



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

Ted Wheeler, Mayor  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** April 10, 2019  
**To:** Interested Person  
**From:** Diane Hale, Land Use Services  
503-823-7705 / [Diane.Hale@portlandoregon.gov](mailto:Diane.Hale@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 May 10, 2019**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-114462 LDS, in your letter. It also is helpful to address your letter to me, Diane Hale. 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 19-114462 LDS**

**Applicant:** Sarah Radelet / Strata Land Use Planning  
PO Box 90833 / Portland OR 97290

**Owners:** Richard Follstad and Marilyn Martin  
2214 NE 158th Ave / Portland OR, 97230

**Site Address:** 5638 SE Hawthorne Blvd  
**Legal Description:** LOT 1 EXC S 57.25', BUCHANANS ADD  
**Tax Account No.:** R113300010  
**State ID No.:** 1S2E06DB 00100  
**Quarter Section:** 3236

**Neighborhood:** Mt. Tabor, contact Stephanie Stewart at 503-230-9364.  
**Business District:** Hawthorne Blvd. Bus. Assoc., contact at [explore@hawthornepdx.com](mailto:explore@hawthornepdx.com)  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.  
**Plan District:** None  
**Zoning:** R5 (Single-dwelling Residential 5,000)  
**Case Type:** LDS (Land Division Subdivision)  
**Procedure:** Type IIx, an administrative decision with appeal to the Hearings Officer.

#### **Proposal:**

The applicant is proposing a 4-lot subdivision for this 16,020 square foot corner lot. The existing development on the site will be removed. Lots will range from 3,549 to 3,628 square feet in area. Lots 1 and 2 are proposed to be developed with detached single-family homes; attached single family homes are proposed for Lots 3 and 4. This proposal utilizes the added density provision of 1 extra unit available for corner lots in the R5 zone (see 33.110.240.E).

Off-street parking is proposed for the new homes. The site's frontages along SE 57<sup>th</sup> Ave and SE Hawthorne Blvd will be reconstructed to include wider sidewalks and ADA corner ramps. There are twelve regulated trees on the site. The applicant is proposing to preserve three of these trees (49" Deodar Cedar, 34" Honey Locust, 26.5" Sweetgum).

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 found in **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 January 31, 2019 and determined to be complete on April 3, 2019.

