



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

1900 SW 4th Avenue, Suite 5000  
Portland, Oregon 97201  
503-823-7300  
Fax 503-823-5630  
TTY 503-823-6868  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** May 10, 2010  
**To:** Interested Person  
**From:** Sylvia Cate, Land Use Services  
503-823-7771 / [scate@ci.portland.or.us](mailto:scate@ci.portland.or.us)

## **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 June 1, 2010.** Please mail or deliver your comments to the address above, and include the Case File Number, LU 10-122677 CU, in your letter. It also is helpful to address your letter to me, Sylvia Cate.

## **CASE FILE NUMBER: LU 10-122677 CU**

**Applicant:** City Of Portland, Property Owner  
1120 SW 5th Ave #609  
Portland, OR 97204

Clearwire US LLC, Lessee  
4400 Carillon Point  
Kirkland Wa 98033

**Representative:** James C Barta, Main contact  
2317 NE 12th Ave  
Portland, OR 97212  
503 544 2429

**Site Address:** 11805 SE SALMON ST  
**Legal Description:** BLOCK 4 LOT 11, PATRICIA ADD  
**Tax Account No.:** R650901310  
**State ID No.:** 1S2E03AD 01100  
**Quarter Section:** 3142

**Neighborhood:** Mill Park, contact Rosemary Opp at 503-256-4591.  
**Business District:** Gateway Area Business Association, contact Fred Sanchez at 503-256-3910.  
**District Coalition:** East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

**Zoning:** R5a, Single Dwelling Residential 5,000 with Alternative Design Density overlay

**Case Type:** CU, Conditional Use

**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**Proposal:**

The applicant, Clearwire Wireless, proposes to mount a wireless telecommunications facility on an existing three-sector antenna array mounted on the top of the existing water tank. The new facility will consist of six additional antennas. Associated electronic equipment cabinets will be placed on a 4 foot square concrete pad adjacent to the existing ground level equipment within a fenced area. Attached to this notice is a site plan and an elevation depicting the proposal.

**Relevant Approval Criteria:**

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

- 33.815.225 A. 1-3, Conditional Use Criteria
- 33.274.040 C, Mandatory Development Standards

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 March 30, 2010 and determined to be complete on May 6, 2010.

**DECISION MAKING PROCESS**

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and

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

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 extended at the request of the applicant.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. 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 of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. 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.

