



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** October 4, 2016  
**To:** Interested Person  
**From:** Marguerite Feuersanger, Land Use Services  
503-823-7619 / [Marguerite.Feuersanger@portlandoregon.gov](mailto:Marguerite.Feuersanger@portlandoregon.gov)

## **NOTICE OF A TYPE Ix 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 45 days, **we need to receive your written comments by 5 p.m. on November 3, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-181622 CU, in your letter. It also is helpful to address your letter to me, Marguerite Feuersanger. You can also e-mail your comments to me at my e-mail address identified above.

### **CASE FILE NUMBER: LU 16-181622 CU**

**Applicant:** Steve Bodine  
Acom Consulting Inc.  
1125 SE Clastop Street  
Portland OR 97202

**Owner:** Tilda Ann Perry  
5428 SE 136th Ave  
Portland, OR 97236-4032

**Site Address:** 5428 SE 136th Avenue

**Legal Description:** N 134.5' OF LOT 7 EXC PT IN ST, LAMARGENT PK  
**Tax Account No.:** R466102600  
**State ID No.:** 1S2E14AC 02500  
**Quarter Section:** 3544

**Neighborhood:** Powellhurst-Gilbert, contact Powellhurst-Gilbert at [pgnaboard@gmail.com](mailto:pgnaboard@gmail.com)

**Business District:** Midway, contact David Day at 503-760-7572.

**District Coalition:** East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

**Plan District:** Johnson Creek Basin

**Zoning:** R2a, Low Density Multi-Dwelling Residential Zone, within the Alternative Design Density Overlay Zone (a)  
**Case Type:** CU  
**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant proposes a new Verizon Wireless ground equipment area for two accessory electrical equipment cabinets and a generator. The equipment area will be within a 15-foot by 20-foot enclosure on the approximate 60,000 square-foot site. It is set back 10 feet from the front property line and 5 feet from the south property line. Sound-reduction walls, 8.5 feet in height, are proposed along the south, east and west perimeter of the equipment. Additionally, a roof cover is proposed for the south half of the equipment area. The equipment will be serviced periodically by Verizon employees, who will use on-street parking for their vehicles as no on-site parking is proposed for this facility. Two cherry trees, located within the new ground equipment area, are proposed to be removed. Other nearby on-site trees will be preserved, including a 12-inch diameter fir tree, an 18-inch diameter fir tree, a 9-inch diameter plum tree, and an 8-inch diameter deciduous tree. The site is currently developed with a detached house, paved driveway, and accessory building; the house is set back more than 80 feet from the front property line.

The proposed ground equipment is accessory to a new radio frequency transmission facility with antennas on an adjacent utility pole in the right-of-way of SE 136<sup>th</sup> Avenue. Because the utility pole and antennas are within public right-of-way and not on private property, these facilities are not part of this land use review.

Because the on-site accessory equipment is within a Residential zone, a Type Ix Conditional Use Review is required (33.274.025, 33.274.050.A).

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

- 33.815.225.D Conditional Use Approval Criteria for Radio Frequency Transmission Facilities located on non-broadcast structures within 50'-0" of a residential zone; and
- 33.275.040 Development Standards for Radio Frequency Transmission Facilities

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 June 2, 2016 and determined to be complete on September 29, 2016.

**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.

**We will mail you a copy of our decision only if you comment in writing to us at the City of Portland Bureau of Development Services, 1900 SW Fourth Ave., Suite 4500, Portland, OR 97201.** There will be no public hearing.

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.

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. 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](http://www.portlandonline.com).

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.

