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

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: November 21, 2011

To: Interested Person

From: Sean Williams, Land Use Services
503-823-7612 / Sean.Williams@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 21, 2011**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 11-183254 LDS, in your letter. It also is helpful to address your letter to me, Sean Williams.

CASE FILE NUMBER: LU 11-183254 LDS

Applicant: Edna E Barnhart
2120 SE 130th Avenue
Portland, OR 97233-1420

Representative: Kevin Partain
Urban Visions
223 NE 56th Avenue
Portland, OR 97213

Site Address: 2120 SE 130th Avenue

Legal Description: BLOCK 7 N 75.39' OF LOT 1 EXC N 5' IN ST & EXC W 10' IN RD S 36.93' OF LOT 1 EXC W 10' IN RD N 38.46' OF LOT 2 EXC W 10' IN RD, DAGMAR AC
Tax Account No.: R193903570
State ID No.: 1S2E02CD 00700
Quarter Section: 3243
Neighborhood: Hazelwood, contact Arlene Kimura at 503-252-9429.
Business District: Gateway Area Business Association, contact Fred Sanchez at 503-256-3910. Midway, contact Bill Dayton at 503-252-2017.
District Coalition: East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.
Plan District: None
Zoning: Residential 5,000 (R5) w/ Alternative Design Density overlay (a)
Case Type: Land Division Subdivision (LDS)
Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer.

Proposal:
The applicant is requesting to subdivide the subject property into 8 lots ranging in size from 3,371 to 7,943 square feet in area. The existing single family residence will be retained on Lot 1. A 6 foot right-of-way dedication is proposed along the sites SE Lincoln Street frontage to accommodate pedestrian corridor improvements. The applicant is proposing to retain 11 trees for compliance with preservation standards. A sanitary sewer easement is proposed across Lot 2 for the benefit of Lot 1. Stormwater management is proposed via individual drywells.

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. 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 October 6, 2011 and determined to be complete on **November 17, 2011**.

DECISION MAKING PROCESS
The Bureau of Development Services will make a decision on this proposal.
We will consider your comments, and

- Approve the proposal.
- Approve the proposal with conditions.
- 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 only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. 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.ci.portland.or.us.

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.

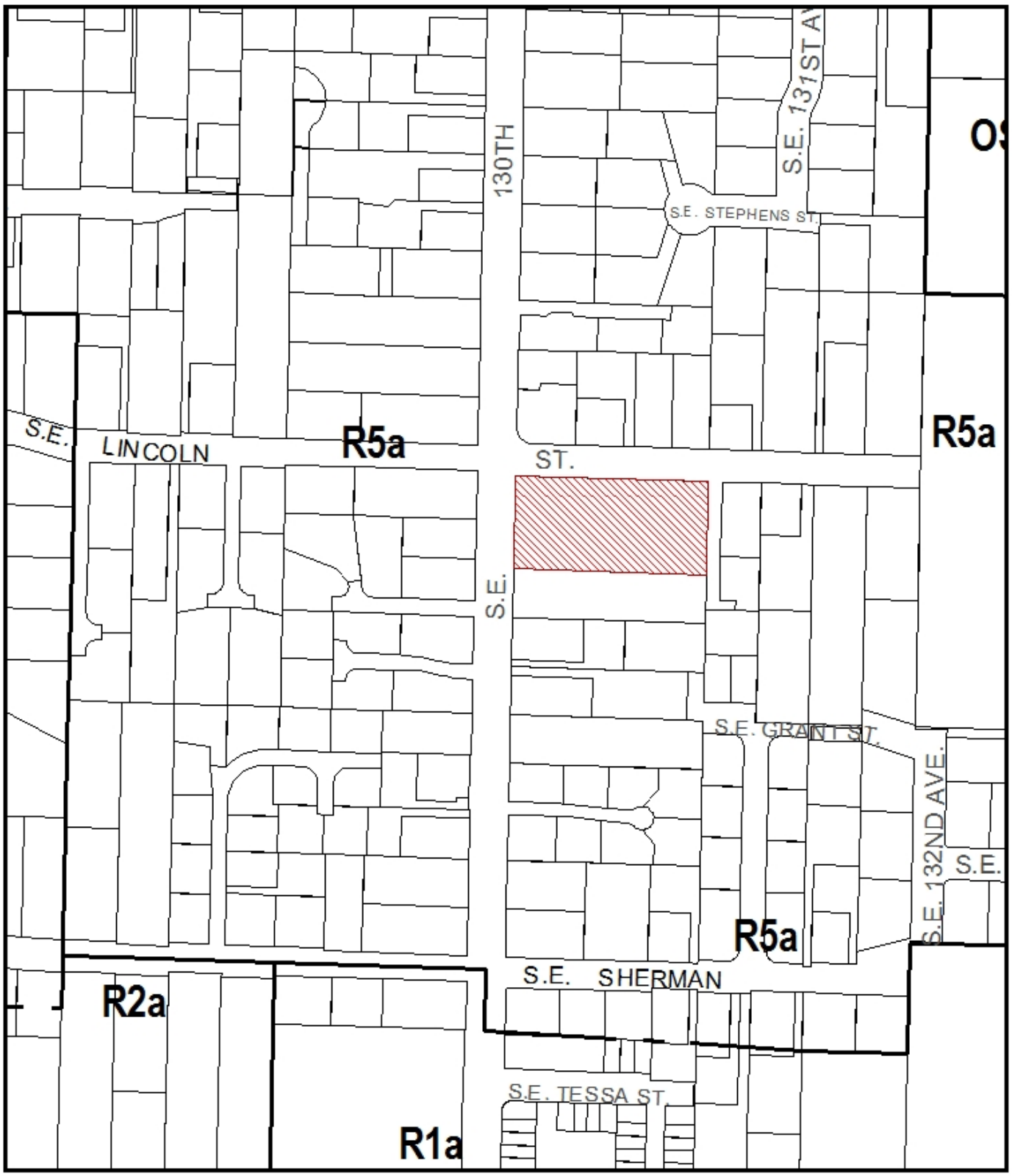
There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

