



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

Ted Wheeler, Mayor
Rebecca Esau, Director
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www.portlandoregon.gov/bds

Date: November 26, 2018
To: Interested Person
From: Kate Green, Land Use Services
503-823-5868 / Kate.Green@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 December 26, 2018.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-176884 LDS, in your letter. It also is helpful to address your letter to me, Kate Green. You can also e-mail your comments to me at my e-mail address identified above. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 18-176884 LDS

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

Engineer: Jim Stormo | Pinnacle Engineering
11757 Kelok Road | Lake Oswego, OR 97034

Property Owners: John A. Saunders and Zoe R. Saunders
20550 Lomita Avenue | Saratoga, CA 95070-6088

Site Address: 3510, 3530 & 3534 SE 143rd Avenue

Legal Description: TL 6800 0.51 ACRES, SECTION 12 1S 2E; TL 6900 0.51 ACRES, SECTION 12 1S 2E

Tax Account No.: R992121280, R992121820

State ID No.: 1S2E12BC 06800, 1S2E12BC 06900

Quarter Section: 3345

Neighborhood: Centennial / Tom Lewis / 503-347-5715

Business District: Midway / info@midwaybusiness.org

District Coalition: East Portland Community Office / Victor Salinas / 503-823-6694

Zoning: Single Dwelling Residential 5,000 (R5)
Alternative Design Density overlay (a)

Plan District: Johnson Creek Basin

Case Type: Land Division-Subdivision (LDS)
Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer

Proposal:

The applicant proposes a **Land Division-Subdivision** to divide 2 properties into 7 lots with a new private street tract. A 3-foot right-of-way dedication is proposed along the SE 143rd Avenue frontage.

Three existing houses on the site are proposed to remain and be situated on individual lots. Two trees are proposed to be preserved and protected. An existing garage and other accessory structures (sheds) are proposed to be removed. Onsite drywells are proposed to provide stormwater management on each lot.

Four parking spaces and new sanitary sewer and water services and a drywell are proposed within the private street tract.

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 8 units of land (7 lots and 1 tract). 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 found in:

▪ **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 May 24, 2018 and was deemed complete at the applicant's request on November 19, 2018.

After the application was submitted, the zoning on the property was changed from R5 to R7; however, based on the provision above, the proposal will be evaluated subject to the zoning regulations in effect when the application was submitted.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. After we consider your comments we will do one of the following:

- Approve the proposal.
- Approve the proposal with conditions; or
- 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 by making a request online or contacting me.

- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please visit <https://www.portlandoregon.gov/bds/54732>. The fee for this service varies based on the size of the case file and how long it would take to scan or copy documents.
- I can provide some information over the phone or through email.

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.portlandoregon.gov.

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.

