



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

Ted Wheeler, Mayor
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www.portlandoregon.gov/bds

Date: May 29, 2020
To: Interested Person
From: Kate Green, Land Use Services
503-823-5868 / Kate.Green@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 June 29, 2020. **During the COVID-19 pandemic, your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number in your e-mail. If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 19-263973 LDS

Applicants/Owners: Richard Cassar / Hals Den LLC
733-4366 Koi Koi Street / Kailua-Kona HI 96740

Logan Devos / LT Investments Two LLC
2380 NW Kings Boulevard, Suite 301 / Corvallis OR 97330

Representative: Danelle Isenhardt / Isenhardt Consulting LLC
PO Box 2364 / Beaverton OR 97075
503-880-4979 / danelle@isenhardtconsulting.com

Site Address: 7550, 7606 and 7620 SE FLAVEL STREET and 7707 WI/SE 76TH PLACE
Legal Description: S 65' OF N 137' OF W 66' OF S 1/2 OF LOT 19, D & O LITTLE HMS SUB 2; N 72' OF W 66' OF S 1/2 OF LOT 19, D & O LITTLE HMS SUB 2; N 1/2 OF W 66' OF LOT 19 EXC PT IN ST, D & O LITTLE HMS SUB 2; LOT 19 TL 600, D & O LITTLE HMS SUB 2; LOT 19 TL 300, D & O LITTLE HMS SUB 2; LOT 19 TL 400, D & O LITTLE HMS SUB 2

Tax Account No.: R202612686, R202612690, R202612710, R202612740, R202612750, R202612770

State ID No.: 1S2E20DB 01800, 1S2E20DB 01700, 1S2E20DB 00500, 1S2E20DB 00600, 1S2E20DB 00300, 1S2E20DB 00400

Quarter Section: 3838

Neighborhood: Brentwood-Darlington, contact bdlanduse@gmail.com
Business District: None
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010 x313

Zoning: Multi-Dwelling Residential-R2 (changed to RM1 on March 1, 2020)
Single-Dwelling Residential-R2.5
Alternative Design Density overlay-a

Case Type: Land Division-Subdivision (LDS)

Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal: The applicants propose a **Land Division-Subdivision** to configure the subject properties into 3 lots and 1 open space tract.

Lot 1 is proposed for multi-dwelling development; an existing house (7550 SE Flavel Street) is proposed to be removed and an existing 6-plex (7606 SE Flavel Street) is proposed to be retained on Lot 1. An existing house (7620 SE Flavel Street) is proposed to be retained on Lot 2. Lot 3 is proposed for single-dwelling or duplex development. An open space tract (Tract A) is proposed for vacant portions of the site in the R2.5 zone, south of proposed Lot 1.

An extension of SE Malden Street and a new public pedestrian connection between SE Malden Street and SE Flavel Street are proposed to provide access and public services to the lots.

This subdivision is reviewed through a Type Ix land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental Review) are requested or required (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 (3 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 **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 December 11, 2019 and determined to be complete on May 26, 2020.

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.