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 550 Capitol St. NE, Suite 235, Salem, OR 97301. 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

NORTH

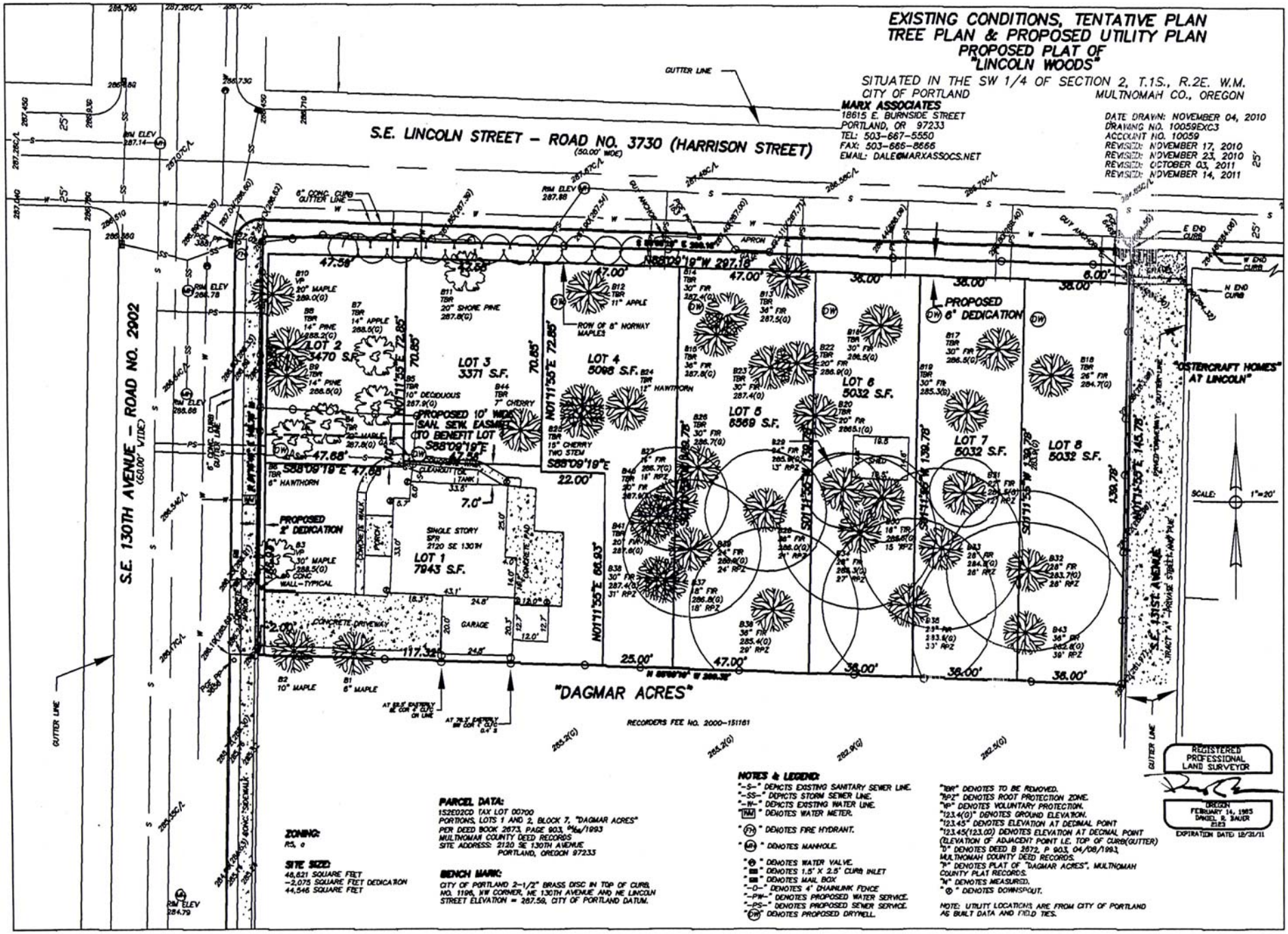
File No.	LU 11-183254 LDS
1/4 Section	3243
Scale	1 inch = 200 feet
State_Id	1S2E02CD 700
Exhibit	B (Oct 13,2011)

