



City of Portland
Bureau of Development Services
Land Use Services Division

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www.portlandonline.com/bds

**NOTICE OF A PUBLIC HEARING BEFORE THE CITY COUNCIL ON A
COMPREHENSIVE PLAN MAP AMENDMENT AND ZONE MAP AMENDMENT**

CASE FILE: LU 13-115249 CP ZC
WHEN: November 21, 2013 at 2:00 PM
WHERE: CITY COUNCIL CHAMBERS
1221 SW FOURTH AVENUE

Date: October 31, 2013
To: Interested Person
From: Sylvia Cate, Senior Planner, Land Use Services, (503) 823-7771

A public hearing will be held to consider the Land Use Hearings Officer's recommendation on an application for a Comprehensive Plan Map and Zoning Map Amendment. On October 21, 2013, the Hearings Officer issued a recommendation of approval, with conditions, of the requested Comprehensive Plan Map and Zone Map Amendments. Because this case includes a Comprehensive Plan Map Amendment, the City Council must make the final decision.

Copies of the existing and proposed zoning maps and site plan are attached. I am the staff person handling this case - please contact me with any questions regarding this proposal, the Council hearing, or how to testify in this matter. **For a general explanation of the City Council hearing process, please refer to the last page of this notice.**

Applicant/Owners: Peter Kusyk, Lead Applicant [3607 & 3617 NE 14th]
Firenze Development Inc
7110 SW Old Wilsonville Rd
Wilsonville OR 97070

Dawn M Meaney [3637 NE 14th]
4745 Calaroga Dr
West Linn, OR 97068

Kevin Palmer [3623 NE 14th]
3623 NE 14th Ave
Portland, OR 97212-2258

Representative: Bruce Vincent, Main Contact
Bedsaul/Vincent Consulting, LLC
416 Laurel Ave #3
Tillamook OR 97141
[503] 842 5391

Site Address: 3607, 3617, 3623 and 3637 NE 14TH AVE

Legal Description: BLOCK 13, LINCOLN PK: LINCOLN PK; BLOCK 13 LOT 13, LINCOLN PK;
BLOCK 13 LOT 14, LINCOLN PK; BLOCK 13 LOT 15, LINCOLN PK;
BLOCK 13 LOT 16, LINCOLN PK

Tax Account No.: R497101910, R497101920, R497101930, R497101940

State ID No.: 1N1E23CD 19700, 1N1E23CD 19600, 1N1E23CD 19500, 1N1E23CD 19400

Quarter Section: 2631

Neighborhood: Sabin Community Assoc., contact David Sweet at 503-493-9434.

Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.

District Coalition: Northeast Coalition of Neighborhoods, contact Shoshana Cohen at 503-388-5004.

Plan District: None

Existing Designation / Zoning: High Density Single Dwelling/R5a Residential 5,000 with Alternative Design Density overlay

Proposed Designation / Zoning: Attached Residential/R2.5 Residential 2,500

Case Type: CP ZC, Comprehensive Plan Map Amendment and Zone Map Amendment

Procedure: Type III, with a public hearing before the Hearings Officer. The Hearings Officer will make a recommendation to City Council, who makes the final decision in this matter.

Proposal:

The applicant requests a Comprehensive Plan Map Amendment and concurrent Zone Map Amendment to change the current designation and zoning on the site from High Density Single Dwelling Residential [designation] and R5a [zoning] with Alternative Design Density overlay zone to AR, Attached Residential [designation] and R2.5, [zoning]. Potential future development on the site would include attached townhouses. Two of the lots of the site, 3607 and 3617, are proposed to be redeveloped with attached housing in a Craftsman/Cottage style. Attached to the Notice are two zone maps showing existing and proposed, a site plan, and an example of potential future development.

Approval Criteria:

In order to be approved, this proposal must comply with the criteria of Title 33, the Planning and Zoning Code. The applicable criteria are:

33.810.050 Comprehensive Plan Map Amendments

33.855.050 Zoning Map Amendments

The above criteria also include, by reference, applicable portions of the *Portland Comprehensive Plan* (goals and policies), State Land Use Goals, and the *Metro Urban Growth Management Functional Plan* (titles).