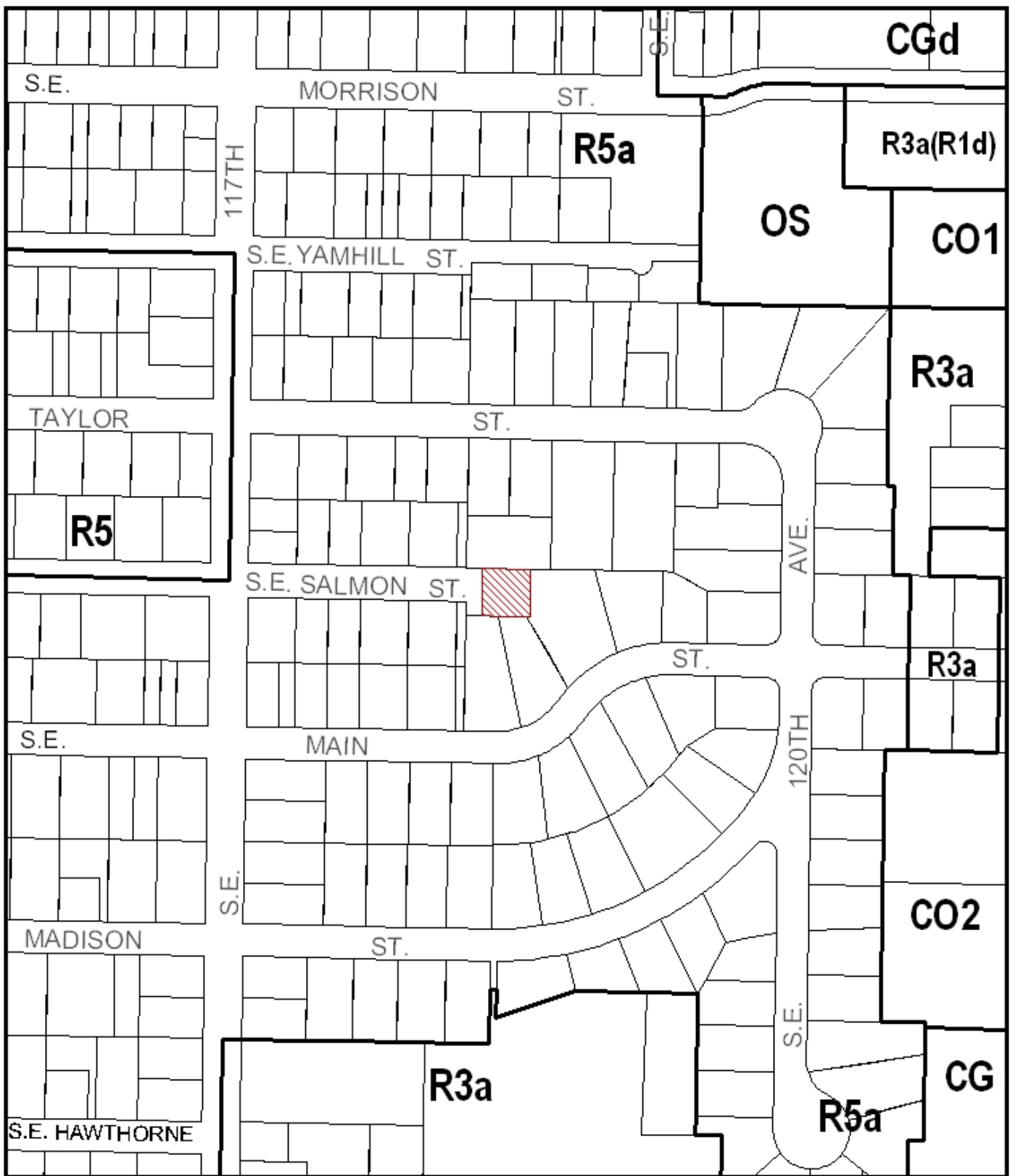
There is a fee charged for appeals. Recognized neighborhood associations and low-income individuals appealing a decision for their personal residence may qualify for an appeal fee waiver.

**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, Suite 235, Salem, OR 97301. 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. 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:** Zoning Map; Site Plan; Elevation



# ZONING

 Site



File No.	<u>LU 10-122677 CU</u>
1/4 Section	<u>3142</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S2E03AD 1100</u>
Exhibit	<u>B</u> (Apr 01, 2010)

**clearw're**  
 wireless broadband  
 4000 N. HAWAIIAN ST.  
 PORTLAND, OR 97218  
 TEL: 503-251-7800

**CAS**  
 ACQUISITION • ENGINEERING • PERMITTING  
 CONSULTING (MEMBER NCEM)

C.A. Seng and Associates, Inc.  
 602 E. Main Street  
 360-684-6018 • Fax: 360-684-6125

PROJ. NO. \_\_\_\_\_  
 DRAWN BY: B.K.U.  
 CHECKED BY: \_\_\_\_\_

**SUBMITTALS**

1	1/2/2010	Antenna Rotation
2	1/2/2010	100% Zoning Clearance
3	5/2/2010	READY FOR REVIEW

THE CONTRACTOR SHALL MAINTAIN IN THE FULL SET OF DOCUMENTS IN THE POSSESSION OF THE ARCHITECT OR ENGINEER A COPY OF ALL CORRECTIONS AND REVISIONS TO THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL INFORMATION PROVIDED TO THE ARCHITECT OR ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CLEARANCES FROM ALL APPLICABLE AGENCIES.

