



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

Dan Ryan, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portland.gov/bds

Date: May 25, 2021
To: Interested Person
From: Shawn Burgett, Land Use Services
503-865-6734 / shawn.burgett@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 6/24/2021. Your comments must be e-mailed to the assigned planner listed above**; please include the Case File Number, LU 20-128434 LDS, in your e-mail. If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 20-128434 LDS PC # 17-215424

Representative: Richard Georgescu, RSG Engineering Co
16802 NE 152nd Ave
Brush Prairie, Wa 98606
E-mail: RSGENG@COMCAST.NET

Applicant/Owner: Ninh Le, HNT Development LLC
10850 SE Richmond Court
Happy Valley, OR 97086

Site Address: 3213 SE 129th Ave

Legal Description: LOT 50, LINN PK
Tax Account No.: R500306260
State ID No.: 1S2E11BD 07300
Quarter Section: 3343

Neighborhood: Powellhurst-Gilbert, contact at pgnaboard@gmail.com
Business District: Midway, contact info@midwaybusiness.org.
District Coalition: East Portland Community Office, contact at 503-823-4550.

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 IIX, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant is proposing a 7-lot land division and new east-west oriented public street connection on the 41,038 sq. ft vacant site which includes an additional 3,354 sq. ft. of site area currently associated with the adjacent property to the south under common ownership addressed 3245 SE 129th Ave. The applicant is proposing to transfer the northern 11.5' feet of property from the adjacent property to the south via a Property Line Adjustment currently under City review per 20-140666 PR. This area will become part of the new public street.

The new public street extension is proposed along the southern boundary of the site and would connect SE 129th Ave to SE Kelly St. to the west. The seven new lots proposed will measure between 3,499-4,410 square feet in area. The applicant is currently proposing to protect existing trees on Lots 1, 4 and 5 based on the site plan submittal.

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 10, 2020 and determined to be complete on September 7, 2020 at the request of the applicant.

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.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the %Appeal Body%. 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 fee waivers. Multnomah County may cover the appeal fees for their recognized associations. An appeal filed by a recognized association must be submitted to the City with either the appropriate fee or the attached form signed by the County. Contact Multnomah County at 503-988-3043, 1600 SE 190th, Portland, OR 97233.