**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](http://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.

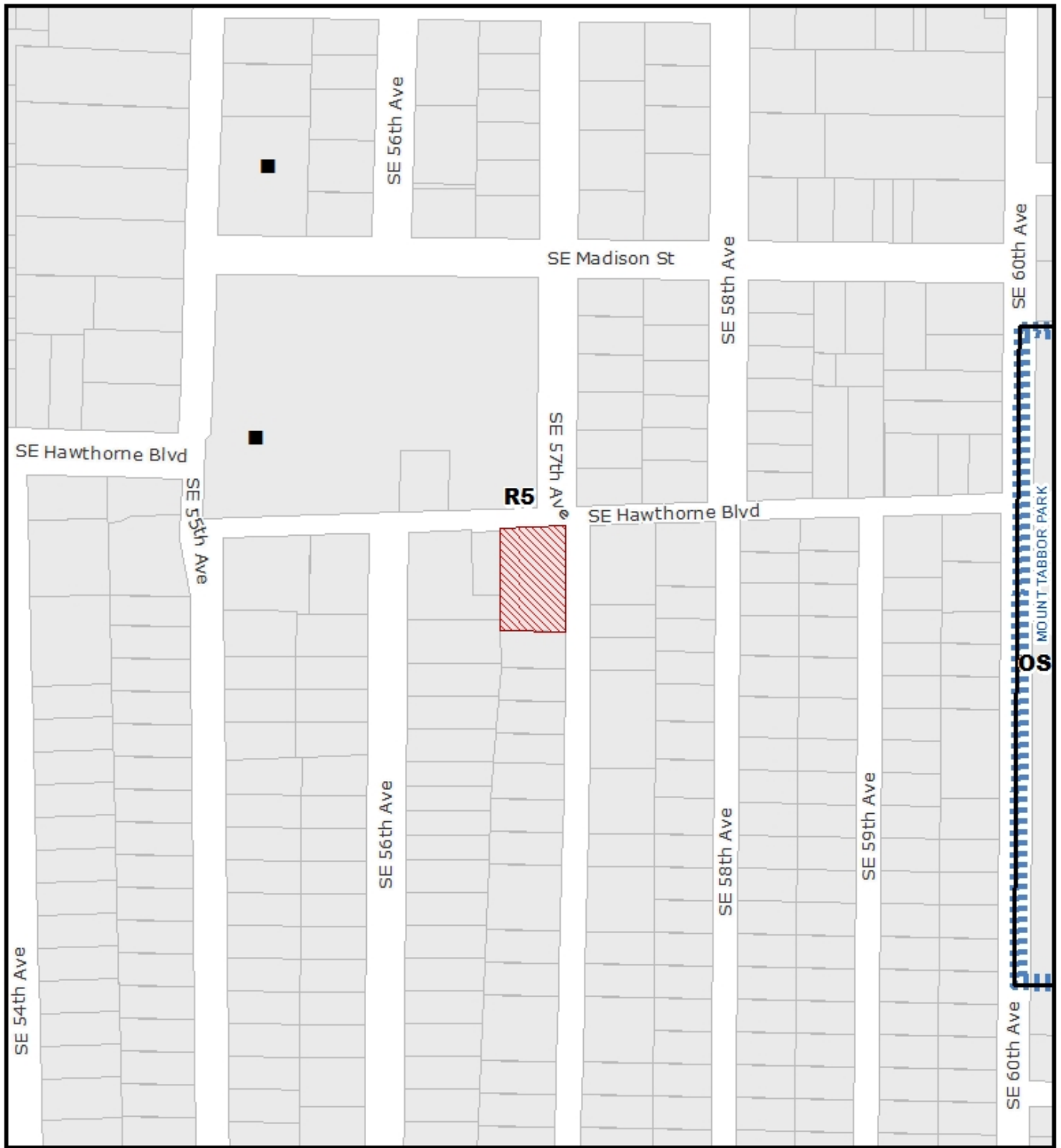
**APPEAL OF THE FINAL CITY DECISION**

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  
Site Plan



# ZONING



Site



Historic Landmark

File No.	LU 19-114462 LDS
1/4 Section	3236
Scale	1 inch = 200 feet
State ID	1S2E06DB 100
Exhibit	B Feb 06, 2019

