



# Rose City Park Neighborhood Association

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October 14, 2014 (Transmitted this day via e-mail to the following)

City of Portland  
Bureau of Planning & Sustainability  
Attn: Nan Stark, NE District Liaison ([nan.stark@portlandoregon.gov](mailto:nan.stark@portlandoregon.gov))  
1900 4<sup>th</sup> Avenue  
Suite 7100  
Portland, OR 97201

CC: Susan Anderson [Susan.Anderson@PortlandOregon.gov](mailto:Susan.Anderson@PortlandOregon.gov),  
Planning and Sustainability Commission [psc@portlandoregon.gov](mailto:psc@portlandoregon.gov),  
Portland City Council [Karla.Moore-Love@portlandoregon.gov](mailto:Karla.Moore-Love@portlandoregon.gov)  
City Auditor, La Vonne Griffin-Valade, [LaVonne@portlandoregon.gov](mailto:LaVonne@portlandoregon.gov)  
Deborah & John Field, owners, [deblyfield@gmail.com](mailto:deblyfield@gmail.com)

Subject: RCPNA Recommends Approval of Re-zone/Designation of 3437 NE 48<sup>th</sup> from R2h to CN2h/  
2014 Map App: Multi-dwelling to Mixed Use-Dispersed

Dear Nan Stark,

On September 18th, 2014, the Land Use & Transportation Committee for Rose City Park Neighborhood Association completed its review and recommends the approval of the re-zone/designation change of property identified as Rose City Block 156, Lot 1, from R2 to CN2. Due to the time limitations in completing this review for the Planning and Sustainability Commission's hearing the LU & TC decision is deemed the final review for RCPNA.

At the LU & TC meeting the condition placed on this rezone stated that "the zone is to be no more intense than Neighborhood Commercial", as this is the least intensive commercial in the 1981 Comp. Plan Map designations. The reasoning behind this was that the Committee wanted to have the Commercial use to have the least impact possible on the abutting Residential uses to the north of the property.

The Comp. Plan Update Map App identifies Mixed Use – Dispersed as the least intensive Commercial designation. The designation of Mixed Use – Dispersed would meet the intent of the Committee's approval.

This property is located at 4730 NE Fremont and owned by Deborah & John Field. Situated on the southwest corner of NE Fremont and NE 48<sup>th</sup> Ave., this property is unique in that it contains both a residence and an active commercial business in separate buildings on the site. The commercial use,

Paperjam Press, is located on the western portion of the 7,500 sq. ft. lot and is considered a pre-existing non-conforming use in the R2h zone. The owners claim that their property was previously zoned for commercial and then was changed to residential use with the 1981 comprehensive plan update. The uses of the site has changed over time. But, the commercial use has remained active throughout the past 33 years. The owners of Paperjam Press wish to continue the current use of the site as a copy/publishing company.

The site continues to be charged commercial water rates. There is a short parking area on-site in front of the building with direct access off of Fremont for customers. The owners just want to have the property reclassified back to Commercial. It is located on the south side of Fremont across the street from Commercial property identified at CSh and CN2h. The proposed Comprehensive Plan Map identifies the northerly side of Fremont to be identified as Mixed Use - Neighborhood.

Attached is the application document that Deborah and John Field submitted to the LU & TC for their consideration. Also attached are draft minutes for the Aug. 21<sup>st</sup> and Sept. 18<sup>th</sup>, 2014 LU & TC meetings.

Please let us know if you have any questions or we can be of further assistance on this matter.

My best,



Tamara DeRidder, AICP  
Co-Chair, LU & TC  
Chairman, RCPNA  
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Portland, OR 97213  
503-706-5804



Nate Carter, AIA  
Co-Chair, LU & TC  
Board, RCPNA  
2432 NE 59th Avenue  
Portland, OR 97213  
971-344-1919

Exhibit A - Oct. 14, 2014  
RCPNA Recommendation of  
Approval for re-zone/designation  
from Plan R2 to Mixed -Dispersed

Location:

Rose City Block 156, Lot 1 (4730 NE Fremont St.) Property owners: John & Deborah Field  
Rose City Block 155, Lot 16 (3436 NE 48th Ave.) Property owners: Ramod & Kamala Chherti

Proposal:

In consideration of the comprehensive plan update, we are proposing a zoning change for the southeastern and southwestern corner lots at the intersection of NE Fremont and 48th street. The north side of this tee intersection is zoned CN2h. Our request is that the two 7,500 sq. ft. R2h lots that split the south side of the intersection be classified likewise with a mixed use designation.