EXISTING CONDITIONS, TENTATIVE PLAN
TREE PLAN & PROPOSED UTILITY PLAN
PROPOSED PLAT OF
"LINCOLN WOODS"

SITUATED IN THE SW 1/4 OF SECTION 2, T.1S., R.2E. W.M.
CITY OF PORTLAND MULTNOMAH CO., OREGON

MARX ASSOCIATES
18615 E. BURNSIDE STREET
PORTLAND, OR 97233
TEL: 503-667-5550
FAX: 503-666-8666
EMAIL: DALE@MARXASSOCS.NET

DATE DRAWN: NOVEMBER 04, 2010
DRAWING NO. 10059EXC3
ACCOUNT NO. 10059
REVISED: NOVEMBER 17, 2010
REVISED: NOVEMBER 23, 2010
REVISED: OCTOBER 03, 2011
REVISED: NOVEMBER 14, 2011



ZONING:
R5, a

SITE SIZE:
48,621 SQUARE FEET
-2,075 SQUARE FEET DEDICATION
44,546 SQUARE FEET

PARCEL DATA:
152E02CD TAX LOT 00700
PORTIONS, LOTS 1 AND 2, BLOCK 7, "DAGMAR ACRES"
PER DEED BOOK 2673, PAGE 903, 04/08/1993
MULTNOMAH COUNTY DEED RECORDS
SITE ADDRESS: 2120 SE 130TH AVENUE
PORTLAND, OREGON 97233

BENCH MARK:
CITY OF PORTLAND 2-1/2" BRASS DISC IN TOP OF CURB, NO. 1196, NW CORNER, NE 130TH AVENUE AND NE LINCOLN STREET ELEVATION = 267.59, CITY OF PORTLAND DATUM.

NOTES & LEGEND:
"-S-" DENOTES EXISTING SANITARY SEWER LINE.
"-SS-" DEPICTS STORM SEWER LINE.
"-W-" DEPICTS EXISTING WATER LINE.
"WM" DENOTES WATER METER.
"FH" DENOTES FIRE HYDRANT.
"MH" DENOTES MANHOLE.
"⊕" DENOTES WATER VALVE.
"▭" DENOTES 1.5' X 2.5' CURB INLET
"▭" DENOTES MAIL BOX
"-O-" DENOTES 4' CHAINLINK FENCE
"-PW-" DENOTES PROPOSED WATER SERVICE.
"-PS-" DENOTES PROPOSED SEWER SERVICE.
"DW" DENOTES PROPOSED DRYWELL.

"TBR" DENOTES TO BE REMOVED.
"RPZ" DENOTES ROOT PROTECTION ZONE.
"vp" DENOTES VOLUNTARY PROTECTION.
"123.4(G)" DENOTES GROUND ELEVATION.
"123.45" DENOTES ELEVATION AT DECIMAL POINT
"123.45(123.00) DENOTES ELEVATION AT DECIMAL POINT (ELEVATION OF ADJACENT POINT I.E. TOP OF CURB(GUTTER)
"D" DENOTES DEED B 2672, P 903, 04/08/1993, MULTNOMAH COUNTY DEED RECORDS.
"P" DENOTES PLAT OF "DAGMAR ACRES", MULTNOMAH COUNTY PLAT RECORDS.
"M" DENOTES MEASURED.
"⊙" DENOTES DOWNSPOUT.

NOTE: UTILITY LOCATIONS ARE FROM CITY OF PORTLAND AS BUILT DATA AND FIELD TIES.