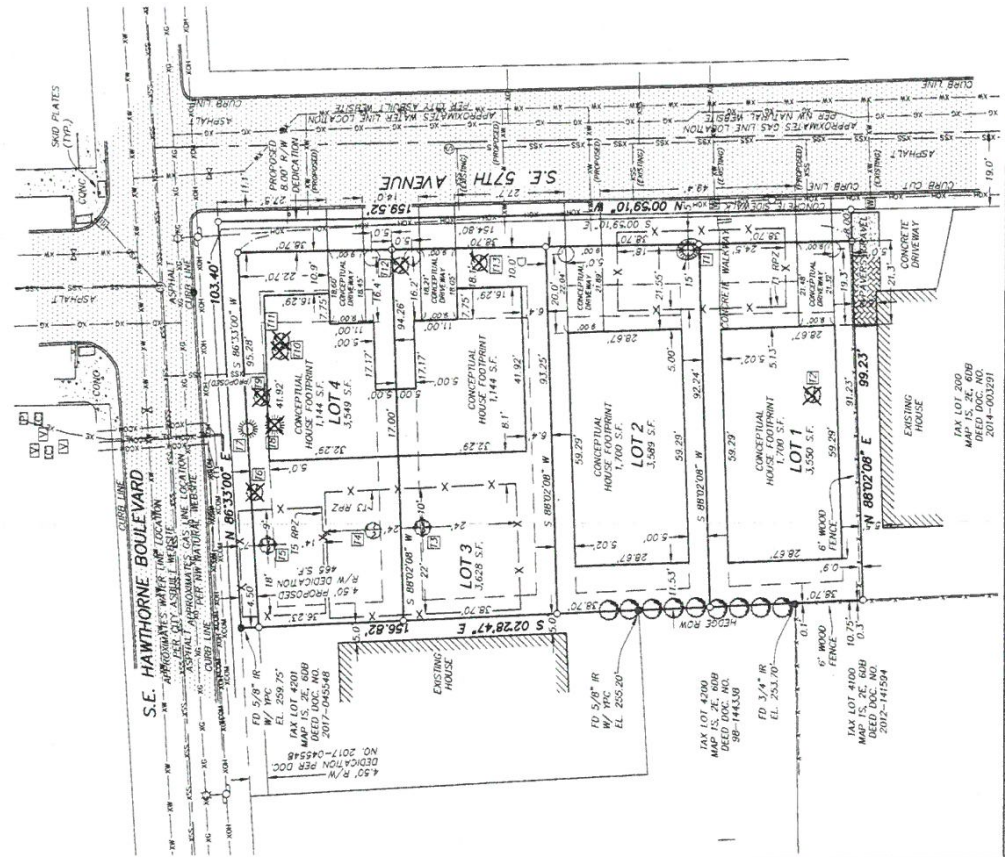
# PRELIMINARY PLAN MAP

TAX LOT 100, MAP 15, 2E, 60B  
 LOCATED IN THE S.E. 1/4 SECTION 6, T.15., R.2E., W.M.,  
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON  
 SCALE 1"=20'  
 MARCH 5, 2019  
 LAST REVISION: MARCH 29, 2019