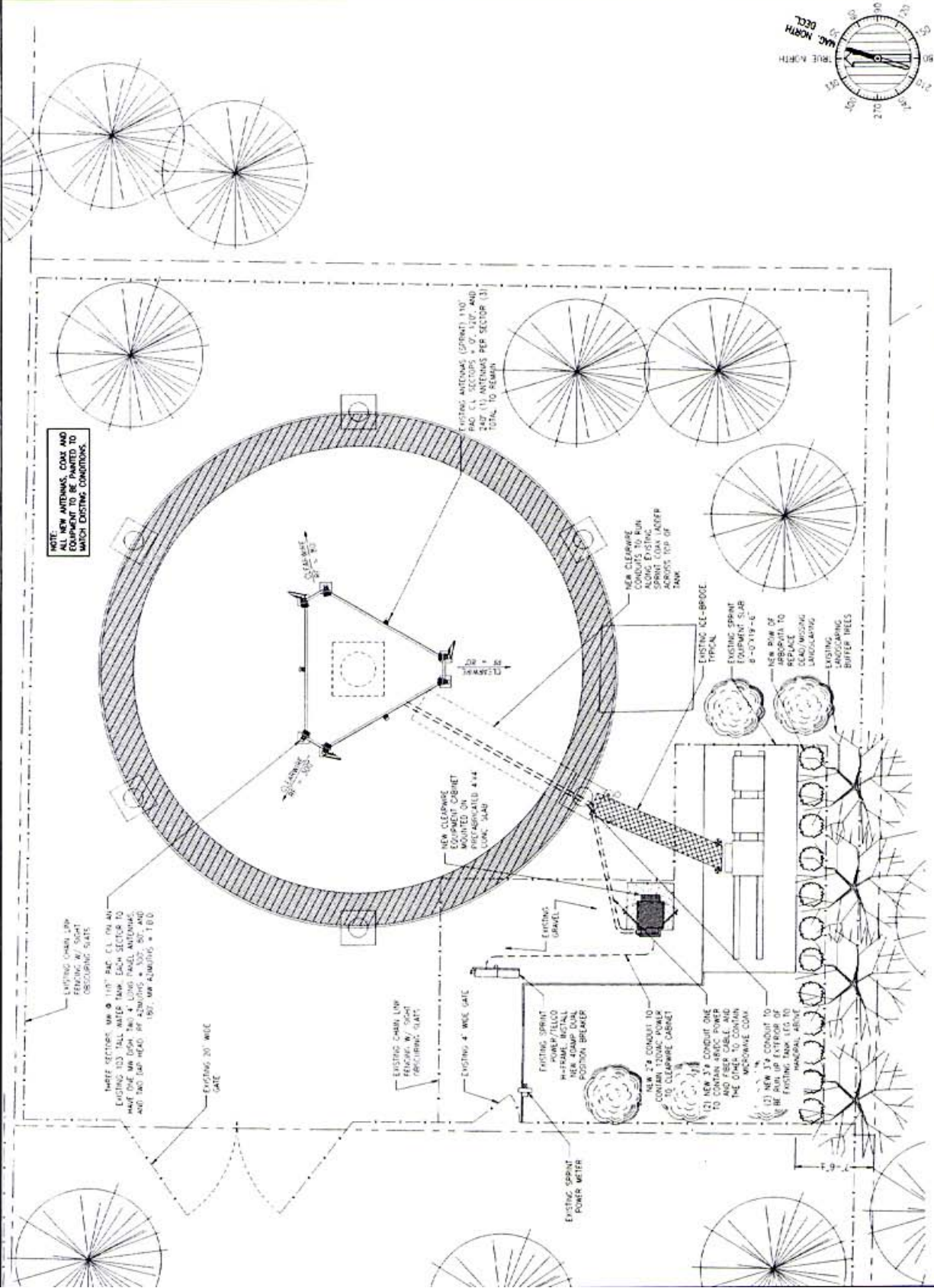
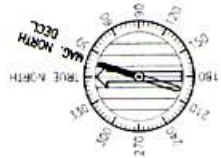


**JEFF A. SMITH**  
 OR-PCRS180  
 1805 SE SALMON ST.  
 PORTLAND, OR 97214

SHEET TITLE:  
**ENLARGED SITE PLAN**

SHEET NUMBER:  
**C-2**

SCALE: 1/8"=1'-0" 1



ENLARGED SITE PLAN

**clearwre**<sup>®</sup>  
wireless broadband  
4400 CARLOW POINT  
ANN ARBOR, MI 48106  
TEL: (415) 714-7000  
FAX: (415) 714-7000

**CXS**  
CONSTRUCTION MANAGEMENT  
C.A. Simon and Associates, Inc.  
805 L. McLaughlin Blvd.  
Ann Arbor, MI 48106  
360-694-6019 fax: 360-694-6225

