



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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TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: September 5th, 2017
To: Interested Person
From: William Piro, Land Use Services
503-823-6039 / William.Piro@portlandoregon.gov

NOTICE OF A TYPE IIx 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 42 days, **we need to receive your written comments by 5 p.m. on October 5th, 2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-193115 LDS, in your letter. It also is helpful to address your letter to me, William Piro. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-193115 LDS

Applicant: Sarah Radelet | Strata Land Use Planning
Po Box 90833
Portland, OR 97290
503-320-0273 | Sarah@Stratalanduse.com

Nick Daniken | Greenwing Restorations LLC
11850 SW 67th Ave Suite 210
Portland OR 97223
541-778-9333 | Nick@Greenwingpdx.Com

Property Owner: Steve Edelman | Greenwing Restorations, LLC
11850 SW 67th Suite 210
Portland, OR 97223
503-502-5711 | Steve@Greenwingpdx.Com

Site Address: 5235 SE 72nd Ave

Legal Description: BLOCK 18 LOT 18, FIRLAND
Tax Account No.: R282503500
State ID No.: 1S2E17BD 03100
Quarter Section: 3537
Neighborhood: Mt. Scott-Arleta, contact Andrew Cecka at msanalandusechair@gmail.com

Business District: Eighty-Second Ave of Roses Business Association, contact Nancy Chapin at nchapin@tsgpdx.com; info@82ndavenue.org

District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

- Plan District:** None
- Zoning:** Multi-Dwelling Residential 1,000 (R1a), with Alternative Design Density Overlay (a).
- Case Type:** Land Division Subdivision (LDS)
- Procedure:** Type IIx, an administrative decision with appeal to the Hearings Officer.

Proposal: The applicant is proposing to subdivide a 6,500 square foot property into 4 lots. The existing house will be removed, and the proposed lots will be built with attached housing. Onsite parking is proposed for each unit and will be accessed by a single curb-cut for Lots 1 and 2 and a single curb-cut for Lots 3 and 4. There is one large tree on site, a black walnut (*Juglans niagra*). This tree is subject to tree preservation requirements, and the applicant has proposed to retain the tree on site.

This subdivision proposal is reviewed through a Type IIx procedure because: (1) the site is in a residential zone; (2) four to ten dwelling units are proposed, not including accessory dwelling units (see 33.660.110).

For purposes of State Law, this land division is considered a subdivision. To subdivide land is to divide an area or tract of land into four or more lots within a calendar year, according to ORS 92.010. ORS 92.010 defines "lot" as a single unit of land created by a subdivision of land. The applicant's proposal is to create 4 units of land (4 lots). Therefore this land division is considered a subdivision.

Relevant Approval Criteria:

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

- Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.

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 26, 2017 and determined to be complete on date.

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.ci.portland.or.us.

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 may qualify for an appeal fee waiver.