SETBACKS  
 FROM 10.00 FEET  
 TO 5.00 FEET  
 BACK 5.00 FEET  
 SIDE 5.00 FEET

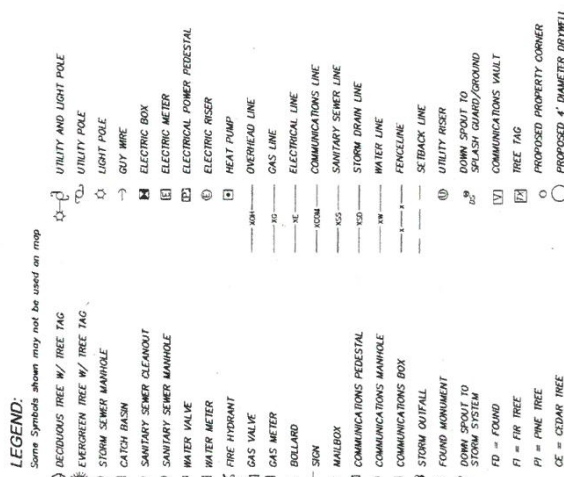
RECEIVED

APR 03 2019



**SURVEY NOTES:**  
 THIS SURVEY IS BASED UPON CITY OF PORTLAND BENCHMARK NUMBER 5401, BEING BRASS DISC ON TIE CORNER OF THE INTERSECTION OF S.E. HAWTHORNE BOULEVARD AND S.E. 57TH AVENUE, THE ELEVATION IS 264.817, COP DATUM.  
 A TRIMBLE S5-SERIES ROBOTIC INSTRUMENT WAS USED TO COMPLETE A CLOSED LOOP FIELD TRAVERSE.  
 THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND AND HELD PER RECORDS RECORDED UNDER PRIVATE SURVEY NUMBER 65007, RECORDS OF MULTNOMAH COUNTY.  
 THE PURPOSE OF THIS SURVEY IS TO RESOLVE AND DEFINE THE PERMETER BOUNDARY OF THE SUBJECT PROPERTY TO SHOW ALL PERMITS, EASEMENTS, ENCROACHMENTS, AND PROPERTY CORNERS WERE SET IN THIS SURVEY.  
 NO WARRANTIES ARE MADE AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ADVERSE POSSESSION, ESTOPPEL, ACQUESCENCE, ETC.  
 NO TITLE REPORT WAS SUPPLIED OR USED IN THE PREPARATION OF THIS MAP.  
 THE UNDERGROUND UTILITIES SHOWN ON THIS MAP HAVE BEEN LOCATED FROM FIELD SURVEY OF EXISTING STRUCUTURES. THE SURVEYOR HAS VISUALLY INSPECTED THE MAP AND MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES. THE SURVEYOR HAS EITHER IN SERVICE OR ABANDONED. THE SURVEYOR AIRRIED DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE ACCURATELY LOCATED AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES SHOWN. THE SURVEYOR'S STATEMENT IS MADE CONCERNING THE EXISTENCE OF UTILITIES SHOWN ON THIS MAP. THE SURVEYOR'S STATEMENT DOES NOT AFFECT THE USE OR DEVELOPMENT OF THIS TRACT. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR.

**LEGEND:**  
 Some Symbols shown may not be used on map  
 DECIDUOUS TREE W/ TREE TAG  
 EVERGREEN TREE W/ TREE TAG  
 STORM SEWER MANHOLE  
 CATCH BASIN  
 SANITARY SEWER CLEANOUT  
 SANITARY SEWER MANHOLE  
 WATER VALVE  
 WATER METER  
 FIRE HYDRANT  
 GAS VALVE  
 GAS METER  
 BOLLARD  
 SIGN  
 MAILBOX  
 COMMUNICATIONS PEDESTAL  
 COMMUNICATIONS MANHOLE  
 COMMUNICATIONS BOX  
 FOUND MONUMENT  
 STORM OUTFALL  
 STORM DRAIN LINE  
 WATER LINE  
 FENCELINE  
 SE BRACK LINE  
 UTILITY RISER  
 DOWN POST TO SPLASH GUARD/GROUND  
 COMMUNICATIONS VAULT  
 TREE TAG  
 PROPOSED PROPERTY CORNER  
 PROPOSED 4" DIAMETER DRYWELL  
 RECOGNIZED TREE W/ TREE TAG  
 LIGHT POLE  
 GUY WIRE  
 ELECTRIC BOX  
 ELECTRIC METER  
 ELECTRICAL POWER PEDESTAL  
 ELECTRIC RISER  
 HEAT PUMP  
 OVERHEAD LINE  
 GAS LINE  
 ELECTRICAL LINE  
 COMMUNICATIONS LINE  
 SANITARY SEWER LINE  
 STORM DRAIN LINE  
 WATER LINE  
 FENCELINE  
 SE BRACK LINE  
 UTILITY RISER  
 DOWN POST TO SPLASH GUARD/GROUND  
 COMMUNICATIONS VAULT  
 TREE TAG  
 PROPOSED PROPERTY CORNER  
 PROPOSED 4" DIAMETER DRYWELL  
 CE = CEDAR TREE  
 IR = IRON ROD  
 YFC = YELLOW PLASTIC CAP  
 DE = DECIDUOUS TREE



SIGNED ON: 3/29/2019  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 JULY 13, 2004  
 TERRY G. BOLDEN  
 0657715  
 REVIEWS: DECEMBER 31, 2019

**CENTERLINE CONCEPTS**  
**LAND SURVEYING, INC.**  
 19376 MCALLA AVE., SUITE 120  
 OREGON CITY, OREGON 97045  
 PHONE 503.650.0188 FAX 503.650.0189

PROJECT: M:\PROJECTS\FULLSTAD-MARTIN-HAWTHORNE BLVD.-SE-56.58' (copy) PRELIMINARY PLAN MAP-4 (LOT.dwg)

LU 19-114462 LDS