Background Information:

Document 09-155613PR furnished by the City of Portland, Bureau of Development Services has established that the property at 4730 NE Fremont has maintained legal status for nonconforming use ever since the comprehensive plan of 1981 which changed the zoning from C2L to R2h. We recognize that the terms of nonconforming use have been exaggerated a bit throughout the years in regard to the property. From 1993 to 2009, Wall Beds of Oregon used the property as an office and showroom. After purchasing the property in 2009, we were charged commercial water and sewer rates from the start, so apparently the city considers this to be commercial property. Most recently Portlandcitymaps.com has listed the property as generic commercial use. We have remodeled the residence which we currently occupy and have converted the former show room, with a three car parking lot, into a family-run digital print shop.

Objective:

Legitimizing the loose ends for the terms of nonconforming use is not our only goal. We share the City's vision to integrate living and retail spaces. The Beaumont business district could be revitalized by creating a balance of mixed use on the south side of Fremont. Opening up the south side would bring more people to the street and would allow for a continuous flow of foot traffic. The intersection at 48th and Fremont is a prime node with a crosswalk and bus stop. Rezoning the south side from NE 45th to 50th would be ideal, but may be too aggressive for the area at this time.

Addendum:

Both property owners have presented this proposal to the Rose City Park Neighborhood Association's land use committee and they were in full support. Nan Stark who represents NE Portland's Bureau of Development and Sustainability has indicated her support stating that this is a reasonable request. Our next step is to present our proposal at the September general meeting of the Rose City Park Neighborhood Association.

Exhibit B – Oct 14, 2014  
RCPNA Recommendation  
Of Approval for Rezone -Fields

**Draft Meeting Notes**  
**RCPNA Land Use & Transportation Committee**  
**08/21/14**

Attendees: Tamara DeRidder – Co Chair, Nate Carter- Co Chair, Terry Parker, Ed Gorman, Ted Hart, Deborah Field, John Field, Ramod Chhetri, Bill Winkler, and District Liaison Nan Stark.

Meeting Location: German-American Society, 5626 NE Alameda

After group self-introductions Tamara introduced the first topic – a request for two properties located on NE Fremont St. to be rezoned from the current Residential zone R2 to Commercial zone C2.

**Comp. Plan Update Rezone/Designation Requests:** The owners of Paperjam Press, Deborah and John Field, submitted a packet of information regarding their request, along with that of their neighbor Ramod Chhetri, for a rezone/designation of their properties from R2h to CN2h. Their properties are identified as 4730 NE Fremont and 3436 NE 48<sup>th</sup>, respectively, and are located on the southwest and southeast corners of the intersection of NE Fremont St. and NE 48<sup>th</sup> Ave.

Paperjam Press/ Deborah & John Field Property – Rose City Block 156, Lot 1; 4730 NE Fremont. This property is unique in that it contains both a residence and an active commercial business in separate buildings on the site. The commercial use, Paper Jam, is considered a pre-existing non-conforming use in the R2h zone. The owners claim that their property was previously zoned for commercial and then was changed to residential use with the 1981 comprehensive plan update. The uses of the site has changed over time. But, the commercial use has remained active throughout the past 33 years. The site continues to be charged commercial water rates. There is a short parking area on-site in front of the building with access off of Fremont for customers. The owners just want to have the property reclassified as Commercial. It is located on the south side of Fremont where the north side of this is an extension of the Commercial node that begins near NE 42<sup>nd</sup> Ave. The north side of the street in this area contains active commercial uses as the CN2h zone continues eastward to NE 50<sup>th</sup> where it changes to residential. The nearest Commercial zone located on the south side of Fremont stops at NE 45<sup>th</sup>Ave.

The owners of Paperjam Press wish to continue the current use of the site as a copy/publishing company.

Ramod Chhetri property – Rose City Block 155, Lot 16; 3436 NE 48<sup>th</sup> Ave. This property contains a single-dwelling residence with driveway access off of NE 48<sup>th</sup> Ave. There is no indication from the exterior that this property was ever used for previous commercial uses. The property owner, Ramod Chhetri, is also the owner of Himalayan Art & Handicraft currently located at 818 NW 23<sup>rd</sup> Ave. in downtown Portland where he holds a lease. He wishes to move this business to his Fremont property and expand his service to include classes on the site. He proposes to construct a commercial building on the east side of the site and continue to use the residence for primarily residential uses for his family.

Like the Paperjam Press property, the Chhetri property is located across the street from thriving commercial uses. He proposes that these two properties together could serve a bookends, forming a

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small commercial node, to support neighborhood oriented commercial uses. Each of the two properties contains 7,500 sq. ft.

Discussion then ensued regarding the square footage of space that could be used for a new commercial structure and how parking might work on the site. Some concern was raised regarding commercial traffic taking access to the site off of NE 48<sup>th</sup>.