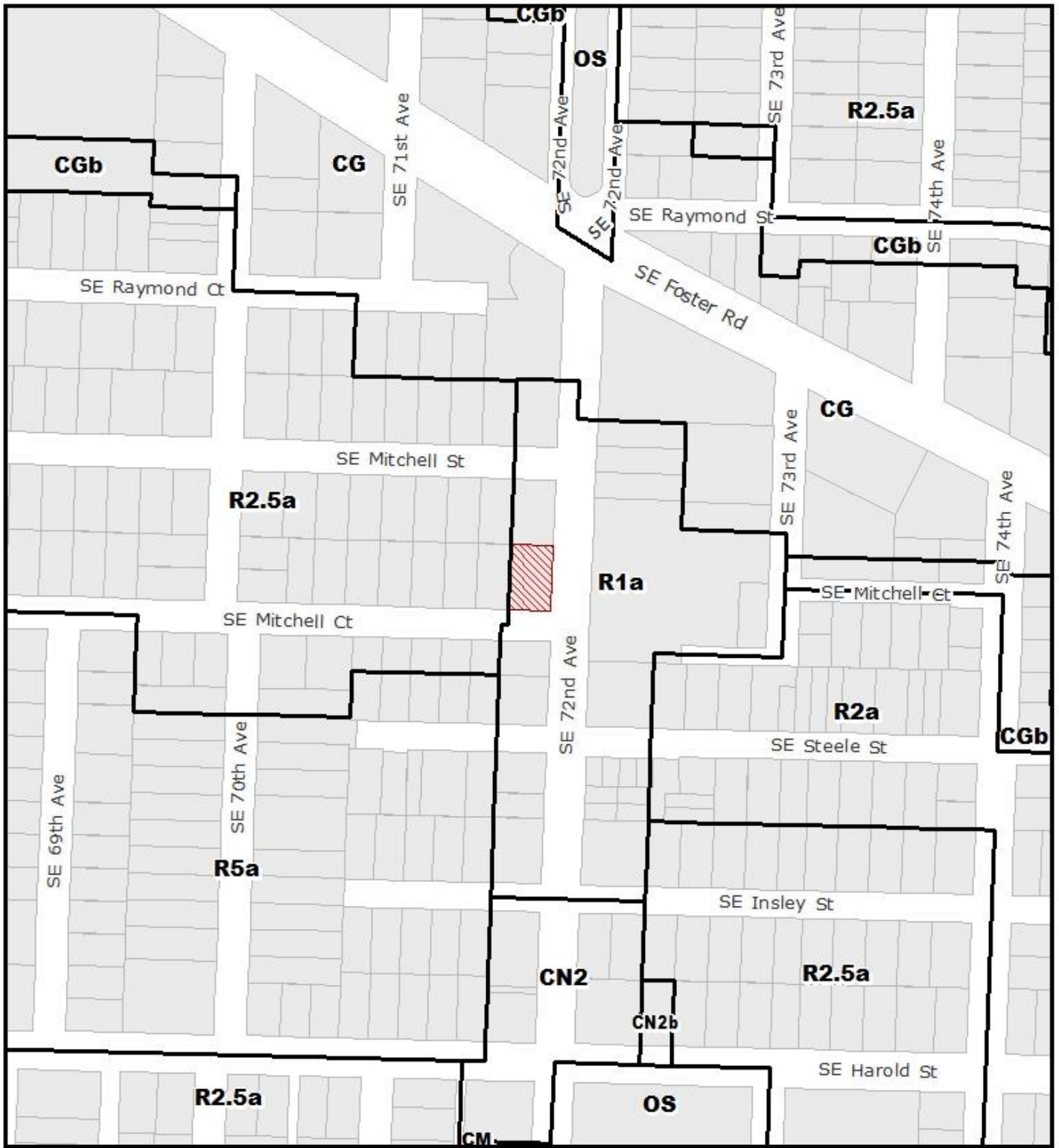
APPEAL OF THE FINAL CITY DECISION

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, OR 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:

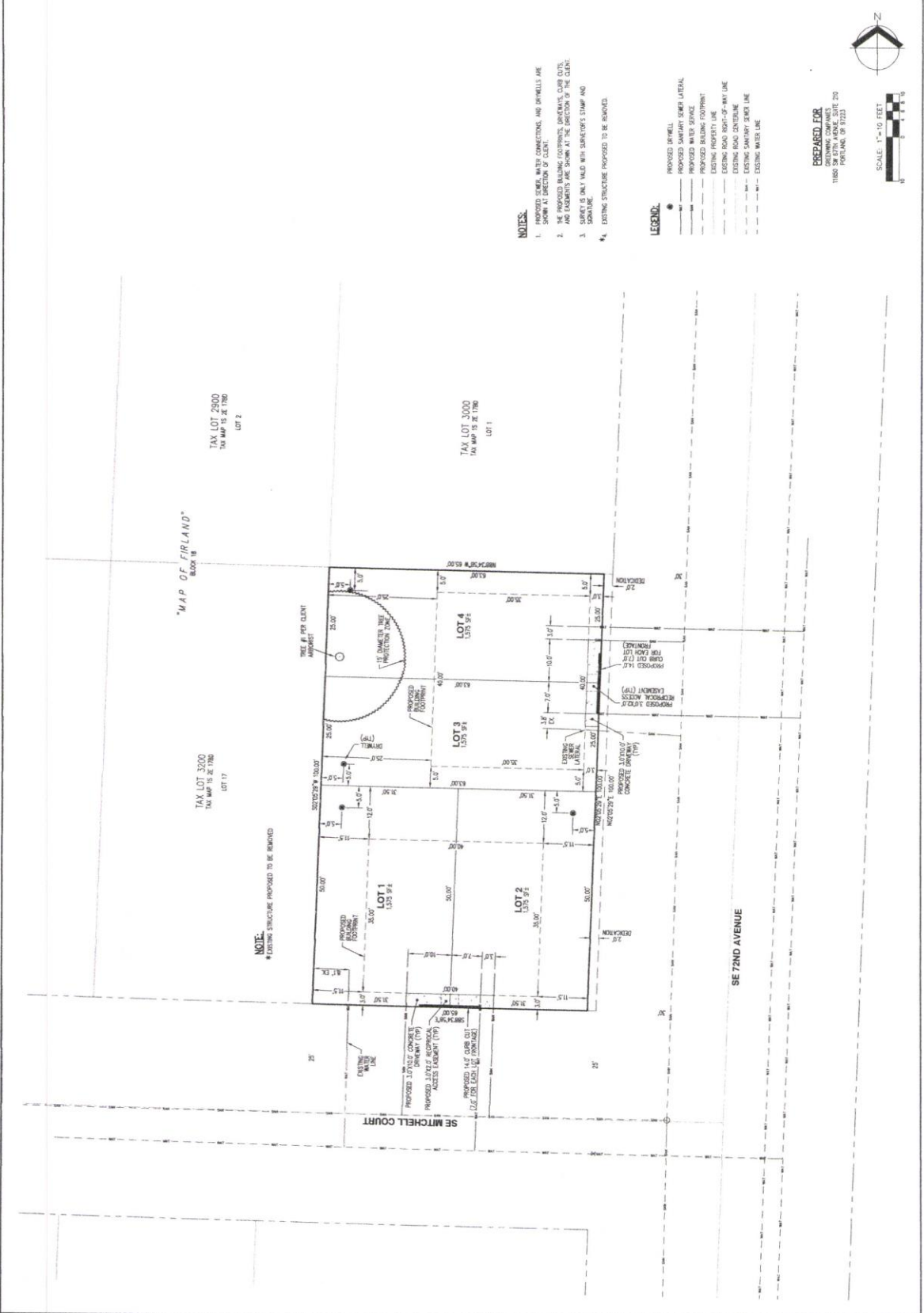
Zoning Map
Site Plan



ZONING  NORTH

 Site

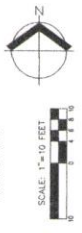
File No.	LU 17-193115 LDS
1/4 Section	3537
Scale	1 inch = 200 feet
State ID	1S2E17BD 3100
Exhibit	B Jun 27, 2017



- NOTES:**
1. PROPOSED DRIVE, WATER CONNECTIONS, AND SHWELLS ARE SHOWN AT DIRECTION OF CLIENT.
 2. THE PROPOSED BUILDING FOOTPRINTS, DRIVEWAYS, CURB CUTS, AND DRIVEWAYS ARE SHOWN AT THE DIRECTION OF THE CLIENT.
 3. SHWELLS ONLY YIELD WITH SURVEYOR'S STAMP AND SIGNATURE.
 4. EXISTING STRUCTURE PROPOSED TO BE REMOVED.

- LEGEND:**
- PROPOSED SHWELL
 - PROPOSED DRIVE
 - PROPOSED WATER CONNECTION
 - PROPOSED BUILDING FOOTPRINT
 - EXISTING PROPERTY LINE
 - EXISTING ROAD RIGHT-OF-WAY LINE
 - EXISTING ROAD CENTERLINE
 - EXISTING DRIVEWAY CENTER LINE
 - EXISTING WATER LINE

PREPARED FOR:
 DESIGNING COMPANIES, INC.
 1500 NE 15TH AVENUE, SUITE 210
 PORTLAND, OREGON 97232



NOTE:
 * EXISTING STRUCTURE PROPOSED TO BE REMOVED