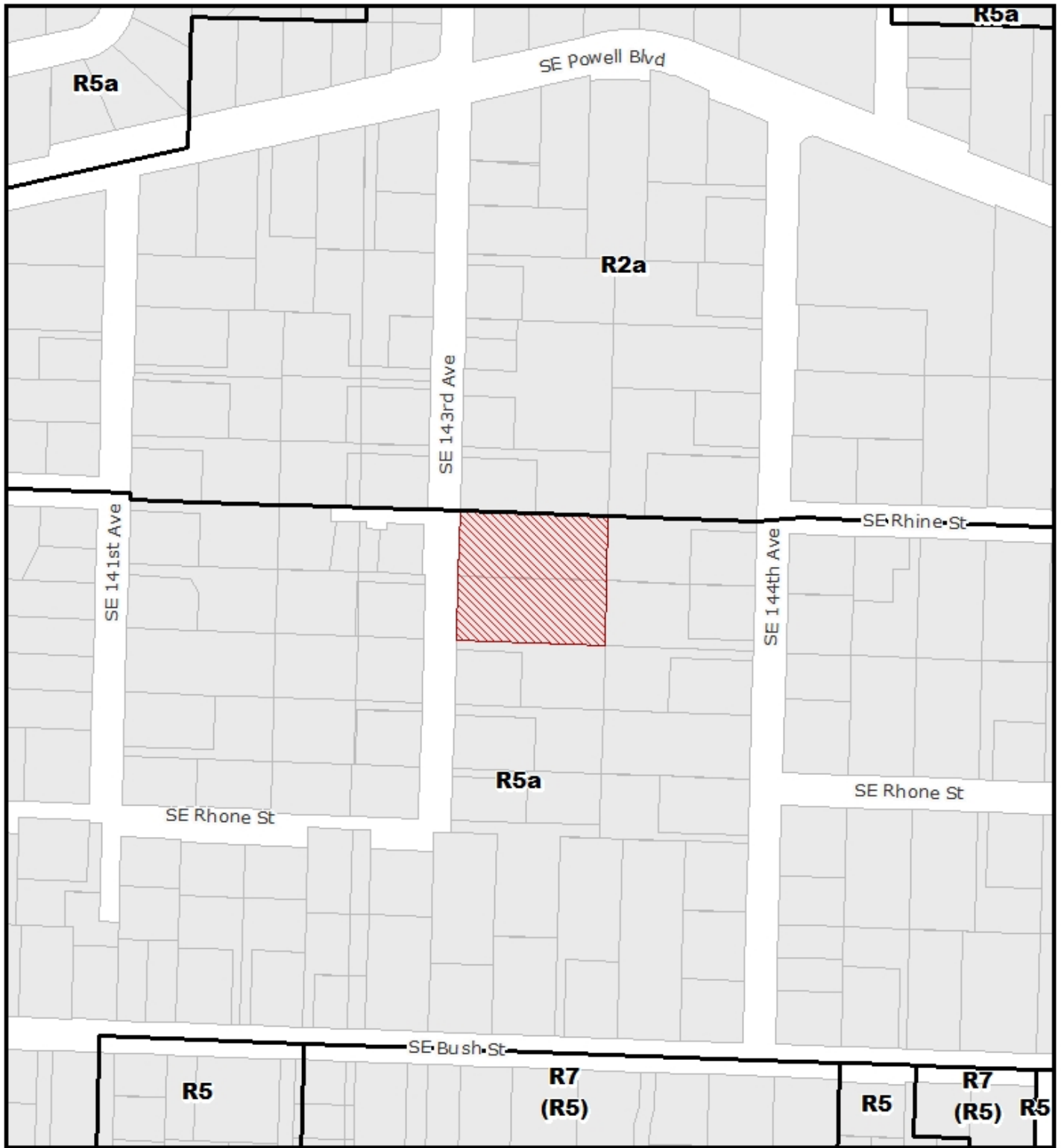
APPEAL OF THE FINAL CITY DECISION


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:

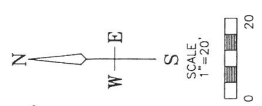
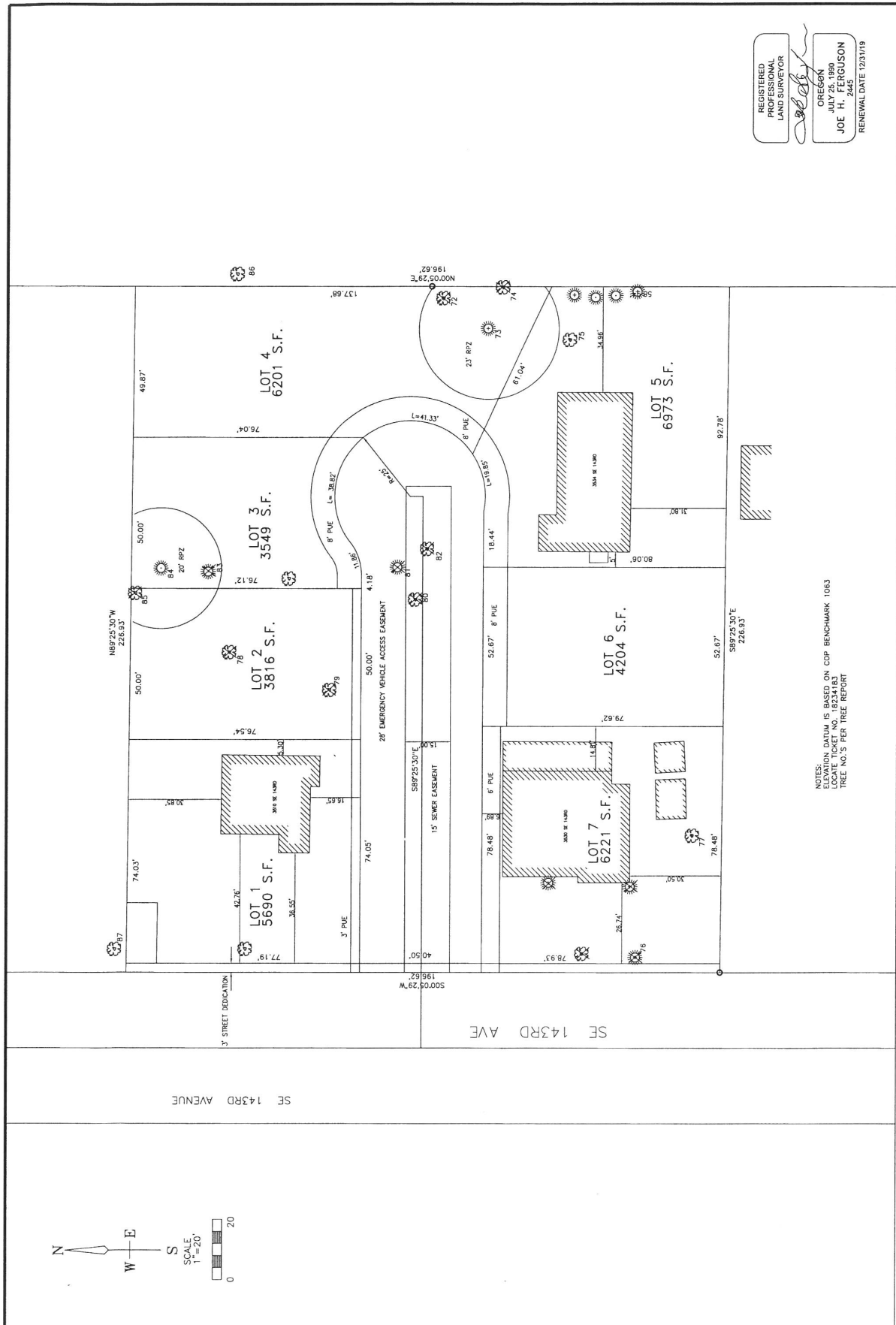
Zoning Map
Preliminary Plat



ZONING 
 NORTH
 THIS SITE LIES WITHIN THE:
 JOHNSON CREEK PLAN DISTRICT

 Site

File No.	LU 18-176884 LDS
1/4 Section	3345,3445
Scale	1 inch = 200 feet
State ID	1S2E12BC 6800
Exhibit	B Jun 01, 2018



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1980
JOE H. FERGUSON
2445

RENEWAL DATE 12/31/19

NOTES:
ELEVATION DATUM IS BASED ON COP BENCHMARK 1063
ADJACENT TO THE PROPERTY.
TREE NO.'S PER TREE REPORT

<p>Ferguson Land Surveying, Inc. 646 SE 106TH AVE. PORTLAND, OR 97216 Phone (503) 408-0601 Fax (503) 408-0602 www.FergusonLandSurveying.com</p>	<p>PRELIMINARY PLAT SITUATED IN THE NW 1/4 OF SECTION 92 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON</p>	<p>CLIENT: MAHAFFY HOMES</p>	<p>DATE: NOVEMBER 12, 2018</p>	<p>JOB NO. 18-153 DRAFTED 11.12.18</p>
		<p>REVISED</p>	<p>REVISED</p>	<p>REVISED</p>
		<p>REVISED</p>	<p>REVISED</p>	<p>SHEET 1 OF 1</p>

LU 18-176884 LDS