With guidance by District Liaison Nan Stark, it was determined that the CN and C2 zoning were the options that would apply now. These zones will be transitioned into Mixed Use zones with the adoption of the Comprehensive Plan. Nan also clarified the process of consideration in changing the zone on these properties with the Comprehensive Plan Update. First review is by the neighborhood association. Second review is by her as the District Liaison for BPS. Her recommendation on these requested changes will then be presented to the Planning and Sustainability Commission.

The Committee was in general agreement that both of these properties should be supported for the CN, commercial use. (Note: No formal action was taken at this point since it was unclear if additional forms and material was needed for final consideration by the neighborhood association.)

Tamara was directed to contact Dean Pottle, owner of Dean's Scene, whose property abuts Paperjam Press to ask him if he would like RCPNA to consider rezoning his property to commercial.

**Comp. Plan Update.** District Liaison Nan Stark discussed the proposed changes that the Comp. Plan Update holds for the RCPNA area. She shared that there were no major changes. The changes shown currently in the Map App/Comp. Plan Maps include:

1. The New Deal changed to Commercial; located at SW corner of NE Halsey St. and 53<sup>rd</sup> Ave.

Discussion regarding the benefits of keeping the site zone residential and having it as a pre-existing non-conforming commercial included: A) The site contains the grass lot just to the west of the structure. A commercial zone could then allow micro-housing to be developed at this site as a permitted use; B) Pre-existing non-conforming gives the neighborhood association a greater say in the uses that would be allowed at this site. The standards for these types of uses is that they cannot increase in intensity compared to the previous use.

**Action: Unanimous vote to keep New Deal property as Residential.**

2. Building Heights in Sandy Blvd. Civic Corridor. Discussion was raised that the neighborhood association has historically pushed for a 4-story height limit next to the Alameda ridge to preserve views. Nan suggested for the Committee to look at different Commercial zones and correlating heights. The Mixed Use zone that is being applied all along the Sandy Corridor will be made up of at least 3 types of mixed use commercial. She shared that these commercial types are to closely match the current zoning that is applied to the properties. **Action: It was agreed that the Committee needed to research the existing zones and better understand how the Mixed Use designation/zone will change the proposed building heights for this area.**

9:00 adjourn.

Drafted by T. DeRidder 10/08/14

Exhibit B – Oct 14, 2014  
RCPNA Recommendation  
Of Approval for Rezone -Fields  
**Field/Chhetri Presentation 08/21/2014**

Location: Rose City Block 156, Lot 1 (4730 NE Fremont St.) Property owners: John & Deborah Field Rose City Block 155, Lot 16 (3436 NE 48th Ave.) Property owners: Ramod & Kamala Chherti

**Proposal:**

In consideration of the comprehensive plan update, we are proposing a zoning change for the southeastern and southwestern corner lots at the intersection of NE Fremont and 48th street. The north side of this tee intersection is zoned CN2h. Our request is that the two 7,500 sq. ft. R2h lots that split the south side of the intersection be classified likewise with a mixed use designation.

**Background Information:**

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**Objective:**

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**Addendum:**

Both property owners have presented this proposal to the Rose City Park Neighborhood Association's land use committee and they were in full support. Nan Stark who represents NE Portland's Bureau of Development and Sustainability has indicated her support stating that this is a reasonable request. Our next step is to present our proposal at the September general meeting of the Rose City Park Neighborhood Association.

Exhibit C – Oct 14, 2014  
RCPNA Recommendation  
Of Approval for Rezone -Fields

**Draft Meeting Notes**  
**RCPNA Land Use & Transportation Committee**  
**09/21/14 – Special Meeting 6:30-7:30 pm**

Attendees: Tamara DeRidder – Co Chair, Nate Carter- Co Chair, Terry Parker, Mona Hotchkiss, Ted Hart, Deborah Field, John Field, Ramod Chhetri, Dean Pottle, and Richard “Pete” Peterson.

Meeting Location: German-American Society, 5626 NE Alameda

After group self-introductions Tamara shared that the minutes of last month’s meeting were not yet available.

**Broadway and NE 60<sup>th</sup> Intersections Concerns:** Ted Hart provided the Committee members copies of an intersection diagram, photographs, and explanation of his concerns regarding the fact that there is no signalization at NE 60<sup>th</sup> and Broadway St. The diagram shows that the pattern of stop signs along NE 60<sup>th</sup> between Sandy Blvd. and Halsey being every 2 blocks except for the 3-block segment that includes Broadway St. intersection. If the every 2-block pattern continued from the north the next stop sign would occur at the Broadway intersection. There is a stop sign at 59<sup>th</sup> and Broadway that slows the east bound traffic. The document, attached, states numerous issues including collisions that occur due to the speed of the vehicles on NE 60<sup>th</sup> Ave. that typically average 45 mph in this section of road.

