



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

Date: July 5, 2019
To: Interested Person
From: Shawn Burgett, City Planner
503-823-7618 / shawn.burgett@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 8/5/2019**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-136599 LDS, in your letter. It also is helpful to address your letter to me, Shawn Burgett. 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 19-136599 LDS

Applicant: Jon Allender | NW Construction Consultants
11501 SW Pacific Hwy #201, Portland, OR 97223
[503-593-5771/Jon@nwconstructionconsultants.com](mailto:Jon@nwconstructionconsultants.com)

Representatives: Steven Farnsworth | Roadway Engineering, Inc.
20015 SW Tillamook Ct, Tualatin, OR 97062

Tracy Brown | Tracy Brown Planning Consultants, LLC
17075 Fir Dr., Sandy, OR 97055

Owner: Matthew H Peters
11557 SE Powell Blvd, Portland, OR 97266-1756

Site Address: 11557 SE POWELL BLVD

Legal Description: LOT 37 TL 5700, LARKWOOD
Tax Account No.: R471801140
State ID No.: 1S2E10AC 05700
Quarter Section: 3342
Neighborhood: Powellhurst-Gilbert, contact at pgnaboard@gmail.com
Business District: Midway, contact info@midwaybusiness.org.
District Coalition: East Portland Community Office, contact Victor Salinas at 503-823-6694.

Plan District: Johnson Creek Basin

Zoning: R5a (Single Family Residential 5,000 sq. ft. with “a” Alternative Design Density Overlay)
Case Type: LDS (Land Division Subdivision)
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant is proposing a 3-Lot Land Division and new private street tract on the 20,981 square foot site. The new lots will measure between 4,333 sq. ft.-6,545 sq. ft. in area. The existing house is proposed to remain on Parcel 1. The applicant is proposing to attach a new unit to the existing home as allowed under Zoning Code section 33.110.240.C in order to create a future “duplex” unit on the new corner lot (attached units on corner lots).

The applicant is proposing a large landscape buffer as part of the private street tract adjacent to the east property line in order to protect Tree Number 1 (46” diameter Douglas Fir) located near the sites eastern property boundary. In addition, the applicant is proposing to protect tree number 4 (29” diameter Douglas Fir) located southwest of the existing house on Parcel 1.

The applicant is also proposing to reduce the side setback for the new attached unit on Parcel 1 from 5’ to 3’ under the Tree preservation criteria (33.630.400) since the proposed private street tract was shifted west to protect the large tree referenced above which impacted this proposed setback area.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval 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 March 22, 2019 and determined to be complete on June 27, 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.