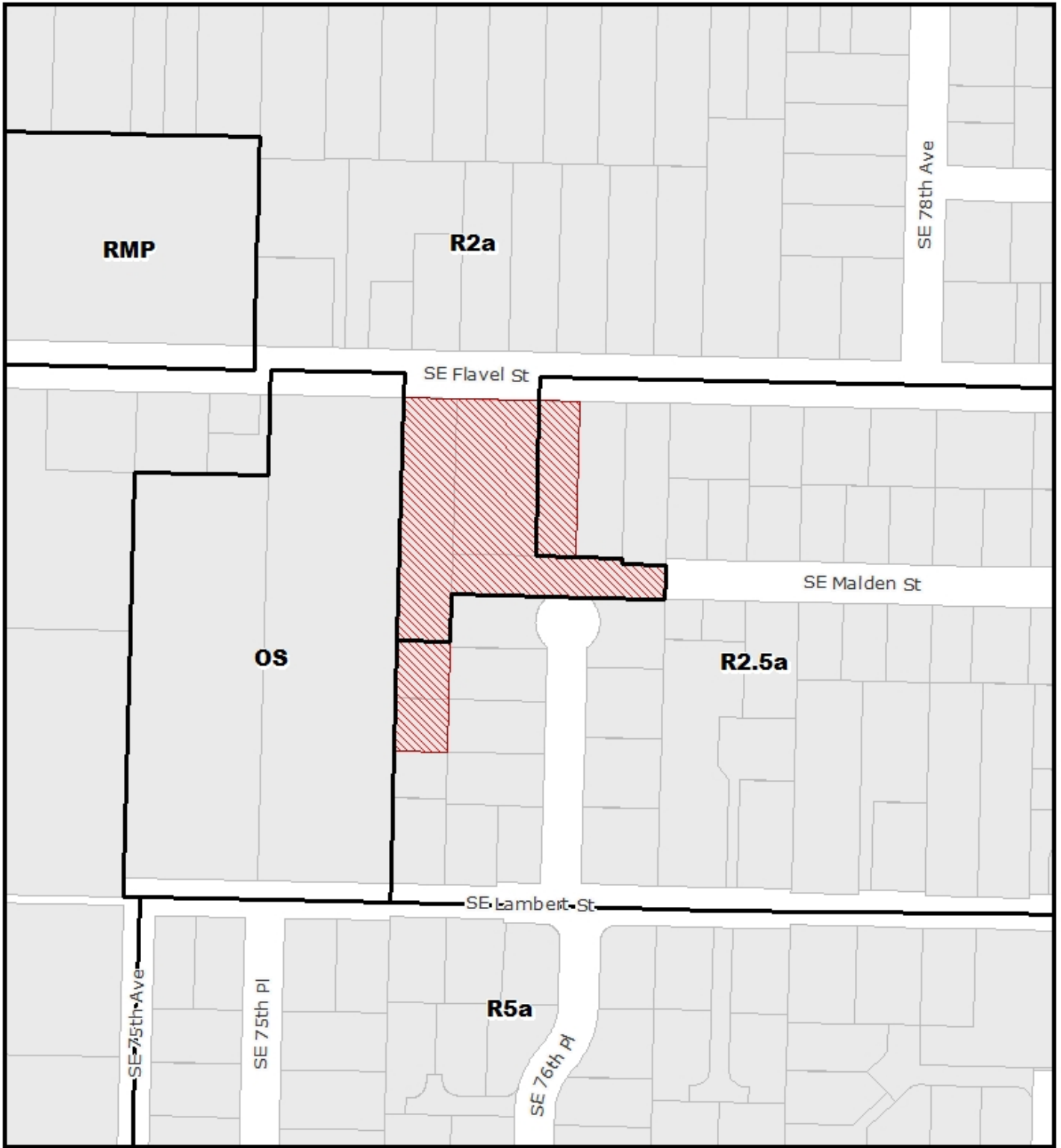
- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please 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, Preliminary Plat