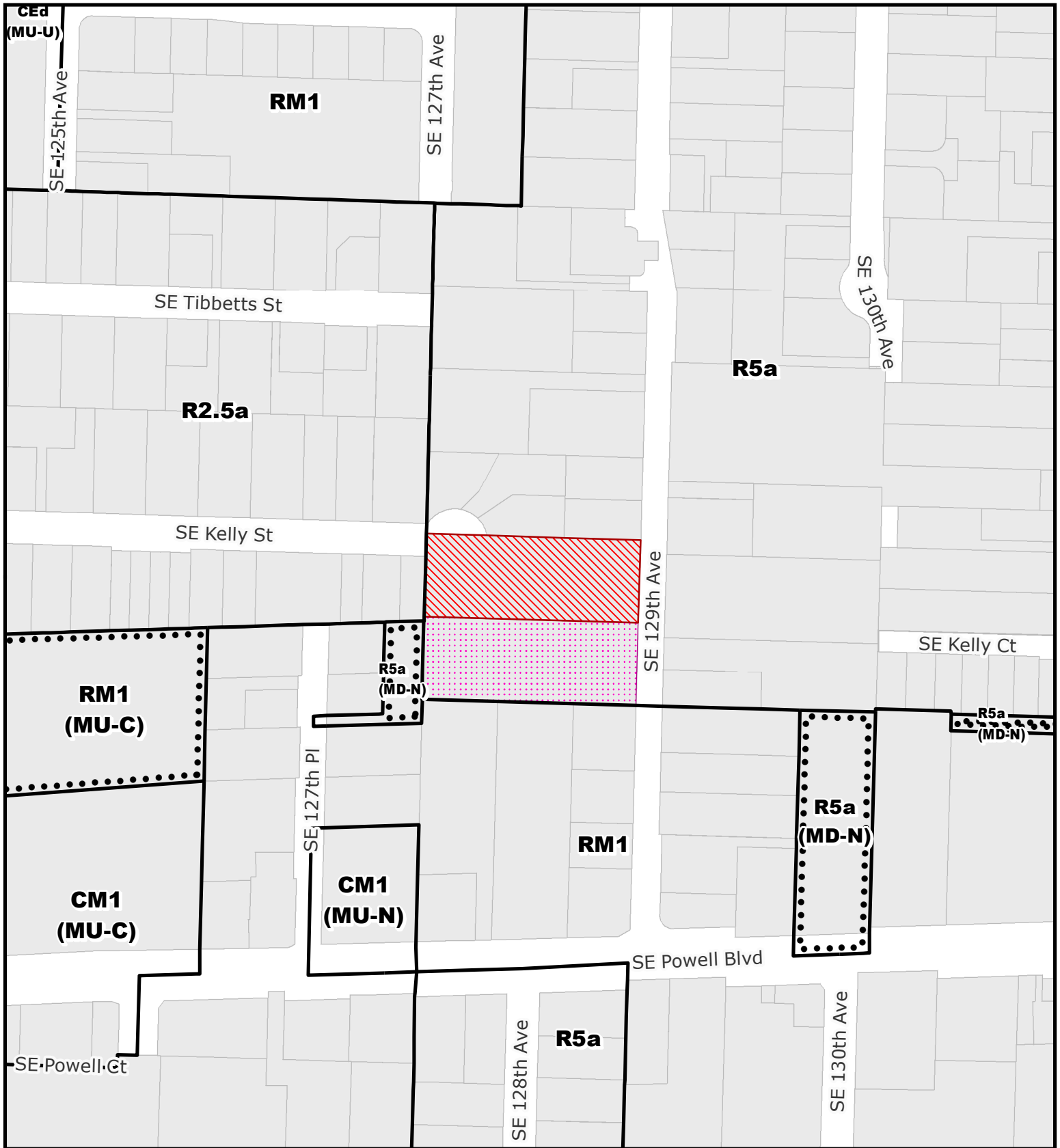
APPEAL OF THE FINAL CITY DECISION

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



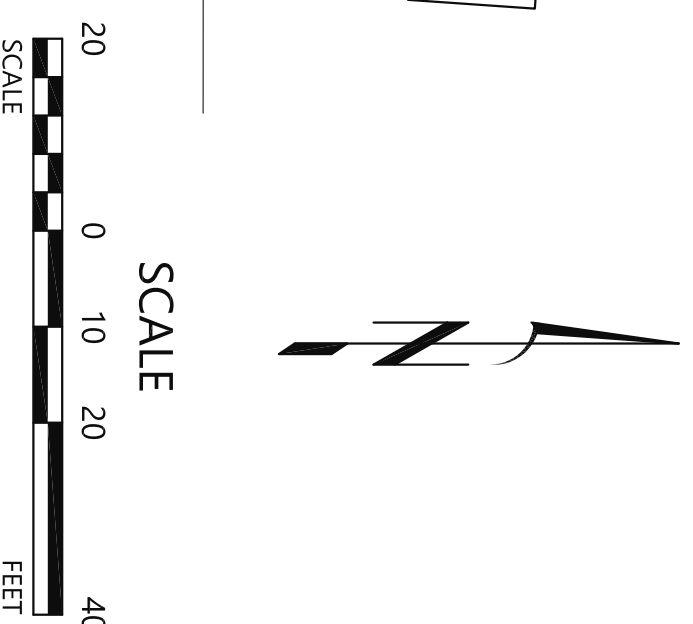
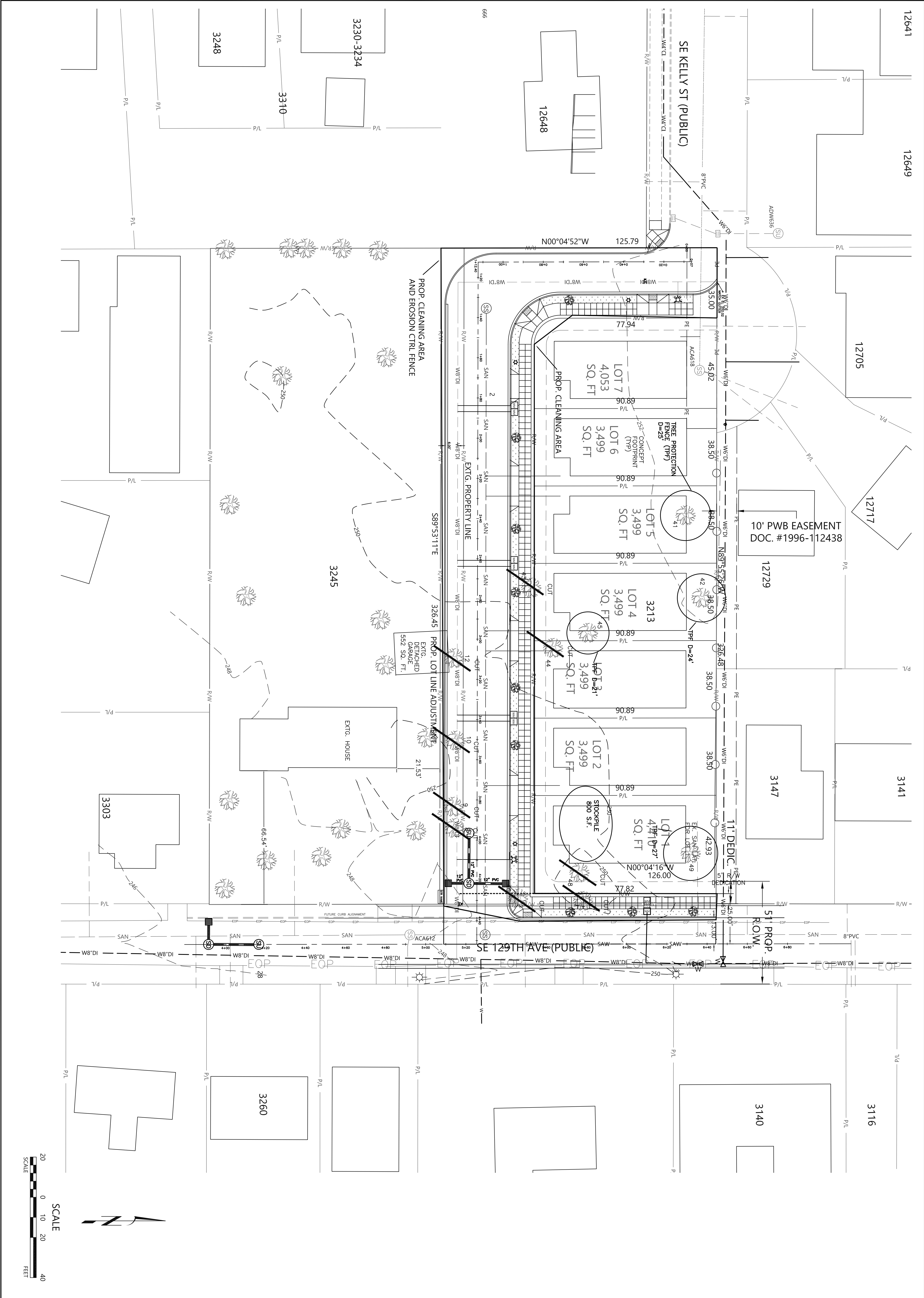
ZONING

JOHNSON CREEK PLAN DISTRICT



-  Site
-  Also Owned Parcels

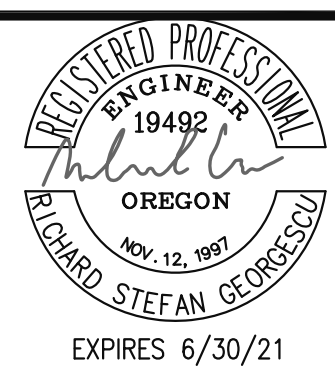
File No.	LU 20 - 128434 LDS
1/4 Section	3343
Scale	1 inch = 200 feet
State ID	1S2E11BD 7300
Exhibit	B Mar 16, 2020



RSG ENGINEERING, co.
 CIVIL ENGINEERING / CONSTRUCTION MANAGEMENT
 16802 NE 152ND AVE, BRUSH PRAIRIE, WA 98606
 PH (503) 380-6179, FAX (360) 891-7945
 E-MAIL: RSGENG@COMCAST.NET

PROJECT NAME: ROMANIAN ADVENTIST CHURCH
EXISTING CONDITIONS PLAN
 CLIENT: HNT DEVELOPMENT LLC
 10850 SE RICHMOND CT
 HAPPY VALLEY, OR 97086

SCALE	VERT: N/A
	HORIZ: 1"=20'
DATE:	05-2021
CASE FILE:	
LEGAL	
SE 1/4 OF	TWP. RANGE
SECTION 11	1S 2 EAST



DATE	REVISION	BY
DESIGNED: RSG	SHEET	OF
DRAWN: RSG	1	1
CHECKED: RSG		
APPROVED:		