



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner
Rebecca Esau, Interim Director
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www.portlandoregon.gov/bds

Date: May 2, 2017
To: Interested Person
From: Lauren Russell, Land Use Services
503-823-7817/Lauren.Russell@portlandoregon.gov

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 May 23, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-144114 AD, in your letter. It also is helpful to address your letter to me, Lauren Russell. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-144114 AD

Applicant: Aisha Pohoata
Artisan Dental Laboratory
2532 SE Hawthorne Blvd
Portland, OR 97214
(503) 238-6006 ext. 224 / aisha@artisandental.com

Owner: The K Family LLC
2532 SE Hawthorne Blvd
Portland, OR 97214

Site Address: 2532 SE HAWTHORNE BLVD

Legal Description: BLOCK 3 LOT 7-12, BURRELL HTS
Tax Account No.: R122400400
State ID No.: 1S1E01CB 17700
Quarter Section: 3233
Neighborhood: Hosford-Abernethy, contact chair@handpdx.org.
Business District: Hawthorne Blvd. Bus. Assoc., contact Greg Moon at gmoon@westernseminary.edu

District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.
Plan District: None
Zoning: CS – Storefront Commercial and CN2b – Neighborhood Commercial 2, Buffer Overlay Zone

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

Proposal:

The applicant proposes to remove existing, dying arborvitae shrubs located along the southern portion of the west property line and install a 6-foot high fully sight-obscuring wooden fence. The fence would also be installed along the western portion of the south property line. The southern half of the property is located within the Buffer overlay zone. Per Zoning Code Section 33.410.040.A.1, in commercial zones, a 10-foot setback landscaped to at least the L3 standard is required along all lot lines that are across a local service street or alley from residentially-zoned land or abut the rear lot line of a residentially-zoned lot. The L3 standard requires enough high evergreen shrubs to form a screen 6 feet high and in addition, one large tree is required per 30 linear feet, one medium tree per 22 linear feet, or one small tree per 15 linear feet of landscaped area. A 6-foot high masonry wall may be substituted for the shrubs, but the trees and ground cover plants are still required. Because the L3 landscape standard is not fully met along the southern portion of the west lot line and south lot line, the applicant requests the following Adjustments:

- Allow a 6-foot high fully sight-obscuring wooden fence in lieu of a 6-foot high masonry wall along 120 feet of the west lot line; and
- Allow a 6-foot high fully sight-obscuring wooden fence in lieu of a 6-foot high masonry wall along 60 feet of the south lot line.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33.805.040.

33.805.040 Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. below have been met.

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and
- 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; and
- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and **(not applicable)**
- D.** City-designated scenic resources and historic resources are preserved; **(not applicable)** and
- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and
- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable. **(not applicable)**

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 31, 2017 and determined to be complete on April 25, 2017.

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.

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 may qualify for an appeal fee waiver.