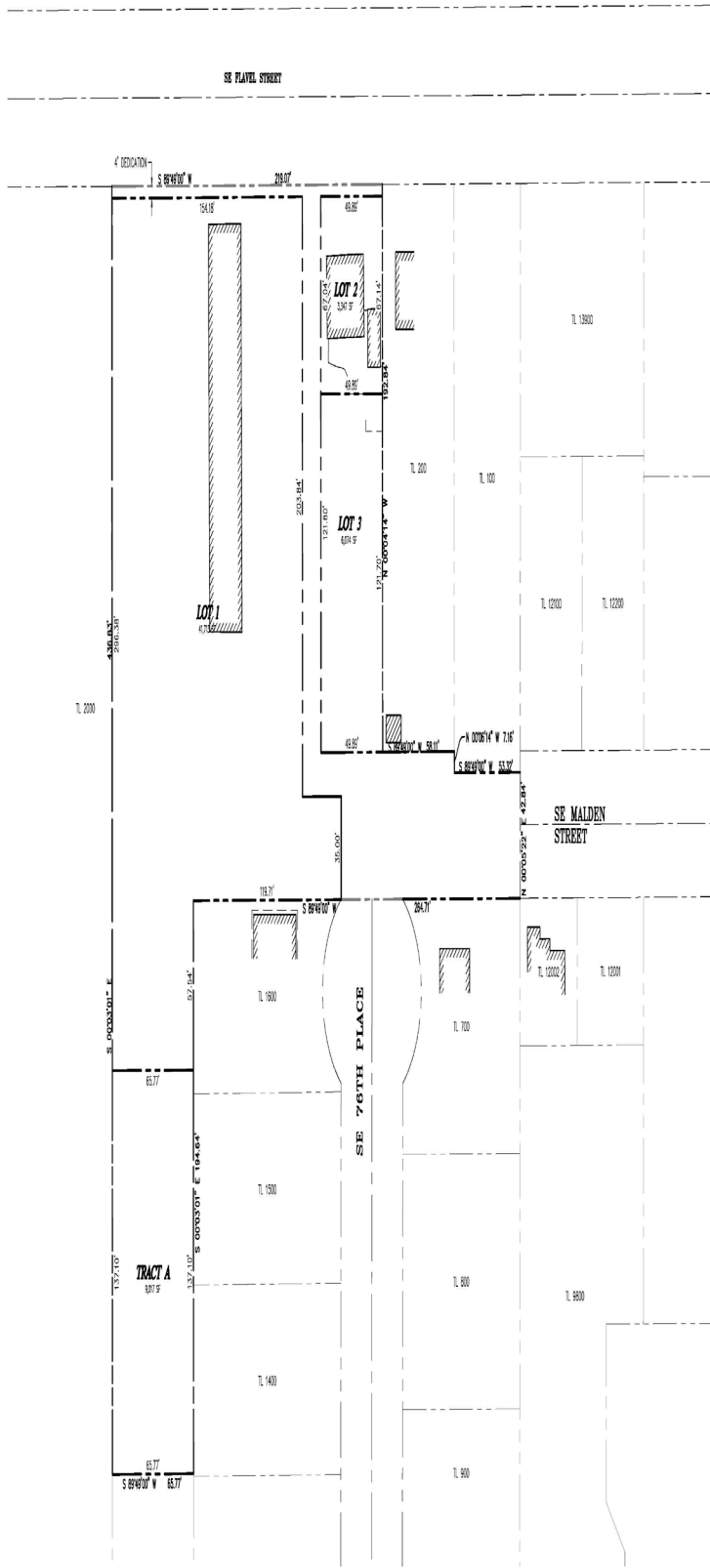


ZONING 
NORTH

 Site

File No.	LU 19 - 263973 LDS
1/4 Section	3838
Scale	1 inch = 163 feet
State ID	1S2E20DB 500
Exhibit	B Dec 16, 2019

FILE: C:\Users\anderson\Documents\2020-001\389\plan\Layout_Prel1.dwg, Plot Date: 5/20/2020 8:11 PM, by: kphong_020



- LEGEND**
- PROPERTY LINE
 - - - - - ADJACENT/ADJOINING LOT LINE
 - CENTER LINE ROW
 - - - - - SETBACK LINE

ZONE
R2a

SETBACKS
FRONT: 10 FT.
GARAGE: 18 FT.
REAR: 5 FT.
SIDE: 5 FT.

7550, 7606 & 7620 SE FLAVEL ST
3-LOT PARTITION
TAX MAP T1S R2E 20DB
PARCELS 4000, 4001, 5000, 5001, 7400 & 1800
PORTLAND, OREGON

PRELIMINARY PLAT

NO.	DATE	REVISIONS DESCRIPTION

HAMERIO
Design

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WWW.HAMERIODSIGN.COM