



City of Portland

Bureau of Development Services

Land Use Services Division

1900 SW Fourth Ave. Suite 5000
Portland, Oregon 97201
Telephone: 503-823-7300
TDD: 503-823-6868
FAX: 503-823-5630
www.portlandonline.com/bds

Date: February 6, 2006
To: Interested Person
From: Lois Lane, Land Use Services
503-555-1234

This is the planner assigned to the case. She should be your first and primary contact about the case.

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on February 21, 2006.** Please mail or deliver your comments to the address above, and include the Case File Number, LU 06-102823 AD, in your letter. It also is helpful to address your letter to me, Lois Lane.

CASE FILE NUMBER: LU 06-102823 AD

Applicant: Simon Sullivan
9999 SE Stark St
Portland, OR 97215

This is the deadline for public comment on the proposal. All comments must be received by this date to be included in the decision.

Site Address: 321 SE STARK ST

Legal Description: LOT 1, MT TABOR COMMERCIAL BLK; N 62' OF LOT 2, MT TABOR COMMERCIAL BLK

Tax Account No.: R588600010, R588600060
State ID No.: 1S2E06AA 05500, 1S2E06AA 05400
Quarter Section: 3136

The neighborhood land use chair can help get the neighborhood involved and write a comment letter from the neighborhood association.

Neighborhood: Mt. Tabor, contact Dave Hilts at 503-780-0826.
Business District: Eighty-Second Avenue, contact Nancy Chapin at 503-788-2832.
District Coalition: Southeast Uplift, contact Gary Berger at 503-232-0010.

Plan District: None
Zoning: CN1 (Neighborhood Commercial 1)

Your SE Uplift Livability Program Manager can help you understand technical issues and advise a response. This is now Leah Hyman.

Case Type: AD (Adjustment)
Procedure: Type II, an administrative decision with appeal to the Committee.

Proposal:
The applicant has submitted plans to construct a three-story mixed-use building at this site. This proposal requires an adjustment to the ground floor window standard of the Portland Zoning Code. The ground floor of the building will contain three retail spaces, an accessible apartment and enclosed parking for the development's total seven residential units. The

parking garage fronts on and will be accessed from SE 60th Avenue; as there are no windows in the walls of the parking structure, the ground floor of the SE 60th Avenue building façade does not meet the ground floor window standards of the Zoning Code. The applicant proposes to adjust the ground floor window standard from a required 50 percent of the length of the street-facing façade to 23 percent and from a required 25 percent of the ground floor wall area to 20 percent.

Relevant Approval Criteria:

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

- A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

Purpose 33.130.230 Ground Floor Windows

In the C zones, blank walls on the ground level of buildings are limited in order to:

- Provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas;
- Encourage continuity of retail and service uses;
- Encourage surveillance opportunities by restricting fortress-like facades at street level; and
- Avoid a monotonous pedestrian experience.

- B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area;

- E. Any impacts resulting from the adjustment are mitigated to the extent practical; and

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 January 17, 2006 and determined to be complete on January 31, 2006.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal.

We will consider your comments, and either:

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

If approval criteria are not listed, you can find the criteria online at: www.portlandonline.com/planning

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant.

The file and all evidence of this case are available for your review by appointment. Please contact the support staff at our office, 1900 SW Fourth Ave., Suite 4500, phone 503-823-7702, to schedule a time. Copies of information in the file can be obtained for a fee equal to the City's cost for providing those copies. I can provide some information over the phone. 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.portlandonline.com.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Adjustment Committee. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations and low-income individuals appealing a decision for their personal residence may qualify for an appeal fee waiver.

