



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

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Portland, Oregon 97201  
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TTY 503-823-6868  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** July 21, 2009  
**To:** Interested Person  
**From:** Nan Stark, Land Use Services 503-823-7828

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

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 May 22, 2009, the Hearings Officer issued a report recommending approval of the requested Comprehensive Plan Map and Zoning Map amendments.** City Council must make the final decision on applications involving a Comprehensive Plan Map amendment, and any concurrent reviews.

You are invited to testify at this hearing. If you have questions regarding this proposal, please call me, Nan Stark, at 503-823-7828. Please contact the applicant if you have questions regarding future development on the site.

For a general explanation of the City Council hearing process with an evidentiary hearing, please refer to the last page of this Notice.

**CASE FILE:** LU 9-106993 CP ZC (SE BELMONT ST AT 43<sup>RD</sup> AVENUE)  
**WHEN:** Wednesday, August 12, 2009, at 2:00 PM  
**WHERE:** City Council Chambers  
1221 SW Fourth Avenue

**Applicant:** Urban Development Partners  
**Contact:** Neeley Wells  
PO Box 14761  
Portland OR 97293-4761  
Telephone: 503-946-3265

**Owner:** East/West College Building LLC  
525 NE Oregon #200, Portland, OR 97232

**Site Address:** south side of SE Belmont St west of 43<sup>rd</sup> Avenue

**Legal Description:** LOT 11 BLOCK 3, EDENDALE; INC STRIP N OF & ADJ N 76' OF LOT 4 BLOCK 3 33.7% NONTAXABLE, GLENCOE PK; INC STRIP ADJ BET N LINE OF LT 5 & S LINE OF BELMONT ST N 76' OF LOT 5 BLOCK 3, GLENCOE PK  
**Tax Account No.:** R235500880, R321700260, R321700280  
**State ID No.:** 1S2E06BB 12900, 1S2E06BB 13100, 1S2E06BB 13000  
**Quarter Section:** 3135

**Neighborhood:** Sunnyside, contact Tim Brooks at 503-295-1699.  
**Business District:** Belmont Business Association, contact John Barker at 503-231-9118.

**District Coalition:** Southeast Uplift, contact Leah Hyman at 503-232-0010.  
**Existing Zoning:** R1, Multi-dwelling residential 1,000  
**Proposed Zoning:** CM, Mixed Commercial

**Case Type:** CP ZC, Comprehensive Plan Map Amendment and Zoning Map Amendment from R1, Medium Density Multi-Dwelling, to CM, Urban Commercial designation, Mixed Commercial zone.

**Procedure:** Type III, with a public hearing before the Hearings Officer. The Hearings Officer will make a recommendation to City Council, which will make the decision.

**Proposal:** The applicants propose to change the Comprehensive Plan Map designation and Zoning Map on this 18,123 square-foot site from R1, Medium Density Multi-Dwelling to CM, Mixed Commercial, with a Comprehensive Plan Map designation of Urban Commercial. The site consists of three lots that were previously approved for and used as parking for East-West College, which formerly occupied a nearby building on the north side of Belmont Street.

No development is proposed as part of this proposal. The concept for the site is a mixed-use building utilizing the allowances of the proposed CM zoning.

**Approval Criteria:**

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

- 33.810.050 A., Comprehensive Plan Map Amendments
- 33.855.050 A., B., and D, 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).

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 submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on February 6, 2009 and determined to be complete on March 17, 2009.

**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, Fifth Floor, Portland, Oregon 97201. Please contact Stuart Oishi at 503-823-7967 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 homepage on the Internet at [www.ci.portland.or.us](http://www.ci.portland.or.us).

Both the Staff Report and Recommendation to the Hearings Officer and the Hearings Officer's Recommendation can be viewed on the Bureau of Development Services website. The reports are located in the Land Use Decisions—Central Northeast Neighborhoods Decisions section and are listed by address.

**We are seeking your comments on this 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 portion 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, Oregon 97201. A description of the City Council hearing process is attached.

**APPEAL PROCESS**

The decision of the City Council may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol Street NE, 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](http://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 503-823-7702 (TTY 503-823-6868).**