DECISION MAKING PROCESS

Review of the Case File: The Land Use Hearings Officer's recommendation and all evidence on this case are available for review (by appointment) at the Bureau of Development Services, 1900 SW Fourth Avenue, 4th Floor, Portland OR 97201. Please contact the receptionist at 503-823-7300 to schedule a time to review the file. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost for such services. You may also find additional information about the City of Portland and City bureaus as well as a digital copy of the Portland Zoning Code, by visiting the City's home page on the Internet at www.ci.portland.or.us

We are seeking your comments on the proposal. The hearing will be held before the City Council. To comment, you may write, or testify at the hearing. In your comments, you should address the approval criteria, which are identified above. Please refer to the case file number when seeking information or submitting testimony. Written comments **must be received by the end of the public testimony of the hearing**, and should include the case file number and name

and address of the submitter. It must be given to the Council Clerk in person, or mailed to 1221 SW Fourth Avenue, Room 140, Portland, OR 97204.

APPEAL PROCESS

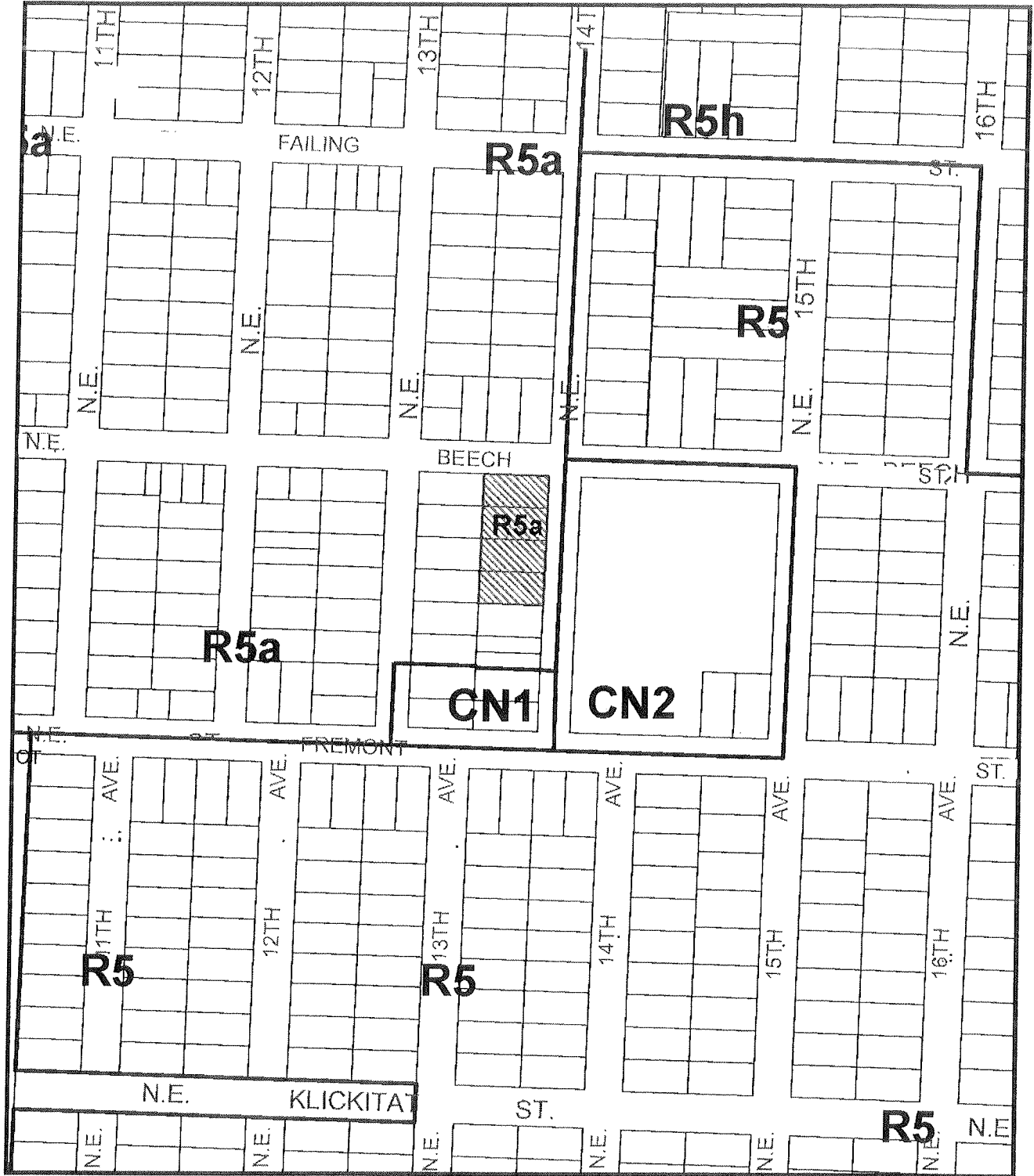
The decision of the City Council may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer Street NE, Suite 330, Salem, OR 97310. The phone number for LUBA is (503) 373-1265. Failure to raise an issue in person or in writing by the close of the record at or following the final evidentiary hearing before the City Council on this case may preclude an appeal to LUBA on that issue. Also, if you do not provide enough detailed information to the review body, they may not be able to respond to the issue you are trying to raise. In such a situation an appeal to LUBA based on that issue may not be allowed.