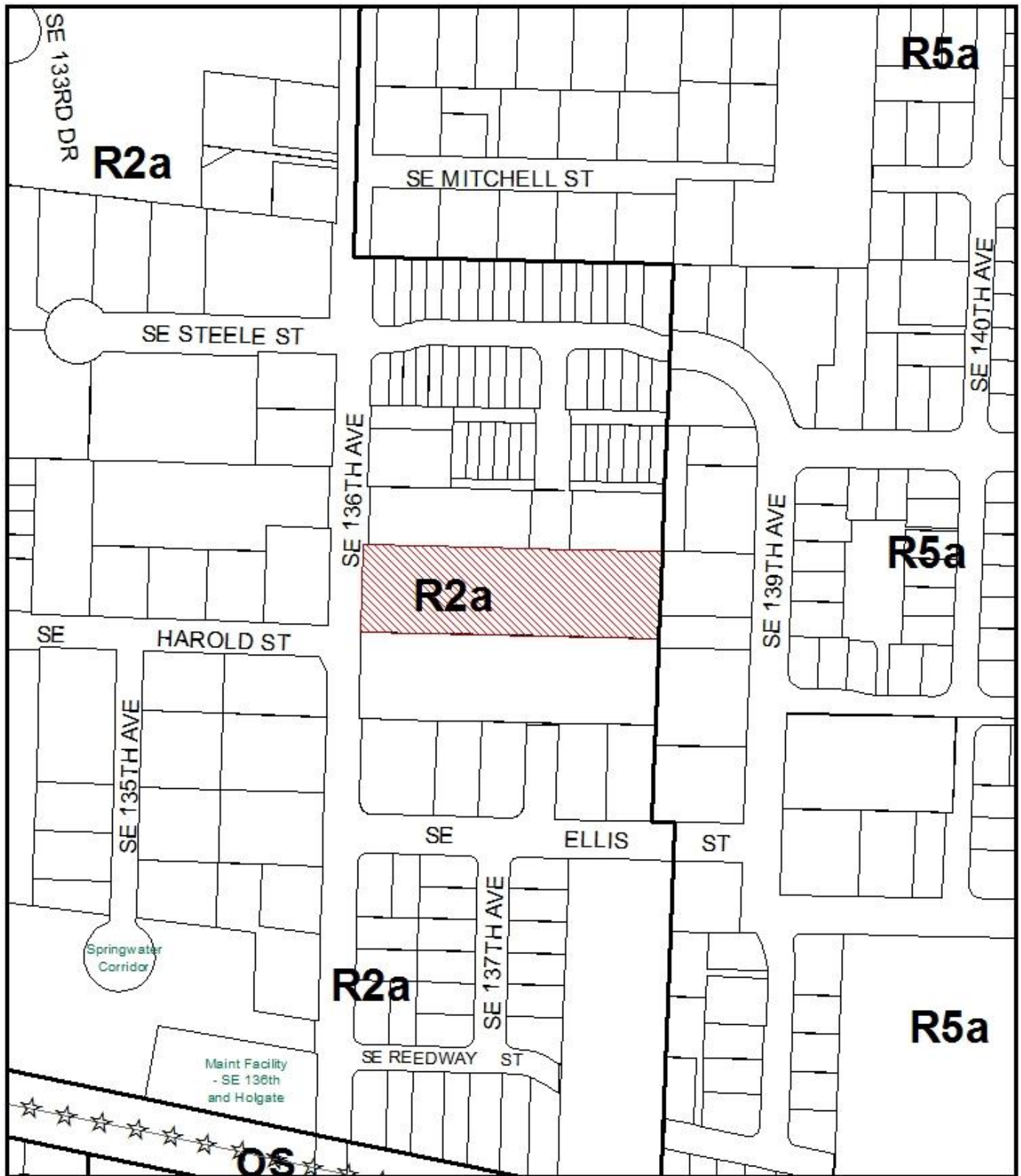
#### **APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may 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  
Partial Site Plan  
Enclosure Elevations