**Enclosures:** City Council Hearing Process  
Existing Zoning Map, Proposed Zoning Map  
Site Plan

**GENERAL EXPLANATION OF THE CITY COUNCIL HEARINGS PROCESS  
FOR AN EVIDENTIARY HEARING**

1. SUBMISSION OF TESTIMONY

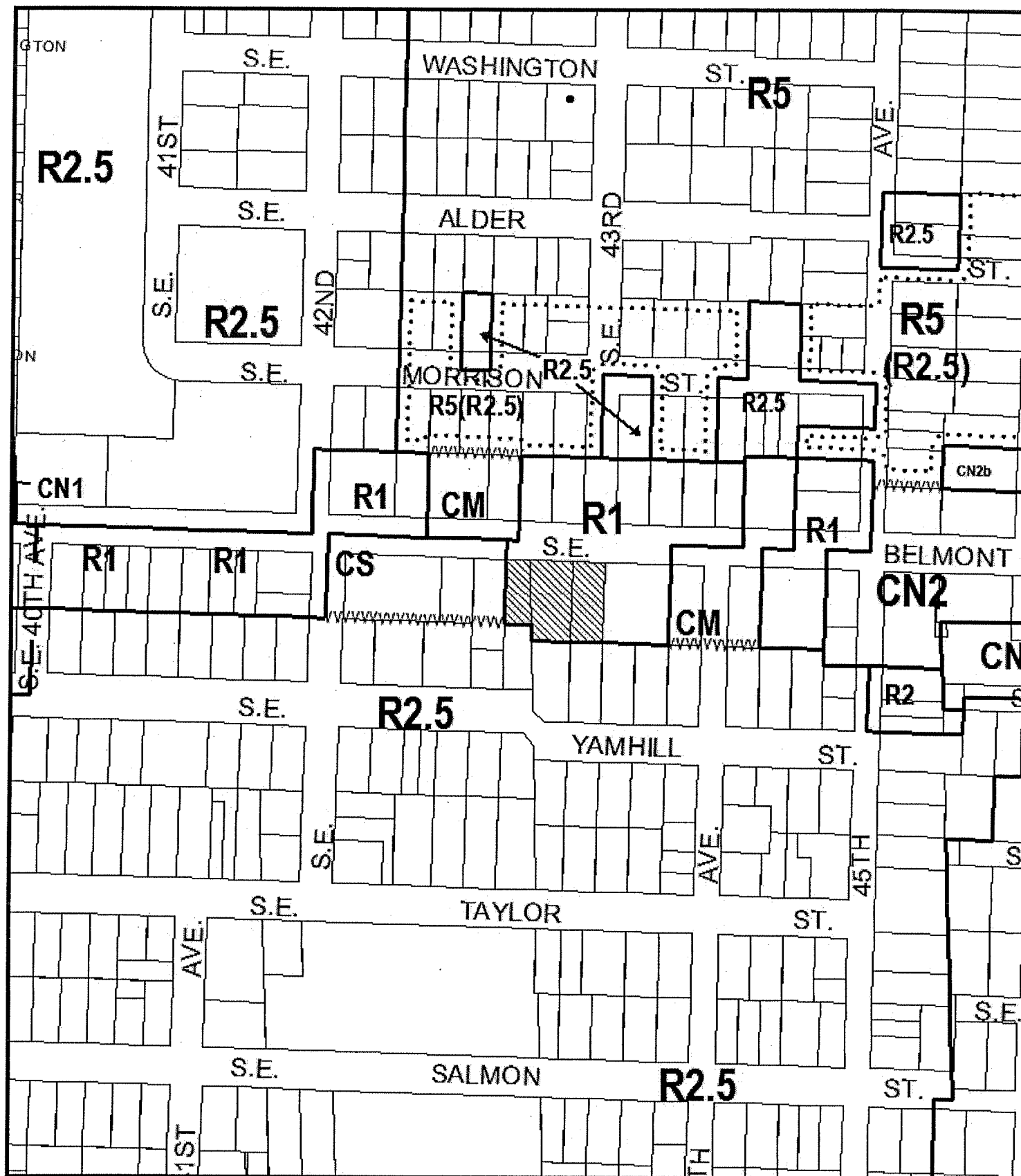
- a. **Testimony may be submitted in writing to the Council Clerk, 1221 SW Fourth Avenue, Room 140, Portland, OR 97204.** Written comments must be received by the time of the hearing and should include the case file number.
- b. Testimony may be submitted orally (see below).

2. HEARINGS PROCESS

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

Staff Report	10 minutes
Applicant	15 minutes
Supporters of Applicant's Request	3 minutes each
Opponents	3 minutes each
Applicant Rebuttal	5 minutes
Council Discussion	As needed