APPEAL PROCESS

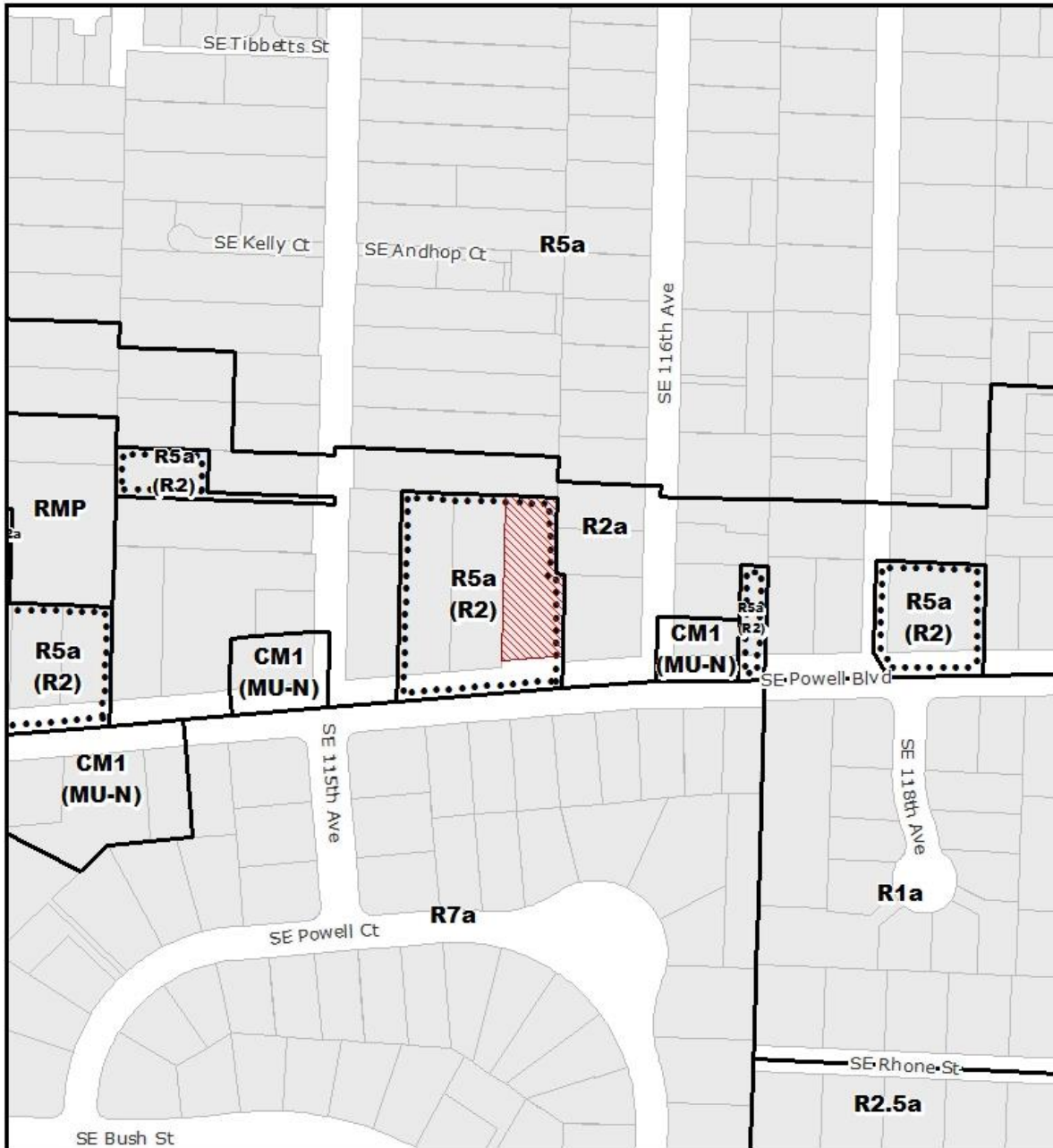
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal 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

Site Plans: (Preliminary Plat, Tree Preservation Plan, Street Plan)