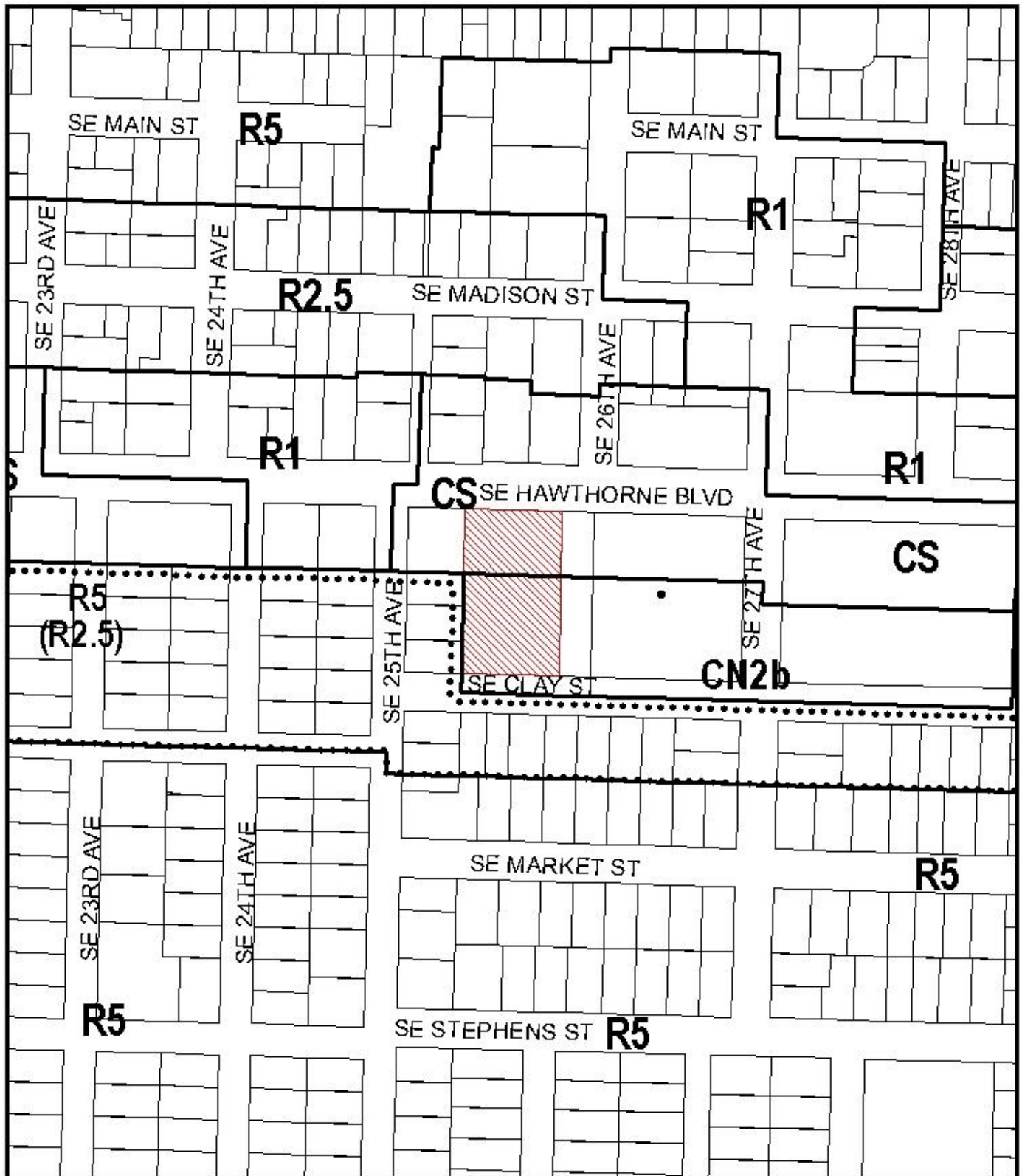
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. 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