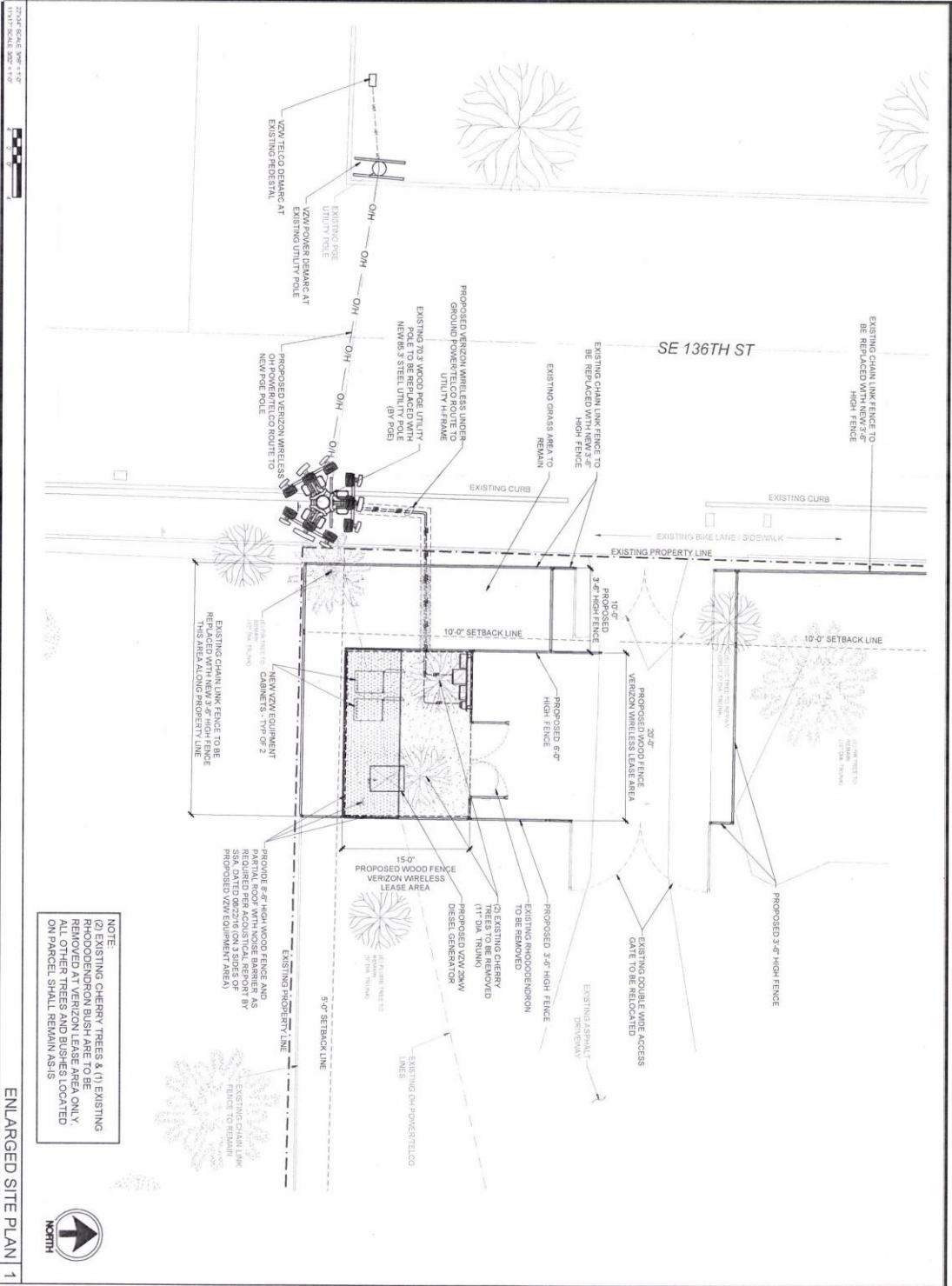
# ZONING

- Site
- ☆ Recreational Trails



This site lies within the:  
JOHNSON CREEK BASIN PLAN DISTRICT

File No.	<u>LU 16-181622 CU</u>
1/4 Section	<u>3544</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1S2E14AC 2500</u>
Exhibit	<u>B (Jun 03, 2016)</u>



**NOTE:**  
 (1) EXISTING CHERRY TREES & (2) EXISTING  
 CHERRY TREES TO BE REMOVED AT VERIZON LEASE AREA ONLY.  
 ALL OTHER TREES AND BUSHES LOCATED  
 ON PARCEL SHALL REMAIN AS IS.



ENLARGED SITE PLAN 1

<p>PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION</p>	
<p>NO. DATE REVISION</p> <p>A 08/21/16 100% DESIGN SET</p> <p>B -</p> <p>C -</p> <p>D -</p> <p>E -</p> <p>F -</p> <p>G -</p>	<p>DATE</p> <p>08/21/16</p>
<p>PROJECT TITLE</p> <p>POR - GILBERT        5000 W. 136TH AVENUE        FORT WORTH, TEXAS</p>	
<p>DESIGNER</p> <p>ACOM CONSULTING INC.</p>	
<p>CLIENT</p> <p>VERIZON</p>	
<p>SCALE</p> <p>AS SHOWN</p>	
<p>PROJECT NUMBER</p> <p>000816</p>	
<p>DATE</p> <p>08/21/16</p>	
<p>SCALE</p> <p>AS SHOWN</p>	
<p>PROJECT TITLE</p> <p>ENLARGED SITE PLAN</p>	
<p>SCALE</p> <p>AS SHOWN</p>	

