



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

FROM CONCEPT TO CONSTRUCTION

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

CASE FILE: LU 16-133809 CP ZC
WHEN: **September 8, 2016 at 2:00 PM**
WHERE: CITY COUNCIL CHAMBERS
1221 SW FOURTH AVENUE
Date: August 18, 2016
To: Interested Person
From: Matt Wickstrom, Senior City Planner, Land Use Services, 503-823-6825

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 July 26, 2016, the Hearings Officer issued a recommendation of approval, 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: Madeline Kovacs
Orange Splot LLC
4757 NE Going Street
Portland, OR 97218

Site Address: 4736-4752 NE Going Street

Legal Description: TL 12100 0.45 ACRES, SECTION 19 1N 2E; TL 12200 0.45 ACRES,
SECTION 19 1N 2E

Tax Account No.: R942192060, R9429194560

State ID No.: 1N2E19BD 12200, 1N2E19BD 12100

Quarter Section: 2535

Neighborhood: Cully, contact David Sweet at 503-493-9434

District Coalition: Central Northeast Neighbors, contact Alison Stoll at 503-823-3156

Zoning: R5h (Residential 5,000 with an Aircraft Landing Zone overlay)

Case Type: Comprehensive Plan Map Amendment (CP)
Zoning Map Amendment (ZC)

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 on this matter.

Proposal: The applicant proposes a Comprehensive Plan Map Amendment and Zoning Map Amendment. The Comprehensive Plan Map Amendment would change the Comprehensive Plan

Map designation of the northern portion of the site from a High Density Single-Dwelling designation to a Townhouse Multi-Dwelling designation. The Zoning Map Amendment would change the zoning over the northern portion of the site from (Residential 5,000) to R3 (Residential 3,000). (The southern portion of the site is already zoned R3). The ultimate project would result in a 23-home development comprised of small detached homes, duplexes and triplexes. Three of the units are proposed to be permanently affordable through a partnership with Proud Ground. The project would also include surface parking areas for residents and guests, pedestrian connections, detached guest homes, community gardens and other amenities.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the criteria of Title 33. The relevant 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. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures: Existing Zoning Map, Proposed Zoning Map, Site Plan, General Explanation for City Council Process For Evidentiary/De Novo Hearings

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:

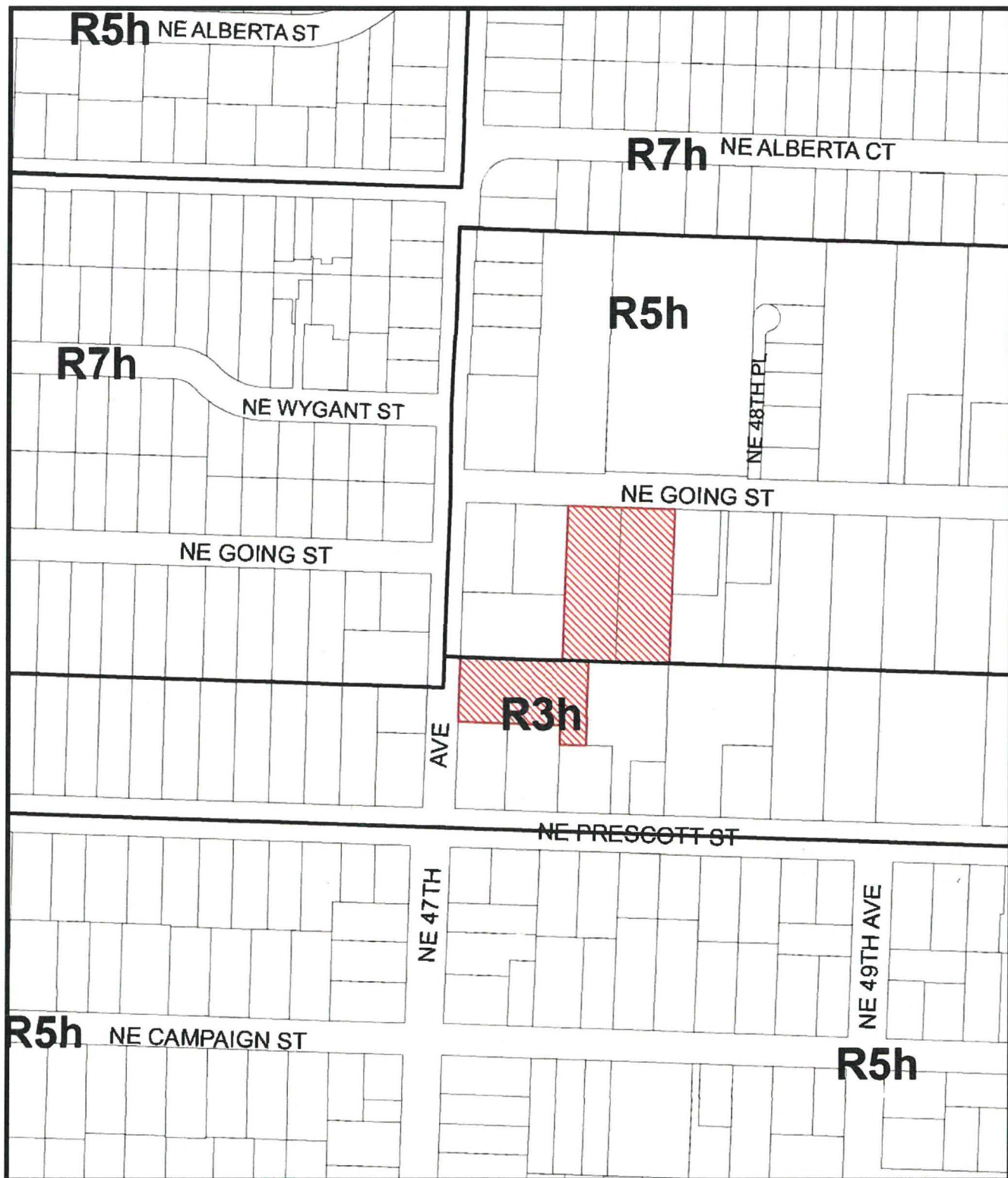
Staff Report	10 minutes
Applicant	10 minutes
Supporters of Applicant	3 minutes each
Principal Opponent	15 minutes
Opponents	3 minutes each
Applicant Rebuttal	5 minutes
Council Discussion	

- 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.