CAS PROJ. NO.: ---  
DRAWN BY: B.K.L.L.  
CHECKED BY: ---

**SUBMITTALS**

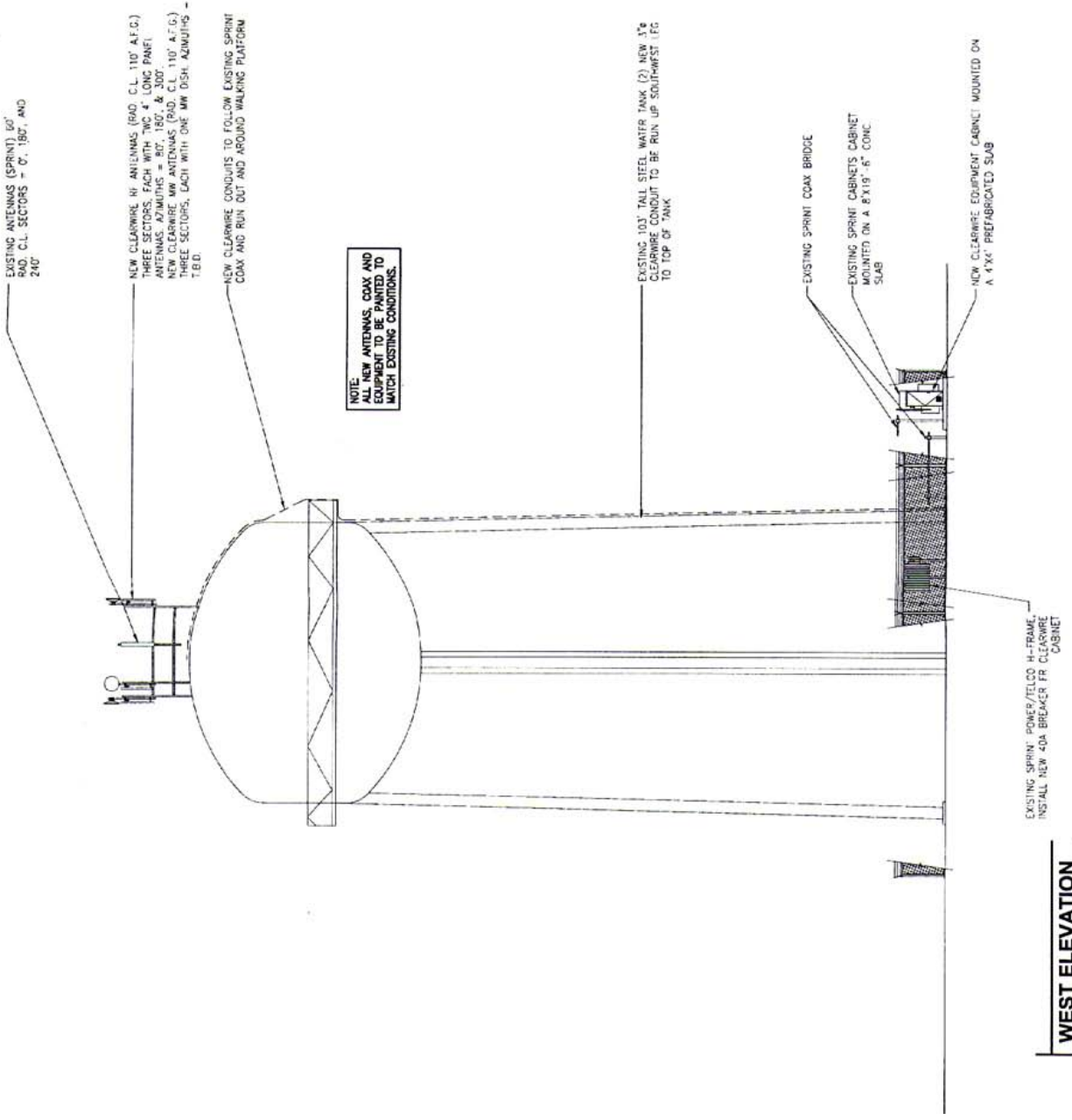
1	3/29/10	100% ZONING DRAWINGS
0	3/26/10	ISSUED FOR REVIEW

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROVIDED AS A SERVICE TO YOU. IT IS YOUR RESPONSIBILITY TO VERIFY THE USE OR DISUSE OF ANY OTHER THAN CLEARWIRE IS STRICTLY PROHIBITED.

**117TH AVE. TANK  
OR-POR5180**  
1805 SE SALMON ST.  
PORTLAND, OR 97216

SHEET TITLE:  
**ELEVATION**

SHEET NUMBER:  
**C-3**



**WEST ELEVATION**

SCALE: 1/16"=1'-0" 1