received by RDS  
9/29/16

PARTIAL SITE PLAN

16-181622 CU



DATE: 08/16/2016  
 DRAWING NO: A-2.1  
 PROJECT: PROPOSED FENCE ELEVATIONS  
 CLIENT: POR GILBERT  
 LOCATION: 5425 NE 17TH AVE, PORTLAND, OR 97218

PRELIMINARY DRAWINGS  
 NOT FOR CONSTRUCTION

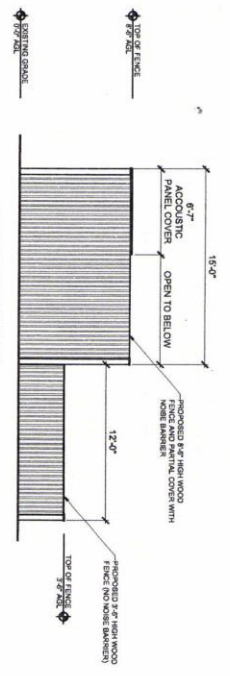
No.	Date	Revision
1	08/16/16	ISSUE FOR PERMIT
2		



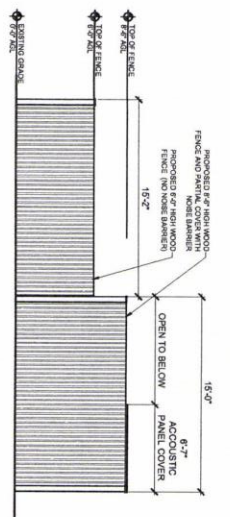
Project Title:  
**POR GILBERT**  
 5425 NE 17TH AVE  
 PORTLAND, OR 97218

Drawing Title:  
**PROPOSED FENCE ELEVATIONS**

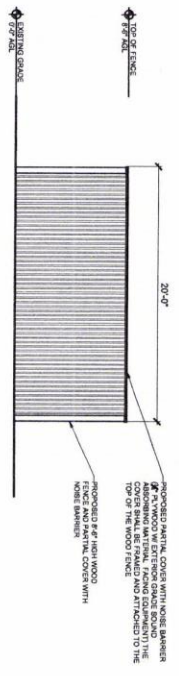
Client:	Company:
Project Manager:	Project Number:
Scale:	Revision:
Sheet:	Sheet:



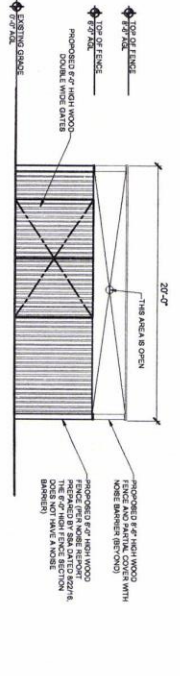
3 EAST ELEVATION



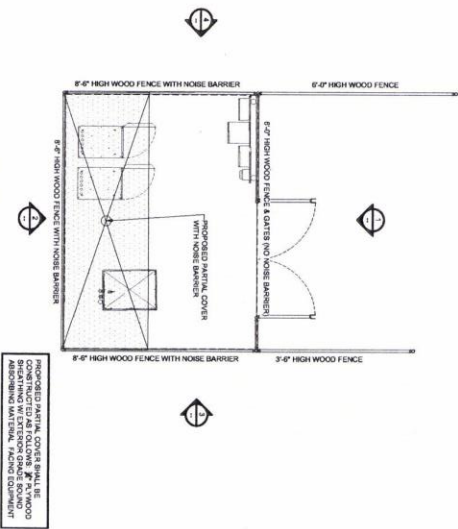
4 WEST ELEVATION



2 SOUTH ELEVATION



1 NORTH ELEVATION



REFERENCE PLAN

PROPOSED FENCE ELEVATIONS 1

TOP SCALE: 1/4" = 1'-0"  
 BOTTOM SCALE: 3/8" = 1'-0"

PROPOSED ENCLOSURE ELEVATIONS

received by BDS  
 9/21/16

16.181622 cu