EXISTING ZONING

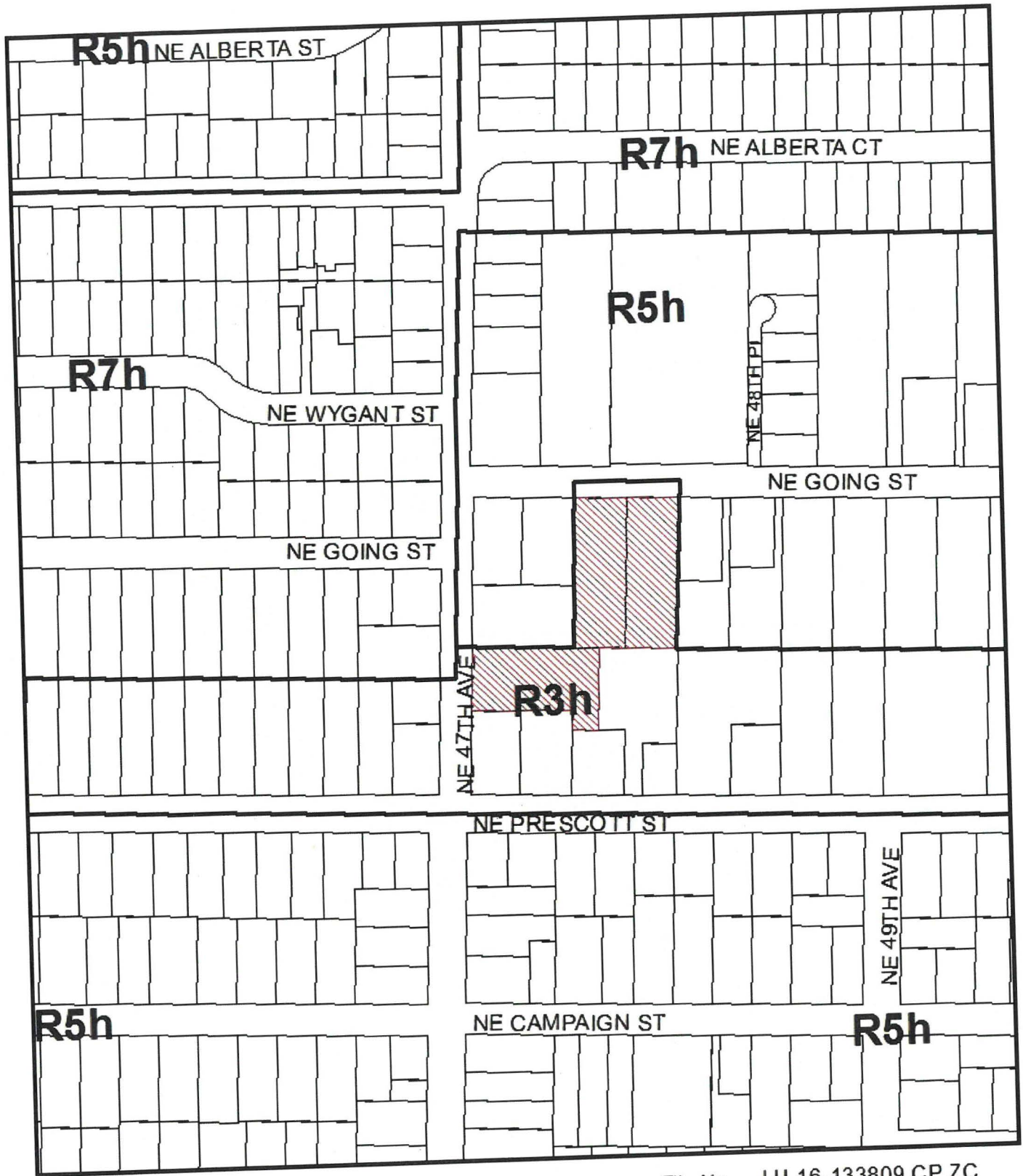


NORTH



Site

File No. LU 16-133809 CP ZC
 1/4 Section 2535
 Scale 1 inch = 200 feet
 State_Id 1N2E19BD 12200
 Exhibit B (May 11, 2016)



PROPOSED ZONING



Site

File No. LU 16-133809 CP ZC
 1/4 Section 2535
 Scale 1 inch = 200 feet
 State_Id 1N2E19BD 12200
 Exhibit B (May 11, 2016)

Comprehensive Plan Map
 Amendment and Zoning
 Map Amendment proposal
 to change zoning from
 R5 (Residential 5,000)
 to R3 (Residential
 3,000) to develop site
 with small detached homes,
 duplexes and triplexes.



W 16-133809CP-ZC

○ SITE PLAN
 SCALE: 1"=40'-0"
 DATE: 10-12-2015