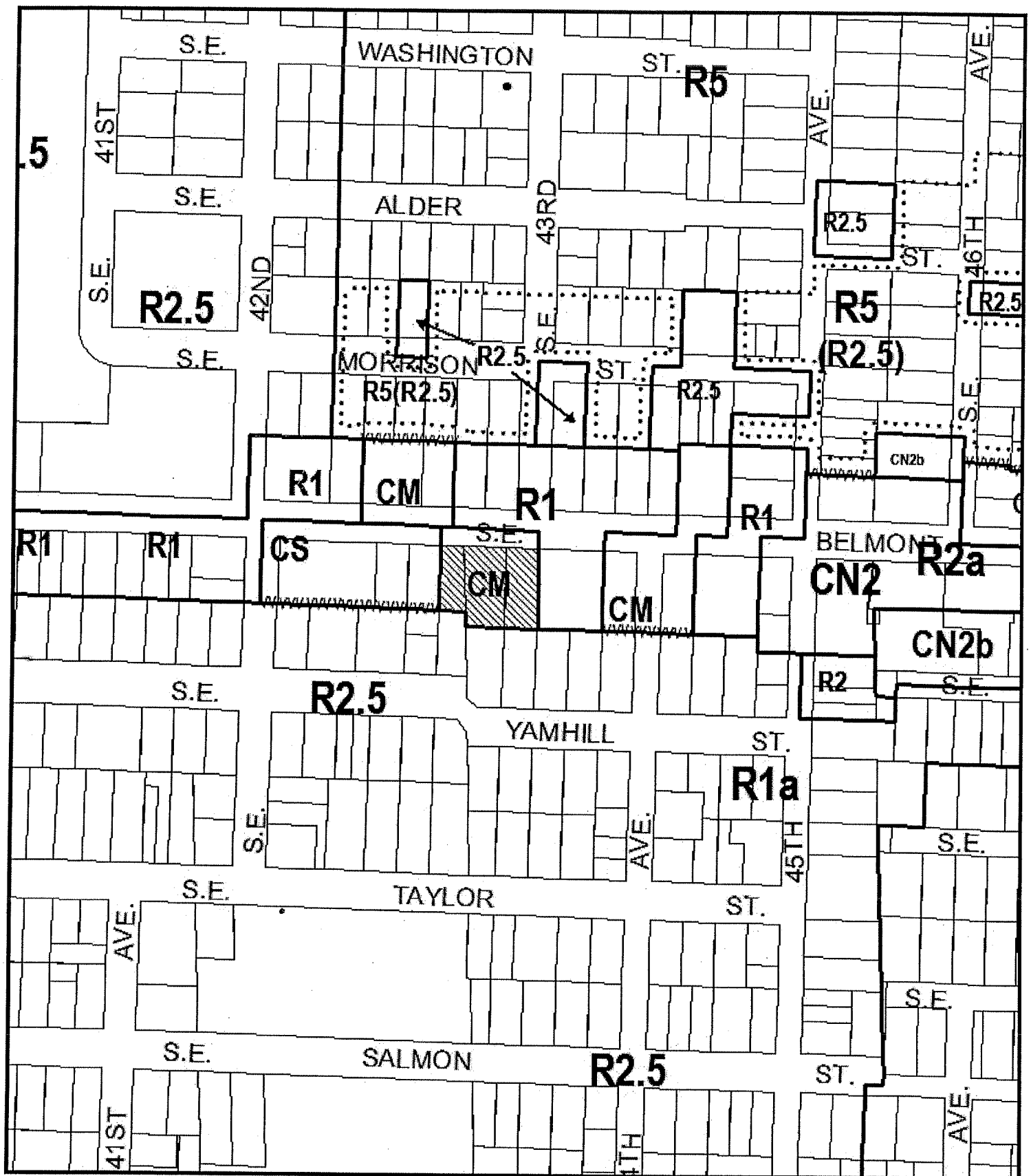
- b. The applicant and proponents have the burden of proof to show that each and every element of the approval criteria can be satisfied. If the applicant is opposing the Hearings Officer's recommendation, the applicant may also argue the criteria are being incorrectly interpreted, the wrong approval 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 applicant's rebuttal testimony is limited to addressing the testimony of the opponent.
- e. 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.



# ZONING EXISTING



File No.	LU 09-106993 CP,ZC
1/4 Section	3135
Scale	1 inch = 200 feet
State_Id	1S2E06BB 13000
Exhibit	B (Feb 06,2009)