There was much discussion on the topic of safety, buses, existing stop signs, and other signage in the area. The discussion included identifying the cut-through traffic that comes from Halsey St. to get to Sandy Blvd. Motion made by Pete and seconded by Terry - **Recommend to PBOT: Need of traffic control measures to reduce vehicular speed and volume at NE Broadway and NE 60<sup>th</sup> Ave. for the safety of residents and neighborhood community 1) Create a 4-way stop at the intersection of NE 60<sup>th</sup> Ave. and NE Broadway St.; 2) Install a ‘No Left Turn’ sign for eastbound traffic on NE Halsey St. at NE 60<sup>th</sup> Ave.** Unanimous support.

**Comp. Plan Update Rezone/Designation Requests:** Tamara introduced the rezoning option currently being made available through the Comprehensive Plan Update. This type of rezoning is considered ‘Legislative’ in nature and therefore does NOT follow the typical rules of a 200’ notice to the adjacent property owners. The process for review for these properties follows the recommendation process of: Neighborhood Association, then District Liaison, then Portland Planning and Sustainability Commission, and then City Council. The change would then be inclusive with the map changes made with the Comprehensive Plan Update.

At the Aug. 21<sup>st</sup> LU & TC meeting we heard presentation from the owners of Paperjam Press, Deborah and John Field and their neighbor Ramod Chhetri with their request for a rezone/designation of their properties from R2h to CN2h. Their properties are identified as 4730 NE Fremont and 3436 NE 48<sup>th</sup>, respectively, and are located on the southwest and southeast corners of the intersection of NE Fremont St. and NE 48<sup>th</sup> Ave. The Committee at that time generally agreed with their request but made no formal decision. An official decision on those 2 properties is needed tonight.

Exhibit C – Oct 14, 2014  
RCPNA Recommendation  
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In addition, Tamara contacted Dean Pottle who is the owner of the property abutting Paperjam Press as directed at the last meeting. Dean is the owner of Dean's Scene, an illegal bar that has been run out of Dean's basement for the past 7 years. Dean was asked by Tamara if he wanted to present a request for a zone change to Commercial for this property at the next LU & TC meeting. Dean agreed.

Dean Pottle, owner of the property located at 4714 NE Fremont, shared that he would like to have his property rezoned from R2 to C2 to allow him to run his bar legally. There is no on-site parking available. Concerns were raised about parking in the neighborhood and public urination complaints that had been received over the years as a result of his customers. Dean denied that there were any parking problems and that most of his clientele either walked or biked to his bar. Deborah Field countered that Dean knows from her complaints to him that his clients have parked on her property in the past. He shared that this issue had been corrected. The issue of noise was discussed since it had been brought to the attention of the LU & TC previously as a problem generated by his site. Dean shared that his back yard patio area is open to the property directly south, 3424 NE 47<sup>th</sup>, and west, 3436 NE 47<sup>th</sup>, of his site. The structure at the Paperjam Press property to the east, at 4730 NE Fremont, blocks any of the back yard activity that occurs on Pottle's property.

Tamara raise the question whether Dean's sewer line was actually separate from the property located to the east. She had received information that his property was currently serviced by a 'party line' with property identified as 3436 NE 47<sup>th</sup> Ave. Dean shared that this used to be the case but was taken care of years ago.

Dean shared that he would likely want to build a kitchen building in the back along the west property line to allow him additional space for his brewing. He noted that this would take care of any impact on the neighbors to the west. He was then asked about the neighbors to the south and had no response. Pete asked Dean directly whether he could actually be trusted to run a legitimate business after lying about running an illegal bar out of his house for years. Dean shared that he always thought of his property as commercial since it was one of the few properties that takes direct access off of Fremont St. By making his property zoned commercial then he could legitimize what he has been trying to do for years. Tamara asked Dean if he understood the building code standards for Commercial properties. Dean shared that he worked on Commercial structures all the time in his plumbing business and knows the codes very well. Pete let Dean know that he would not let this bar mess up his neighborhood and would be watching his activities to make sure they stayed legal.

Ramod discussed the possibilities of keeping his request separate from Dean's and Deborah Field agreed.

**Action: Recommend that all 3 properties, Pottle @ 4714 and Paperjam Press @ 4730 NE Fremont as well as Chhetri @ 3436 NE 48<sup>th</sup> Ave, be zoned as no more intense than Neighborhood Commercial with each property being looked at on a separate basis with separate letters. Unanimous yes.**

Adjourn – 7:30 pm

Attachment: Part of 09182014 Meeting Notes-NE 60th & Broadway Traffic Control Measure proposal.pdf

Drafted by T. DeRidder 10/08/14