Frugoli, Sr. Planner**  
Land Use Services Division  
Bureau of Development Services  
503-823-7817

1/26/2012



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

January 24, 2012

**Memorandum**

TO: Portland City Council

FROM: Sheila Frugoli, Senior Planner, BDS *SF*

RE: LU 11-103310 CP ZC AD (Safeway Barbur) - Recommendation to the City Council

This memo serves to flag two omissions in the Hearings Officer's recommendation to you. Hearings Officer Kenneth Helm has asked staff to present the following recommended corrections at the hearing:

**1. Full Legal Description:** To accurately identify the lots that are subject to the requested map designation and zone change, the Hearings Officer recommends the following replacement:

**Approval** of a Comprehensive Plan Map Amendment and Zoning Map Amendment from Medium-Density Multi-Dwelling Residential (R1) to General Commercial (CG) for the 2 lots identified as:

8039 SW Capitol Hill Road  
Partition Plat 2003-21, Lot 1  
State ID: 1S1E21CB 4301  
Tax Acct No.: R534391

Partition Plat 2003-21, Lot 2  
State ID: 1S1E21CB 4302  
Tax Acct No.: R534392

Subject to the following conditions:

**2. Condition Limiting Truck Routes:** In the Hearings Officer's report (page 34) he states, "The Hearings Officer finds that the Applicant's truck route analysis, PBOT's review, and the Applicant's supplemental transportation report provide substantial evidence that Policy 6.30 can be met. With PBOT's recommended condition of approval, the proposal is on balance consistent with Policy 6.30".

Unfortunately, the condition that speaks to this was not included in the report. The Hearings Officer recommends adding the following condition:

**Condition I.**

Safeway trucks must use only streets that are classified as designated truck access streets in the City's Transportation Systems Plan.

If the Council is inclined to adopt the Hearings Officer's recommendation, the attached replacement pages incorporate these minor corrections and the Council should adopt them as part of their final decision.

*Pages 57-61*

cc. Applicant



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Mark D. Whitlow

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November 30, 2011

VIA EMAIL

AUDITOR 11/30/11 PM 5:19 <sup>3:05</sup> *[signature]*

Sheila M. Frugoli  
Senior City Planner Land Use Review  
City of Portland  
Bureau of Development Services  
1900 SW 4th Ave., Suite 4500  
Portland, OR 97201

Re: Case File No. LU 11-103310 CP ZC AD

Dear Sheila:

This letter is written on behalf of Safeway Inc. regarding the above-referenced land use application. The matter is now scheduled for hearing before the Portland City Council on December 8, 2011. As you know, we have just been informed that Commissioner Leonard will not be available to participate in the Council hearing on that date. Accordingly, Safeway hereby requests a continuation of the public hearing to a later date when a full Council can be present. If granted, we understand that the date for the continued hearing would be January 26, 2012, beginning at 2:00 p.m.

It is my understanding that staff supports the request. Please advise me if we need to be present on December 8, 2011.

Thank you for your assistance in this matter.

Very truly yours,

Mark D. Whitlow

MDW:crl

cc: Safeway Inc. (via email)

33225-0102/LEGAL22229758.1

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