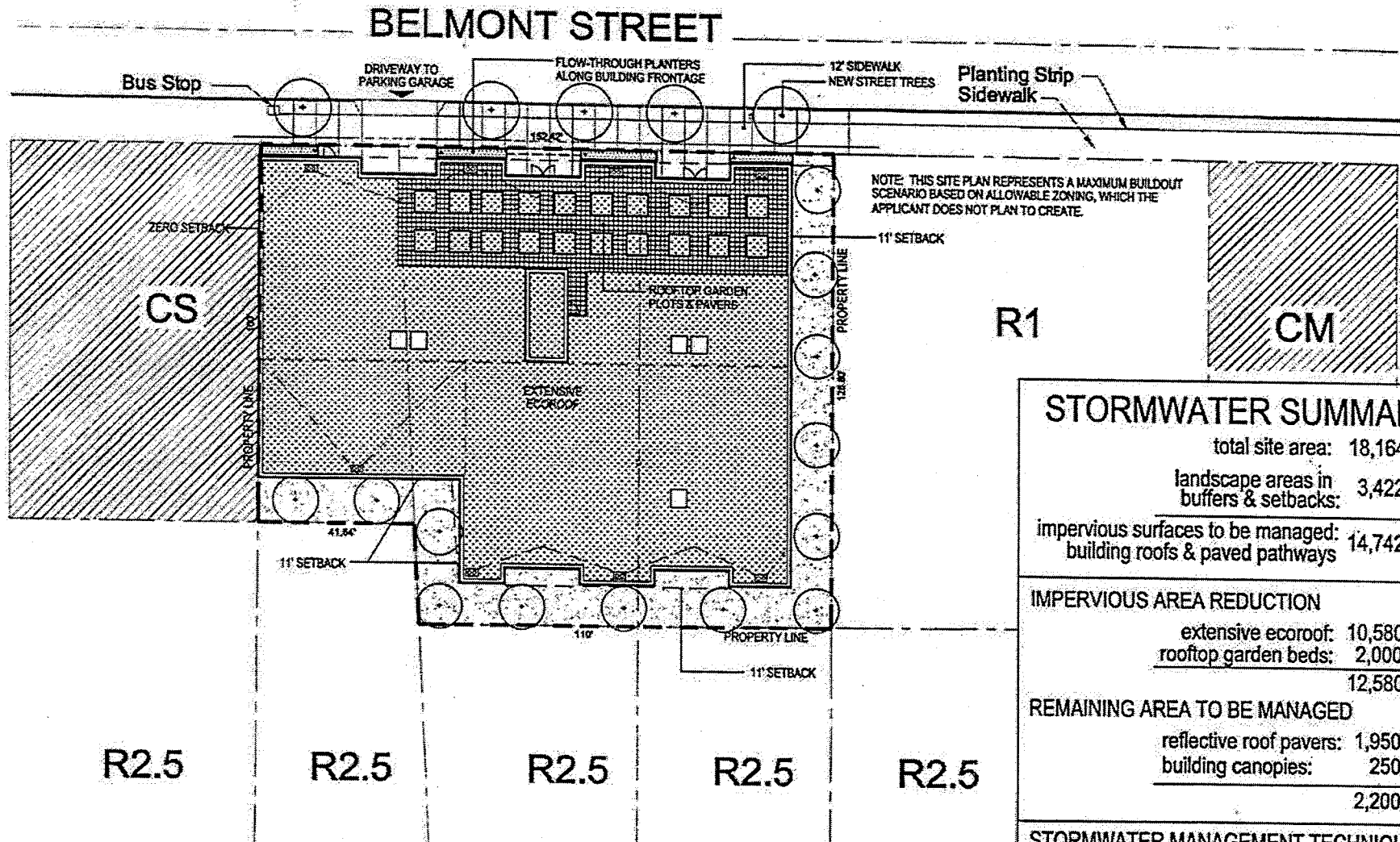
**ZONING**  
**PROPOSED**  
 ↑  
 NORTH

File No.	LU 09-106993 CP,ZC
1/4 Section	3135
Scale	1 inch = 200 feet
State Id	1S2E06BB 13000
Exhibit	B (Mar 17, 2009)



Landscape Architecture  
Environmental Design

24 NW 2nd Avenue, Suite 100  
Portland, Oregon 97209  
Ph: 503.222.5612 / 503.222.2283  
www.greenworkspc.com



### STORMWATER SUMMARY

total site area: 18,164 sf  
 landscape areas in buffers & setbacks: 3,422 sf -  
 impervious surfaces to be managed: 14,742 sf  
 building roofs & paved pathways

### IMPERVIOUS AREA REDUCTION

extensive ecoroof: 10,580 sf  
 rooftop garden beds: 2,000 sf  
 12,580 sf -

### REMAINING AREA TO BE MANAGED

reflective roof pavers: 1,950 sf  
 building canopies: 250 sf  
 2,200 sf

### STORMWATER MANAGEMENT TECHNIQUES

area to be managed: 2,200 sf  
 use flow-through planter w/ 0.06 sizing factor requires: 132 sf  
 flow-through planter area: 139 sf  
 difference: +7 sf

stormwater management = 105% +7

URBAN DEVELOPMENT PARTNERS LLC

43rd & BELMONT MIXED USE

STORMWATER MANAGEMENT PLAN 04.06.09

CONCEPT SITE PLAN

LU 09-106993 CP ZC Exhibit C.2