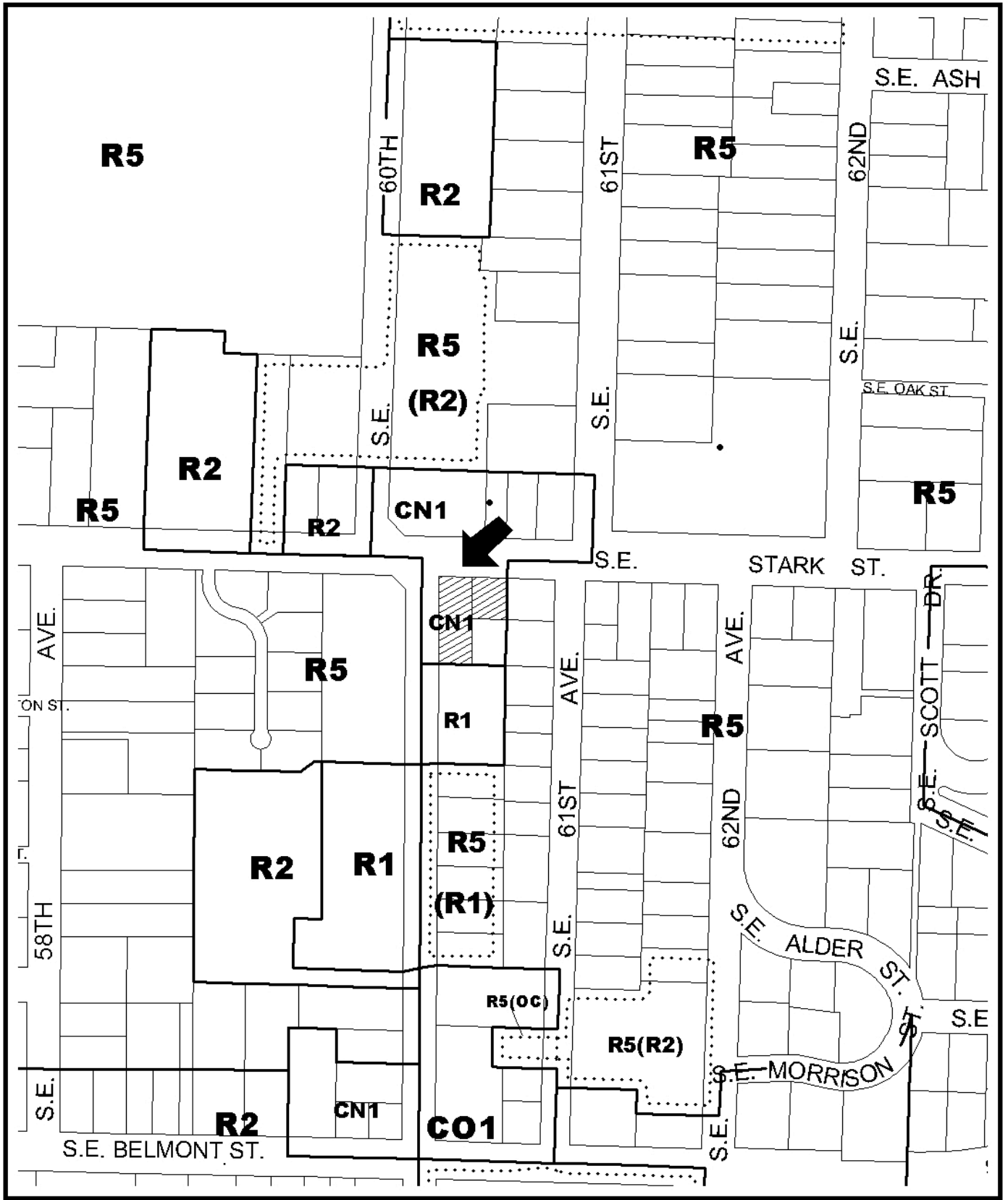
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Salem, OR 97310. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

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:

Zoning Map
Site Plan
Elevation drawing



ZONING



Site

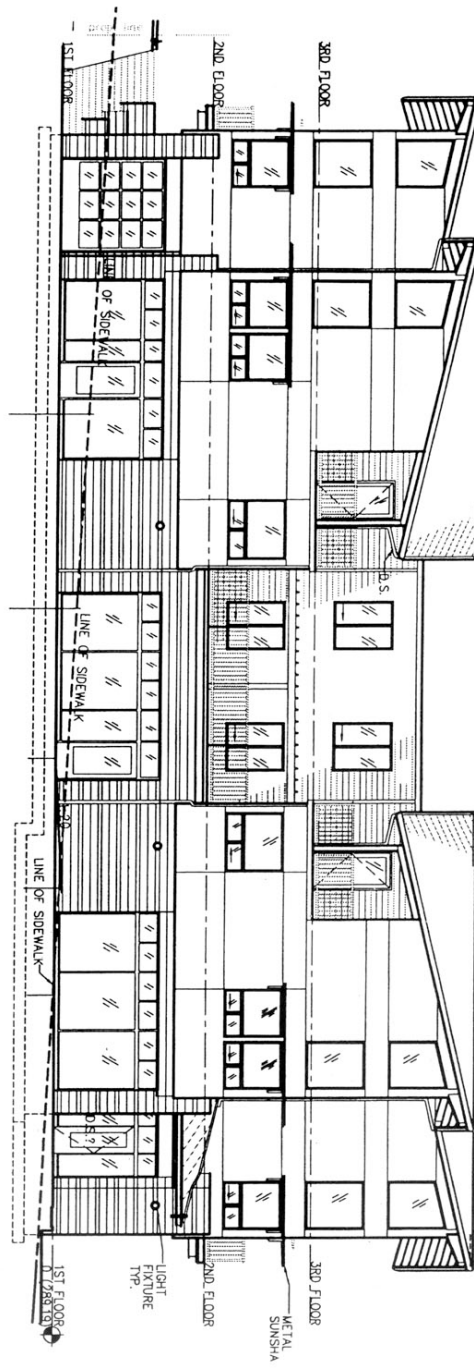
● Historic Landmark



NORTH

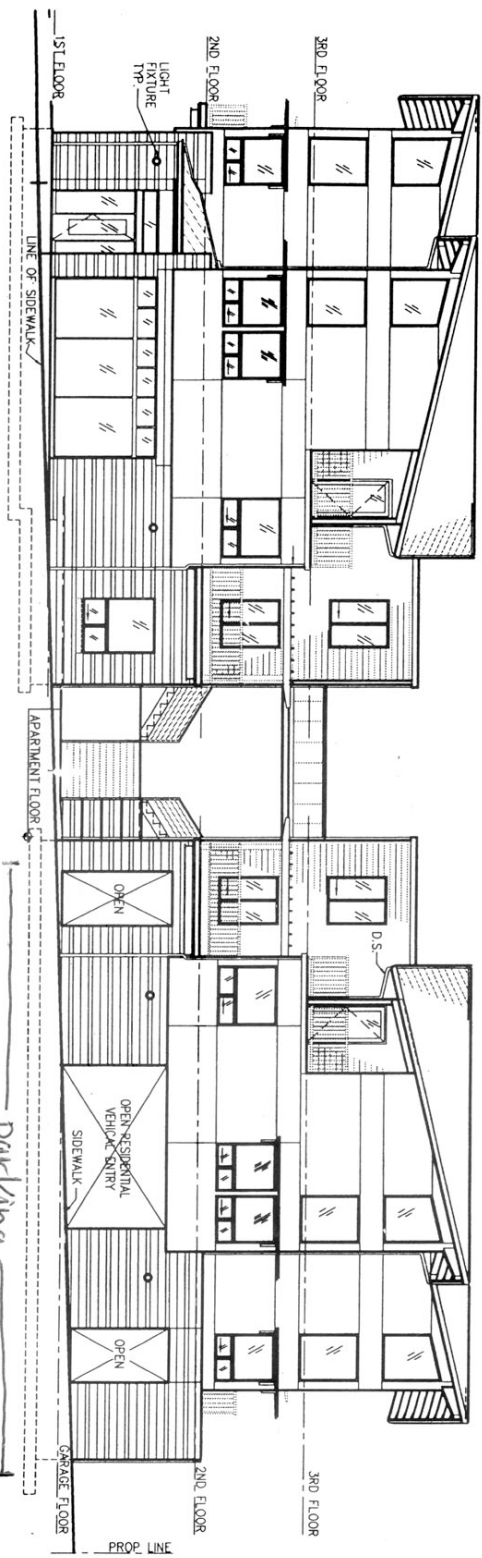
File No.	LU 06-102823 AD
1/4 Section	3136
Scale	1 inch = 200 feet
State-Id	1S2E06AA 5500+
Exhibit	B (Jan 19, 2006)

LU 06-102823 AD



NORTH ELEVATION FACING SE STARK ST.

1/16" = 1'-0"



WEST ELEVATION FACING SE 60TH AVE.