Public transportation to City Hall is available. Call TriMet at (503) 238-7433 (or www.trimet.org/routes_times.htm) for routes and times. Hourly rated public parking is available underneath the Portland Building immediately north of City Hall. Other public parking garages are in the immediate vicinity.

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations please call 503-823-4085 (TDD: 503-823-6868). Persons requiring a sign language interpreter must call at least 48 hours in advance.

Attachments:

1. Existing Zone Map
2. Proposed Zone Map
3. Conceptual Elevations
4. City Council Hearing Process



ZONING EXISTING

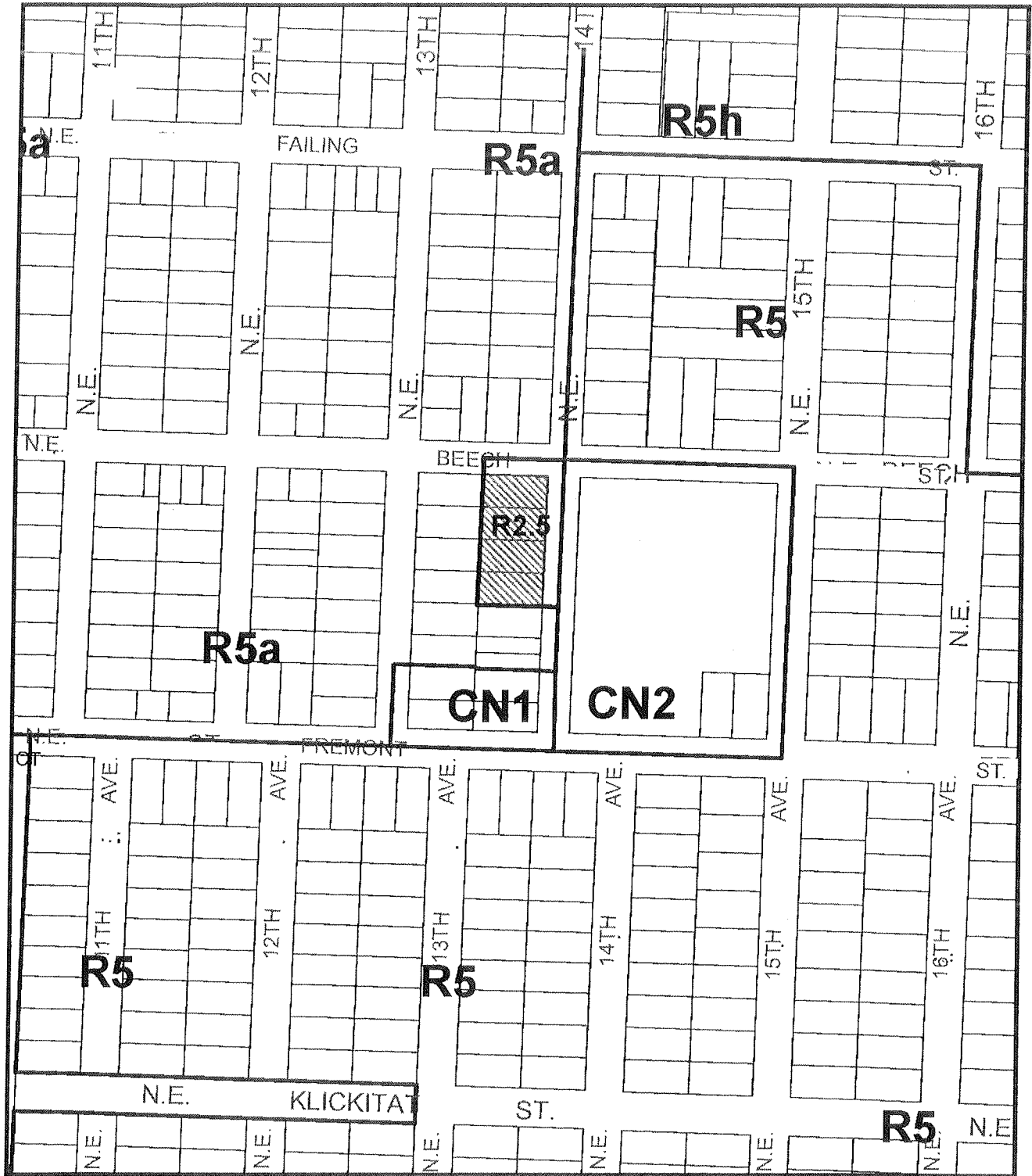


Site



NORTH

File No. LU 13-115249 CP,ZC
 1/4 Section 2631
 Scale 1 inch = 200 feet
 State_Id 1N1E23CD 19400
 Exhibit B1 (Mar 26, 2013)



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)

LO 13-115249 BPZC
EA12-178278 PC



STREETSCAPE

10' x 11' 6"

**GENERAL EXPLANATION OF THE CITY COUNCIL PROCESS FOR
EVIDENTIARY/DE NOVO HEARINGS**

1. SUBMISSION OF TESTIMONY

- a. Testimony may be submitted in writing to the Council Clerk, 1221 SW Fourth Avenue, Room 140, Portland, OR 97204. Written comments must be received by the time of the hearing and should include the case file number.
- b. Testimony may be submitted orally (see below).

2. HEARINGS PROCESS

- a. The order of appearance and time allotments are generally as follows:

Staff Report	10 minutes
Applicant	10 minutes
Supporters of Applicant	3 minutes each
Principal Opponent	15 minutes
Opponents	3 minutes each
Applicant Rebuttal	5 minutes
Council Discussion	

- b. The applicant and proponents have the burden of proof to show that each and every element of the approval criteria can be satisfied. If the applicant is opposing the Hearings Officer's recommendation, the applicant may also argue the criteria are being incorrectly interpreted, the wrong approval criteria are being applied or additional approval criteria should be applied.
- c. In order to prevail, the opponents of the application must persuade the City Council to find that the applicant has not carried the burden of proof to show that the evidence submitted in support of the application demonstrates that each and every element of the approval criteria is satisfied. The opponents may wish to argue the criteria are being incorrectly applied, the wrong criteria are being applied or additional approval criteria should be applied.
- d. The failure to address an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) on that issue.

3. OTHER INFORMATION

- a. Prior to the hearing, the case file and the Hearings Officer decision are available for review, by appointment, at the Bureau of Development Services, 1900 SW 4th Avenue, Portland, OR 97201. Call 503-823-7300 to make an appoint to review the file.

If you have a disability and need accommodations, please call 823-4085 (TDD: 823-6868). Persons requiring a sign language interpreter must call at least 48 hours in advance.