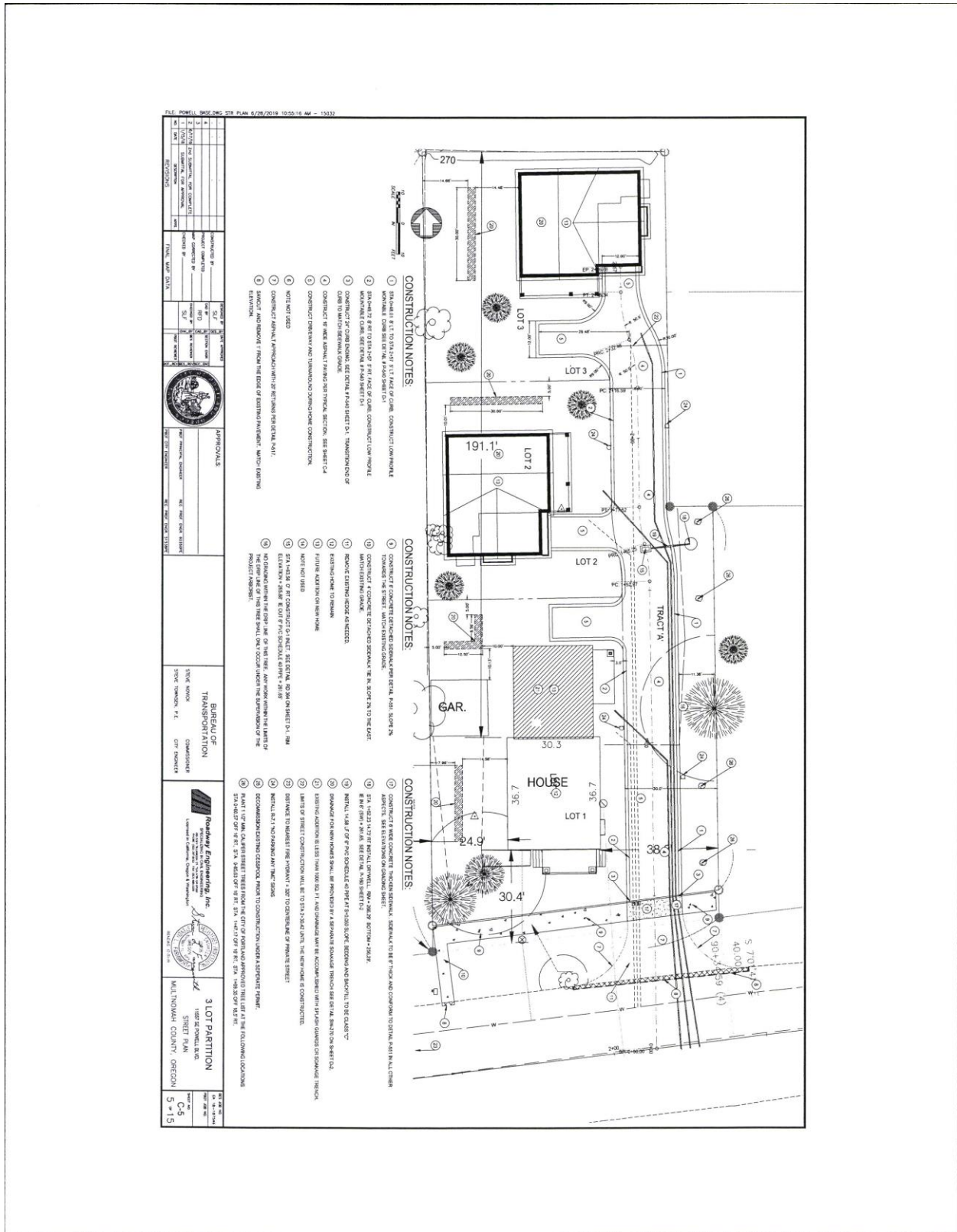


ZONING ↑
NORTH

THIS SITE LIES WITHIN THE:
JOHNSON CREEK PLAN DISTRICT

 Site

| | |
|-------------|-------------------|
| File No. | LU 19-136599 LDS |
| 1/4 Section | 3342,3442 |
| Scale | 1 inch = 200 feet |
| State ID | 1S2E10AC 5700 |
| Exhibit | B Mar 26, 2019 |



FILE: P00011.DWG DATE: 6/28/2018 10:55:18 AM - 15032

| <p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> | | NO. | DATE | DESCRIPTION | | | | | | | <p>APPROVALS</p> <table border="1"> <tr> <td> <p>DESIGNER: [Signature]</p> </td> <td> <p>CHECKED: [Signature]</p> </td> </tr> <tr> <td> <p>DATE: [Date]</p> </td> <td> <p>DATE: [Date]</p> </td> </tr> </table> | | <p>DESIGNER: [Signature]</p> | <p>CHECKED: [Signature]</p> | <p>DATE: [Date]</p> | <p>DATE: [Date]</p> |
|--|-----------------------------|---|------|-------------|--|--|--|--|--|--|--|--|------------------------------|-----------------------------|---------------------|---------------------|
| NO. | DATE | DESCRIPTION | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| <p>DESIGNER: [Signature]</p> | <p>CHECKED: [Signature]</p> | | | | | | | | | | | | | | | |
| <p>DATE: [Date]</p> | <p>DATE: [Date]</p> | | | | | | | | | | | | | | | |
| <p>TRANSPORTATION</p> <p>STATE OF OREGON DEPARTMENT OF TRANSPORTATION</p> | | <p>3 LOT PARTITION</p> <p>1988 1/2 FOWELL BLVD STREET PAVEN MULTNOMAH COUNTY, OREGON</p> | | | | | | | | | | | | | | |
| <p>ROADWAY ENGINEERING, INC.</p> <p>1988 1/2 FOWELL BLVD STREET PAVEN MULTNOMAH COUNTY, OREGON</p> | | <p>DATE: 6/28/2018</p> | | | | | | | | | | | | | | |