1/16" = 1'-0"

parking structure on ground floor

PROJECT TITLE	6018 SE STARK ST	PROJECT NUMBER	05-0608
PROJECT ADDRESS	6000 SE STARK ST., PORTLAND, OR 97215	ISSUE DATE	01.16.06
PERMIT NO.	05-172175-000-00-CO	REVISION DATE	

ROBERTSON MERRYMAN BARNES ARCHITECTS INC.
 1231 NORTHWEST HOYT, SUITE 403 PORTLAND, OREGON 97209
 503 222 3753 503 295 6718
 TEL FAX

ADJ # 1.3

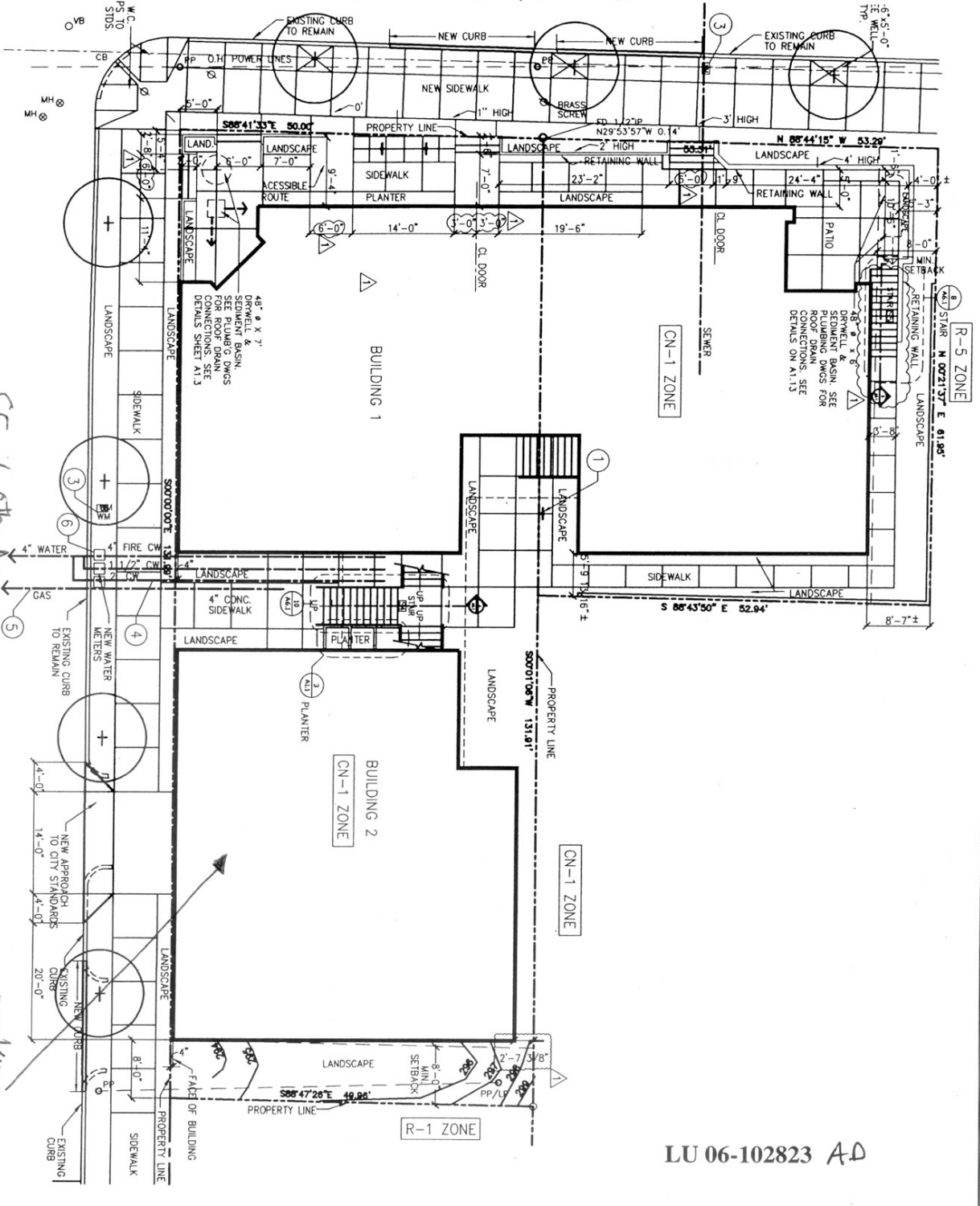
SE Stark Street

SITE PLAN
1" = 20'-0"

SE 60th Avenue



parking structure on ground floor



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ADJ # 1.1