ZONING

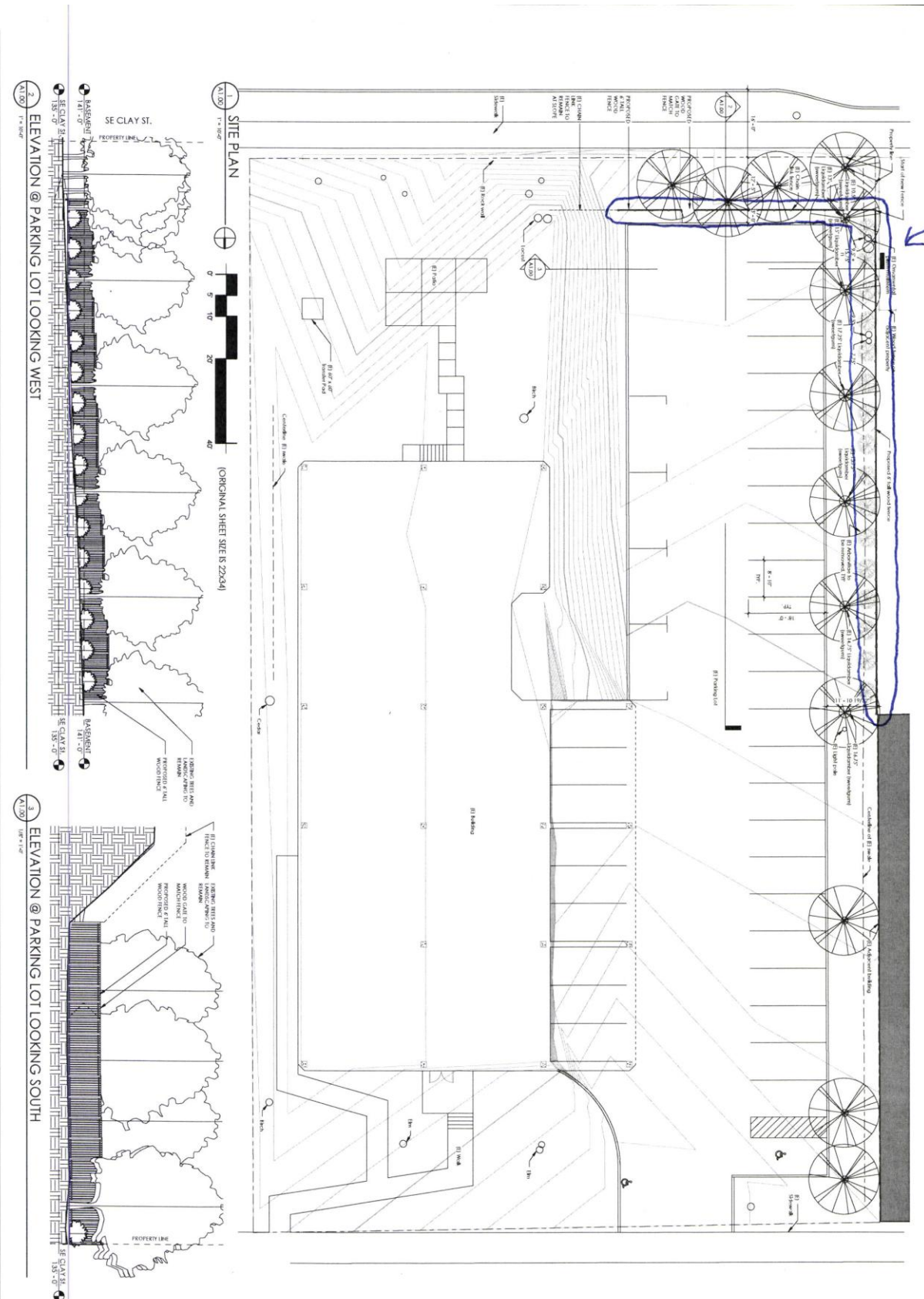
-  Site
-  Historic Landmark



NORTH

File No. LU 17-144114 AD
 1/4 Section 3233
 Scale 1 inch = 200 feet
 State_Id 1S1E01CB 17700
 Exhibit B (Apr 05, 2017)

ADJUSTMENT REQUEST TO ALLOW A 6' HIGH FULL SLANT-OBSCURING WOODEN FENCE IN LIEU OF A 6' HIGH MASONRY WALL ALONG 120 FEET OF THE WEST LOT LINE AND ALONG 60' OF THE SOUTH LOT LINE.



1 SITE PLAN (ORIGINAL SHEET SIZE R 22x34)

2 ELEVATION @ PARKING LOT LOOKING WEST

3 ELEVATION @ PARKING LOT LOOKING SOUTH

A1.00

SITE PLAN

existing building documentation

Project #: 1701.00
 Project Issue Date: 2017.03.28
 Revisors: [blank]
 Date: [blank]

Artisan Dental Laboratory

2532 SE Hawthorned Blvd, Portland, OR 97214

waterleaf

419 NW 11th Ave
 Suite 200
 Portland OR 97205
 P: 503.525.0044
 F: 503.525.0055

